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GROUND 4.

With reference to this Ground, the same objection is urged against the granting of a new trial, as heretofore referred to.

We submit that if a verdict rendered after a trial lasting approximately thirty days, where evidence was introduced covering, as shown by the stenographer's report, seven large volumes, and 3,647 pages of legal cap paper, a voluminous record, can be upset, - where the same has been rendered by a unanimous verdict of the jury, as shown by the affidavits from all of the jurors as attached to the motion for a new trial made by defendant, Leo M. Frank, and to which said affidavits reference is prayed, where said verdict was approved by the judge who tried said case, and thereafter affirmed by the Supreme Court of Georgia, one of the grounds of the motion for new trial being as to the sufficiency of the evidence, - then verdicts of juries and judgments of courts are not ^{the} binding and conclusive adjudications which they have heretofore been supposed to be, and the trial is little more than a farce.

This witness is at present in the employ of the National Pencil Company.

The volume of the record is shown by the affidavit of Bass Rosser, ~~copy of which is attached hereto.~~