

As to Ground 11. The State insists that the same does not constitute an extraordinary situation such as is contemplated shall exist before the Court shall set aside a solemn verdict rendered unanimously by a jury of twelve, where the verdict is approved by the trial judge and affirmed by the Supreme Court. Under the law, even if the witness referred to, namely, Miss Marie Karst, had repudiated her evidence, the Court could not grant the movant this motion. This affidavit of Miss Marie Karst is also supported by the affidavits of Miss Nellie Pettus and Miss Lillie Pettus. As a matter of fact, however, the defendant has wholly and totally misrepresented the facts, as is shown by three affidavits voluntarily signed by Miss Marie Karst. Said affidavits of Miss Karst and the affidavits of Misses Nellie and Lillie Pettus, ~~are as follows:~~