

In reply to Ground 14, the State says that, even if it be true that the said C. Burtis Dalton has changed his evidence as given by him on the trial of the original case, it would not be ground for a new trial. Said Dalton merely sustains Jim Conley. As a matter of fact, Dalton's recitals were denied by one Daisy Hopkins, but Daisy Hopkins was overwhelmingly impeached for general bad character, much more effectively than the defense impeached Dalton for general bad character. But in this connection, the attention of the Court is called to the evidence of Merck, an unimpeached witness for the State, who testified, as will be seen by reference to the brief, to a state of facts positively impeaching Daisy Hopkins, and sustaining Dalton's evidence, and thus sustaining Conley. As a matter of fact, the State does not believe that the said Dalton has recanted the evidence introduced on the trial, and does not believe that the said Leo M. Frank will be able to produce any bona fide evidence to the contrary.