

As to Ground 14-1/2. With reference to this ground of the motion, the State submits affidavits of J. M. Gantt

Also affidavits of Phillip Chambers,

As a matter of fact, no one could possibly tell what the number of the order was on the order blank used in this case. The State submits that the number, as developed under a colored photographic lens, is not 1018., as contended by the defendant, but is 1818, as shown by the affidavit of the photographer who took the picture, and the only pictures which have been taken of said note. The affidavit of the photographer will be shown on the hearing substantuating this allegation.

Also, in refutation of this ground, the State submits the affidavit of H. W. Oattis.

The State will show a properly certified copy of the ordinance of the City of Atlanta, under which said Leo M. Frank and the officials of the Pencil Company would have been amenable to prosecution for permitting papers like this to remain in the basement.