

The State insists that this fifth amendment does not contain a single extraordinary situation such as is contemplated by law should exist before the solemn adjudication of a court and jury should be set aside. However, the State denies the truth of each and all of the contentions as set out in this fifth amendment, and says that the manner in which the same is shown to have been obtained, together with the length of time elapsing since the murder, all go to show that the claims are false.

Wherefore, the State submits that under no circumstances should a new trial be awarded the said Leo M. Frank.

E. A. Stephens,

Hugh M. Dorsey,

Sol. Gen.

Filed in office this the 8th day of May, 1914.

C. H. Brotherton, D. Clk.