

sign were correctly set forth and that the same were true in every particular, but that he would not sign the same without the addition of the paragraph above referred to because the matter was going into the hands of counsel for the defense in this case.

The affidavit presented to the above mentioned Dr. Harris and which he was requested to sign under oath, and which had been prepared in accordance with the penciled memorandum made by the said Dr. Harris and the truth of which he admitted is hereto attached and marked Exhibit "A".

EXHIBIT "A".

"State of Georgia,) Extraordinary Motion for New Trial
vs. (From Conviction of Murder,
Leo M. Frank.) In Fulton Superior Court, March Term, 1913.

Georgia, Fulton County.

Personally came before the undersigned, H.F. Harris, who upon oath says that he is a practicing physician. Affiant further says that he performed the autopsy on the body of Mary Phagan after it was exhumed and that under the directions of Solicitor Dorsey, he obtained some of the girl's hair when the body was examined, to compare with the hair said to have been found on the lathe handle and which was given affiant by one of Mr. Dorsey's assistants.

Affiant states that the specimens of hair taken from the head of the girl, when compared with the specimens given him, appeared somewhat different in color and on microscopic examination, and his impression was that the two specimens of hair were not from the head of the same person.

Affiant states that he reported the foregoing view to the Solicitor General and that the latter told him there would be no necessity for going any further with the hair investigation.

Affiant further states that he never considered the matter in any way material and dismissed it from his mind. He further states that he does not recall that he was asked about the girl's hair when he was upon the witness stand and states further that the samples of hair, with the exception of several microscopic sections, were turned back to the aforesaid assistant of the Solicitor General.

Affiant further states that there was no purpose on his part to conceal the fact that the hair given him appeared different from the hair of Mary Phagan and that he does not think anyone else had such a purpose.

Affiant states that he is quite positive in his assertions that the microscopic test was carefully made. He states that the microscope will show the size and shape of hair and that the hair of different persons differs in these particulars.

Sworn to and subscribed before me
this 3rd day of April, 1914.

Notary Public, Fulton County, Ga."

EXHIBIT "B"

"State of Georgia,) Extraordinary Motion for New Trial
vs. (From conviction of murder
Leo M. Frank.) In Fulton Superior Court, March Term, 1913.

Georgia, Fulton County.

Personally came before the undersigned, H.F. Harris, who upon oath says that he is a practicing physician. Affiant further says that he performed the autopsy on the body of Mary Phagan, after it was exhumed, and that under the directions

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