

considerably after the trial and conviction of Mr. Frank that I acquainted his lawyers with these facts, and I then told either Mr. Leonard Haas, or Mr. Herbert J. Haas, I do not now recall which. The reason that I did not know the importance of my having seen Mr. Frank at this time, I did not know that it would have any bearing upon the case and when I first learned that it would have a bearing on the case I was then reluctant to tell these facts, as I desired to avoid notoriety and publicity; however, after I was made to understand that my having seen Mr. Leo M. Frank at 10 minutes past 1 o'clock in the afternoon on April 26, 1913, was an important point in this case, I communicated these facts to his attorneys, at a time which, as already stated, was considerably after his conviction, the exact date I do not recollect. Some of my associates in Atlanta, Ga. are Dr. and Mrs. B. Wildauer, Mr. J. Saul, Mr. and Mrs. J. J. Saul, and in Chattanooga, Tenn., Rabbi Julian H. Miller, Mr. and Mrs. H. M. Fine and Dr. H. S. Long. I am willing to come to Atlanta and testify as to any of the facts stated in this affidavit, and as to any other facts which may be within my knowledge, and material in the case.

MAIER LEFKOFF, Sworn for the Movant. On April 26, 1913, I accompanied Mrs. Ethel Harris Miller when she went to meet her sister at J. P. Allen's on Whitehall Street, between Alabama and Hunter Streets. We arrived at Allen's about one o'clock, perhaps five minutes after one. We walked from there down Whitehall Street, towards Alabama and turned up Alabama Street. I should say we reached the corner of Alabama and Whitehall Streets, at about ten minutes after one, as we made no steps between Allen's and that point. I do not know Mr. Frank and I do not remember either of the ladies bowing to him at that time.

S. N. TEITELBAUM, Sworn for the Movant. I am a court reporter and reported the oral argument made by Solicitor General H. M. Dorsey to the jury in the matter of the State vs. Leo M. Frank in Fulton Superior Court, on August 23, 23 and 25th; The Solicitor made the following statements:

"All right; but you prove an alibi by that little Curran girl, do you? She swore that she saw you at Alabama ~~Frank~~ and