

to account for myself between these two times, I did my best to remember who I saw between those times and do as best I could I could not remember that I had spoken to Mrs. Miller at the time, nor do I remember with certainty now her speaking to me as testified to by her in her affidavit. Mrs. Miller is a woman of veracity and character and I feel sure that she did see me and that if the matter had become important immediately after the crime I could and would have remembered the fact.

I did not remember at the trial, nor until after my motion for new trial had been overruled that I had seen either Mrs. Miller or Maier Lefkoff at the time and place indicated.

I knew nothing about what Dewey Hewell would testify at the trial. I had never in my life had any conversation with Miss Hewell. I was incarcerated and could not communicate with her and could not know what she would testify at the trial. After the trial, Dewey Hewell was carried back to Ohio, and has been there since said date, and I did not know and could not know what Miss Hewell would testify at the trial; and I did not know and could not have known from that date until after my motion for new trial was made, and until after her affidavit dated February 25, 1914, that Miss Hewell did know and would testify to the facts as set out in said affidavit.

I did not know, nor could I have known until after the dates of the affidavits made by Miss Ruth Robertson and Miss Marie Karst dated April 4, 1914, that Miss Robertson and Miss Karst would testify as set out in their affidavits to the court shown at the hearing. I had no opportunity to confer with Miss Robertson and Miss Karst before the trial, nor during the trial, nor did I have any opportunity to confer with them or either of them, after the trial. The first intimation that they would testify as they did in said affidavits was after the date of said affidavits.

I did not know, nor did I have any reason to know, until my case was affirmed by the Supreme Court that Mary Rich knew and would testify that on April 26, 1913 at about 2:15 o'clock P.M. she saw Jim Conley come out of the alley immediately in the rear of the National Pencil Factory, that said Jim Conley bought a twenty cent dinner from Mary Rich, who runs a restaurant on wheels, and