

Georgia, on April 22, 1914, and in each part of Mrs. Bailey's affidavit where in reference is made to me, same is the truth and in every way correct.

L. Z. ROSSER, MORRIS BRANDON, REUBEN R. ARNOLD, HERBERT J. HAAS, LEONARD HAAS, Sworn for the Movant. We are the counsel and the only counsel of Leo M. Frank in the case above stated. All of us were counsel of Leo M. Frank at his trial, at the July Term, 1913, of Fulton Superior Court, except Leonard Haas, said Leonard Haas ~~being~~ having become connected with the case after the motion for new trial was filed. We had no knowledge at the time of the trial or at the time it was overruled, of the testimony of Mrs. Maude Bailey as set forth in her affidavit in this case, or of the testimony of Mrs. May Barrett as set forth in her affidavit in this case. Each of us exercised diligence in ascertaining all the facts in connection with Leo Frank's defense, and at no time was any suggestion made to the effect that Mrs. Maude Bailey or Mrs. May Barrett would swear as set forth in said affidavits. Said testimony is important and material and is newly discovered.

LEO M. FRANK, Sworn for the Movant. Neither at my original trial, nor at the time of making my original motion for new trial, nor at the time the same was overruled, did I have any knowledge of the facts testified to by Mrs. Maude Bailey or Mrs. May Barrett, as set forth in their affidavits made in this case. From Tuesday, April 29, 1913, I have been in ~~prison~~ prison and have been unable to rely upon others to ~~go~~ ~~the~~ out and investigate the evidence of my case, and have been compelled to rely upon others to do the work for me. I exercised all possible diligence under the circumstances, to ascertain all facts which throw any light upon the truth of the charge against me, but had no knowledge of the facts testified to in these affidavits.

(3RD AMENDMENT TO MOTION FOR NEW TRIAL STRICKEN ON MOVANT'S MOTION.)

4TH AMENDMENT TO MOTION FOR NEW TRIAL.

ANNIE MAUDE CARTER, Sworn for the Movant. I was locked up in the Fulton County Jail about October 7, 1913. I first met Jim Conley in the Court House in November, 1913, at the time I was sentenced to jail. After I was sentenced I was well acquainted with Conley and