

connection of James Conley with the murder of Mary Phagan, and neither of us had any knowledge of any of the facts and circumstances set out in Exhibit A, hereto attached, at the date of the trial of Leo M. Frank, nor until the date of Exhibit A, hereto attached. We knew nothing of the facts set out in Exhibit A, hereto attached nor could we possibly have known the same by the exercise of any manner of diligence. *(Exhibit A referred to was an a. m. Carter affidavit)*

5TH AMENDMENT TO MOTION FOR NEW TRIAL.

(GROUND 1-a) MRS. GEORGIA DENHAM, Sworn for the Movant. I was employed at the plant of the National Pencil Company on Forsyth Street, Atlanta, Georgia, during ~~the trial~~ April and May, 1913, and on a certain day which I believe was Thursday, May 1, 1913, which was the day upon which James Conley was arrested in connection with the murder of Mary Phagan, I saw Conley in the metal room of said pencil company washing a shirt. I saw said shirt plainly and on same there was a large spot which looked to me like blood, the same about the size of a person's hand. I asked Conley what it was and Conley said that it was blood, that his nose had bled when he had bumped his head. And the said Conley attempted to demonstrate to me how the blood from his nose had gotten around on top of his shoulder. I related the above facts to the detectives who were then working on the case and my affidavit was taken by them. Some of my associates are Miss Mary Pirk, Jimmie Mayfield and Annie Howell.

MARY PIRK, JIMMIE MAYFIELD, ANNIE HOWELL, Sworn for the Movant.

We are acquainted with Mrs. Georgia Denham and know her character, Her character for truth and veracity is good and we would believe her on oath in a court of law.

(GROUND 1-b) CORA L. LAFFEY, Sworn for the Movant. I was present in the metal room at the National Pencil Company's plant on Monday, April 28th, 1913, when some strands of hair were found upon a certain lathe, and which were sought to be identified as the hair of Mary Phagan, deceased. I was well acquainted with the deceased Mary Phagan, and with the color of her hair, and the hair above mentioned was not the hair of Mary Phagan. It was entirely too light in color to have been from the head of the deceased. Amongst