

SCOTT CIRCUIT COURT.

COMMONWEALTH OF KENTUCKY

PLAINTIFF

vs. Affidavit on Motion for Bail.

CALEB POWERS

DEFENDANT.

The undersigned, affiants, J. C. Linder, Burt Shinkle, B. S. Franks, A. B. Juett, O. C. Collier, James H. O'Hara, Ed Marshall Frank See, J. E. Race and T. Robinson state that they and each of them served as jurors on the trial of the above styled case during the special term of the Scott Circuit Court held by Hon. J. S. Morris during the months of November and December 1907 and a part of January 1908; that said jury, of which the undersigned were members, was finally discharged on the 4th day of January 1908 without having made or returned a verdict; that after said cause was submitted to the jury for consideration and during their deliberations and before their discharge a ballot was taken on the question of the guilt or innocence of the defendant, Caleb Powers, and that the vote on said issue on the said ballot stood ten (10) for acquittal and two for conviction and that each and all of the undersigned affiants on said ballot voted for the acquittal of the defendant, and the only jurors who voted for the conviction of defendant were J. B. Renaker and J. T. Price, the two remaining members of said jury.

Further affiants say not.

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