

Thereafter, at the September, A.D. 1954, term of court, to-wit, on the 21st day of December, A.D. 1954, the jury returned its verdict against the defendant, and in favor of the State of Ohio, as appears of record herein; to which verdict of the jury the defendant, by his counsel, then and there duly excepted.

And thereafter, at the same term of court, to-wit, on the ___ day of _____, A.D. 1954, the Court entered judgment upon the verdict against the defendant, as appears of Journal Entry filed herein, and as of record herein; to all of which the defendant, by his counsel, then and there duly excepted.

And thereafter, to-wit, on the 23rd day of December, A.D. 1954, the same being within _____ days after said entry of judgment on the verdict, and within the time fixed and allowed by law, the defendant, through his counsel, filed his motion for a new trial of this case, for the reasons and upon the grounds in said motion stated and set forth, and which motion is a part of the record herein.

And thereafter, to-wit, on the 30th day of December, A.D. 1954, in connection with said motion for a new trial, the following proceedings were had:

MR. CORRIGAN: May it please the Court,
we have filed in this case a motion for a new trial,
and we have attached thereto an affidavit and two
exhibits. I don't care to argue the facts set forth
therein because they are plain enough.

We have some testimony that we would like to
present to the Court in the way of oral testimony in
regard to this motion for a new trial, and we would
ask a separation of witnesses. If there are any
witnesses in the room that we have subpoenaed, we
ask them to leave until they are called. That will
include Mrs. Williams and Mrs. Feuchter.

THE COURT: If there are any persons
in the courtroom who have been subpoenaed to testify,
or who believe that they will be called to testify,
they will please retire to the witness room or the
hall, and await call, any who have been subpoenaed
or who expect to testify in this case.

MR. CORRIGAN: This testimony, your
Honor, that we desire to present orally is testimony
that has come to our attention since the close of the
trial, and I wish to call Mr. Gus Dallas.

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