

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

AFFIDAVIT OF JOE C. CARR

I, Joe C. Carr, Secretary of State of the State of Tennessee, being duly sworn, depose and say that:

On April 4, 1968, May 7, 1968, and this date, July 3, 1968, the following words, punctuation and figures were and are a full embodiment of the statutory law in regard to murder in the first degree and the punishment therefor, the original of which is now on file and a matter of record in my office, to wit:

39-2401. MURDER.--If any person of sound memory and discretion, unlawfully kill any reasonable creature in being, and under the peace of the state, with malice aforethought, either express or implied, such person shall be guilty of murder. (Code 1858, Sec. 4597 (deriv. Acts 1829, ch. 23, sec. 2); Shan., Sec. 6438; Code 1932, Sec. 10767.)

39-402. MURDER IN THE FIRST DEGREE.--Every murder perpetrated by means of poison, lying in wait, or by any other kind of willful, deliberate, malicious, and premeditated killing, or committed in the perpetration of, or attempt to perpetrate, any murder in the first degree, arson, rape, robbery, burglary, or larceny, is murder in the first degree. (Code 1858, Sec. 4598 (deriv. Acts 1829, ch. 23, sec. 3); Shan., Sec. 6439; mod. Code 1932, Sec. 10768.)

39-405. PUNISHMENT FOR MURDER IN THE FIRST DEGREE.--Every person convicted of murder in the first degree, or as accessory before the fact to such crime, shall suffer death by electrocution, or be imprisoned for life or over twenty (20) years, as the jury may determine. (Code 1858, Sec. 4601 (deriv. Acts 1829, ch. 23, sec. 4); Acts 1913 (1st E.S.), ch 36, sec. 1; 1915 (Vol. II), ch 181, sec. 1; 1917, ch. 14, sec. 1; Shan., Sec. 6442; Acts 1919, ch. 4, sec. 1; 1919, ch. 5, secs. 2, 3; Code 1932, Sec. 10771.)

Joe C. Carr
JOE C. CARR,
SECRETARY OF STATE,
STATE OF TENNESSEE,
STATE CAPITOL,
NASHVILLE, TENNESSEE.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

Before me, Wm. Lee White, being an officer constituted to take oaths, appeared Joe C. Carr, Secretary of State of the State of Tennessee, to me known personally and after being duly sworn, stated that the foregoing affidavit of two pages is true and correct to the best of his knowledge, information and belief. I hereby certify that this document is the original a true copy of the original affidavit of Joe C. Carr.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of my office in the City of Nashville this 24th day of July, 1968.

(over)

Wm. Lee White
NOTARY PUBLIC

My Commission expires: 2-4-70

The following was entered in the handwriting of the notary public and I further certify that the above is a true and correct copy of the original statement on oath made before me this day, by the above named applicant.

(over)

Wm. Lee White

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I, Joe C. Carr, Secretary of State of the State of Tennessee, being the official who issues commissions to notaries public and who keeps on file, in his (my) office, the records in regard to these commissions under the laws of the State of Tennessee, do hereby certify that Wm. Lee White is now and was at the time of signing the foregoing certificate, a notary public of this State, constituted to take oaths and duly qualified, commissioned and acting under the laws of this State, and that to the best of my knowledge and belief her signature on the foregoing certificate is true and genuine, that her attestation is in due form, and her official acts, as such, are entitled to full faith and credit.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the Great Seal of the State, at Nashville, this 24th day of July, 1968.

(over)

Joe C. Carr
JOE C. CARR,
SECRETARY OF STATE,
STATE OF TENNESSEE.

STATE OF TENNESSEE)
COUNTY OF DAVIDSON)

I, Buford Ellington, Governor of the State of Tennessee, hereby certify that Joe C. Carr, Secretary of State of the State of Tennessee, whose true and genuine signature appears to the foregoing certificates, was at the time of signing the same and is now the duly elected, qualified, commissioned and acting Secretary of State of the State of Tennessee and that his official acts as such are entitled to full faith and credit.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Tennessee to be affixed at the State Capitol in Nashville, Tennessee, on this the _____ day of July, 1968.

S/ Buford Ellington
BUFORD ELLINGTON,
GOVERNOR
OF THE STATE OF TENNESSEE.