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of his life, that he knew he was going to kill him for having told him what Antonia had said; that the only way in which his life was spared was by running into a neighbor's home. The day before the homicide the applicant went to the Juvenile Court and made complaint and when he came back was in such a nervous, excitable state of mind and in such great fear that the least move or unusual sound would startle him.

On the evening of the homicide the Applicant was at my home and could talk about nothing other than the conduct of the father of Helen and Antonia and the great fear that made him think he was going to kill him, and he kept looking and watching as if he were expecting him to enter the house. When the door bell rang with an unusually long ring he was startled and exclaimed, "That's him, that's him." The door bell was not answered. Then a second longer ring took place and someone said, "Let me in, I am a friend", it sounded to me and from the conduct of the Applicant, I am sure he thought it was Gust Tryfonopoulos and that he meant to come in and kill him. I was not at all surprised at James' great fear of Gust Tryfonopoulos because he was a strong, able-bodied man, and a person who had a very bad disposition, a man who was greatly feared by many. This consuming fear moved the Applicant to fire the shot, particulars of which are well known.

In addition to the above, I further depose and say that the victim of the homicide, as he was commonly called Dan Karras, was one of the best friends and intimate associates of the Applicant, and I know that in his death no one could have grieved more than did and does James Nickolopoulos who fired the fatal shot under the impression that his life was in danger and that it was directed towards not perhaps to kill, but to frighten and scare away Gust Tryfonopoulos, the man he feared and who intended to kill him. While I am deeply interested in the release of the Applicant in order that he can come to the assistance of his father and my family, as my husband is now partially disabled through sickness and unable to do hard manual labor, I make this affidavit freely, voluntarily, and that justice may be done.

Sworn and subscribed to before me this 7th day of November A.D. 1924

Rev. John Luke
Notary Public

James Nickolopoulos
Robert A. Fetter