

# FRANK CASE WILL BE ARGUED DEC. 15

## Set First on Criminal Calendar of Supreme Court. Only Providential Causes May Work Delay.

On Monday, of next week, that is, on December 15, the celebrated *Leo M. Frank* case will be called up in the supreme court for argument.

This case has been put first on the criminal calendar of the court for the month, and is scheduled to be called at 9 o'clock on the morning of the date named. Only providential causes, such as serious illness of one or more of the attorneys interested, could delay the hearing of the case.

Under the rules of the court prescribed in cases of this importance, there are two hours allowed for argument to the side. In this case, however, it is pretty certain that the counsel for the plaintiff in error, *Leo Frank*, will ask for a longer time in which to present the case, and it is considered not unlikely that the court, considering the volume of the record and the great importance which has been attached to this case, will give the attorneys on both sides a longer time than the rules allow in which to present their argument.

### Order of Debate.

The opening of the case will be by one of the attorneys for the plaintiff in error, either *Mr. Rosser* or *Mr. Arnold*. He will be followed by the attorneys for the state, namely, *Attorney General Thomas S. Felder* and *Solicitor Hugh Dorsey*, and the argument will be concluded by the other attorney for *Mr. Frank*.

Ordinarily only two attorneys on a side are allowed to make the argument. It is within the province of the court to dispense with this rule and allow arguments to be made by more than four, but it is not believed that this will be demanded.

The attorney general was out of the city Saturday, and the other attorneys in the case declared that they had made no arrangements as to the order in which the argument would be presented by them.

It is the opinion, however, of most of the supreme court attaches and others most familiar with the case that the argument will be opened by *Mr. Arnold*. He will be followed by *Messrs. Felder and Dorsey* in turn, unless *Mr. Felder* should decide to yield the time allowed to him to *Frank Hooper*, who was associated with *Mr. Dorsey* in the prosecution of the case in the superior court. Then the conclusion will be by *Mr. Rosser*.

### Keen Interest in Case.

The notoriety which has been attached to this case, not only in Atlanta, but throughout the country, will cause the proceedings in the supreme court to be watched with almost as keen an interest as was the first trial in the superior court.

After the argument it will probably not be until the latter part of February or the first of March before the court hands down an opinion.

## LAWYERS ARE BUSY WORKING ON BRIEF

In preparation for the fight before the state supreme court for and against the granting of a new trial in the case of *Leo M. Frank*, *Solicitor General Dorsey* and his assistant, *A. E. Stephens*, as well as *Herbert Haas*, counsel for *Frank*, are busily engaged in the briefs of the case, which must be in the hands of the clerk of the high court three days before the date of the arguments of the case, which has already been set for December 15.

*Solicitor General Dorsey* secured a court order on Saturday which again brought into his hands the original papers in the *Frank* case, which have been held by the convicted man's attorneys for the past twenty-five days. Immediately upon the papers being refiled with the clerk of *Judge Bon Hill's* court, *Solicitor Dorsey* retired to the state capitol, where he spent the day in the law library working over the prosecution's brief.

*Herbert Haas*, counsel for *Frank*, de-

clared Saturday that he would have the defense's brief ready within the next two or three days, and would file it with the clerk of the supreme court long before the 15th of this month. He declared that when *Solicitor Dorsey* first called on him Saturday for the original papers in the case, which he had been perusing, that he had not quite finished with them. He also stated that when he was ordered by court edict to return them to the clerk of the superior court he had done so without delay.