

NEXT STAGE IN FRANK CASE.

Both Sides Ready for Friday's Hearing on Setting Aside Verdict.

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ATLANTA, Ga., June 1.—The prosecution and defense in the case of Leo M. Frank, convicted of the murder of Mary Phagan, completed their preparations today for the final contest which will come on Friday, when the motion will be heard to set aside the verdict on the ground that Frank was deprived of his constitutional privilege in not being present in court on the day of the verdict.

Solicitor Dorsey has obtained affidavits from court officers and the police as to conditions and events within and without the court room when the verdict was rendered. He has affidavits from Judge Roan, who presided at the trial; from the Sheriff, and also from Frank's lawyers bearing on the absence of the prisoner. Mr. Dorsey has also affidavits from newspaper editors as to the circumstances which led up to the combined appeal of the three Atlanta newspapers that the announcement of the verdict, owing to tense public feeling, be postponed from Saturday, Aug. 23, until the following Monday.

Should Judge Hill refuse to set aside the verdict, Frank's lawyers will appeal to the State Supreme Court, and if they lose there will take the case to the United States Supreme Court.

The cases of Dan S. Lehon and other Burns agents recently convicted before Recorder Broyles of violating the law in detective work on the Phagan case were today sent to the Court of Appeals. The appeals probably will also go to the Federal Supreme Court.

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