

FRANK AND CONLEY MAY MEET TODAY

Attorney Chappell, Who Seeks Release of Night Watchman Through Habeas Corpus, Wants Them as Witnesses.

Leo M. Frank, superintendent of the National Pencil factory, now under indictment for the murder of Mary Phagan, a 16-year-old employee, and James Conley, the negro sweeper, whose affidavits state that he aided Frank in disposing of the body, will face each other today for the first time since the crime was committed, according to Bernard L. Chappell, attorney for Newt Lee, the negro night watchman, whom Attorney Chappell states he will try to release through a habeas corpus.

Efforts to have Frank brought face to face with the negro who swears that he was hired by Frank to take the girl's body to the basement where the night watchman carried the police on the morning of April 27, have been made from time to time by Detective Chief Newport Lanford, who declared that Conley was anxious to confront the man whom he accuses.

Take Advantage of Law.

Each time Frank's attorneys have taken advantage of the law which allows their client to be protected from seeing anyone whom he does not care to see, and the meeting has never taken place.

Attorney Chappell, who stated several days ago that he intended to bring a habeas for the release of Lee, who was arrested on the morning that the body was found and who was later ordered held by the coroner's jury for the grand jury, announced Monday night that he would enter court today for that purpose.

"Frank, who was bound over at the time that the negro was, has been indicted for murder," stated Mr. Chappell, "but Lee has been passed over by two grand juries, and that in itself is sufficient to justify his being released on a habeas corpus. They can't hold him indefinitely.

Want Two Men in Court.

"I will ask the court for an order today," he continued, "to have Frank and Conley brought into court to testify at the hearing of the habeas corpus. I need the testimony of these two men and the court cannot refuse my request."

Attorney Chappell declared that he wanted the sworn testimony of both the factory superintendent and the negro sweeper to go on record. He asserted that both of them would have to swear that Lee had nothing to do with the crime, while by the evidence of the former he would explain in a legal way Leo's presence in the building at the time he found the body.

"Should an attempt ever be made in the future to place the crime upon Lee," he declared, "then I would have the sworn testimony of two men who are now involved in the case and who acknowledge that they were in the building on the day the crime was committed, to the effect that Lee is innocent."

Dorsey Has Nothing to Say.

Solicitor General Hugh M. Dorsey when told of the attempt to free Leo declined to make a statement in regard to the affair. It is believed that the policy of the state would be to hold Lee in custody and he is expected to make a hard fight before allowing Leo to be released.

By means of the night watchman the state hopes to bring out damaging evidence in regard to Frank, and in case the court should grant the habeas corpus it is believed that the solicitor will demand that he be held as an important witness.

In case of this demand, Attorney Chappell declared that he would seek Lee's release upon bond.

Attorney Chappell added that he intended at first to bring the writ of habeas corpus last week, but that a change in his firm had delayed matters.

It was learned that he has formed a partnership with Charles C. Graham, a well-known attorney, who has been associated with Attorneys Daley & Chambers, and that they will open offices today in the Temple Court building under the firm name of Graham & Chappell.

Both the partners in the new firm are expected to be in court to fight the habeas corpus for Lee.

The men who compose the new firm are both well known here.