## Negro Factory Sweeper Appears in Court in Order to Have the Time Set.

IIm Conles, the negro factory swoeper who was foltness agninat leo Frank in has trial for tho murder of Mary Phagun, will be tried during the January term of the criminal court of Fulton county.

This was mada possible Tuesary when conles, ready for trlal, njpeated before Junge Hen Fllll. of the siluperlor court. and, throust his attorney, demanded trint.

Conley was brought into court from the misoners butlpen, tooking smus and abl snillea. So suon as court was oficially opened, .2olteltor General Dorsey called the countes attention to the fact that the negro had appeared in court once befors for tral.
funge HI!L then suld:
"I know that the liegro is ready for such trial ats shall be glvell him, but the conrt is not. I do not bellove-."

At Ihls point Attornoy William Simith. the nefra's legal ndvisor, arose and filed formal demand for trial.
"Just a minute, Mr. Smith," sald the court. "I apprecinte that vour formal demand takes the matter of this man's trial out of my hatids, but 1 nin still of the oplaton that the trial should go over untll the Frank retrial motion, new before the supreme court, lans been d.aposrd of."

Attornes Smith dechared that ho did mat whal to forco the negro's trial on the eoure, but that, the fustice to his clicat. he hidd fled inotion for trial so that his ellent would know where he stout.

Conles will bo tried at the next reg* what amsslon of Judge llllis court, whleh opens on January 1.

Ihe rase will resolve itselt into a legal atrument betweon Attorney Smith fond solteltor Gemeral Dotsey when the case appears for triat, as the nesto, throukh tho formal demand illed 'luesdiay, walves rfght of jury and stands reing to piead to tha two Indiletments hanfiak over his hoad. It whll remaln with the court whether the negro shatl be sentenced for a misdemernior or a felons:

