

JUDGE WILL NOT GIVE AN OPINION

At First It Was Stated
Judge Hill Might Send a
Written Opinion on the
Frank Case.

Judge Hill will not write an opinion when he certifies to the bill of exceptions which will be presented before the supreme court in the appeal of Leo Frank's counsel for a new trial. This was stated last night to a reporter for The Constitution by Judge Hill over the telephone.

"I do not want to put myself in the light of advocating an adverse decision from the supreme court, and will therefore not write the remarks," he said.

Judge Hill had stated when first requested to certify to the exceptions bill that he would probably add a written opinion on the motion.

The bill of exceptions will be presented to Judge Hill during the early part of this week. As soon as it is put in proper shape it will be carried right on to the supreme court. Judge Hill signed the grounds contained in the retrial motion Saturday at a conference with attorneys for the defense.

Detective William J. Burns will not appear before Judge Ben Hill in answer to the rule nisi issued against him yesterday, according to reports from New York, where it is stated that the noted sleuth's wife is critically ill.

His principal aide, Dan S. Lehon, will be in court with counsel to make the required showing that he and his chief were not in contempt of court when they dispatched Annie Maud Carter from the jurisdiction of Fulton court.

Burns has employed counsel in Judge Arthur Powell. Judge Powell stated to a reporter for The Constitution last night that they would make a strong showing before Judge Hill, and that they would endeavor to make manifest that they were not in contempt when they removed the Carter woman to New Orleans and other points.