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## TO ADVANCE FRANK CASE.

State and Defense Co-operate for  
Early Supreme Court Hearing.

*Special to The New York Times.*

ATLANTA, Ga., Jan. 18.—Early action is expected by the United States Supreme Court on the appeal of Leo M. Frank, under sentence of death for the murder of Mary Phagan. Counsel for both State and defense will cooperate to have the Supreme Court advance for hearing Frank's appeal from Federal Judge Newmans decision denying a habeas corpus writ.

Attorney General Grice of Georgia said tonight that he had received assur-

ances of co-operation from Louis Marshall of New York, one of the attorneys for the defense. Mr. Grice said the motion to advance would be filed within two weeks. The case was formally docketed by the Supreme Court today. Unless advanced, it would not be heard for nearly eighteen months in the regular course of business. Frank's local attorneys and Frank himself are anxious for a speedy decision.

Frank's petition for a habeas corpus writ was based on the claim that the trial court lost jurisdiction over him by its failure to have him present when the jury returned its verdict. That course was suggested by the presiding Judge on account of alleged public feeling against the defendant.

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