

DORSEY WILL REQUEST POSTPONEMENT AGAIN

Will Be Practically Impossible
for Him to Answer Frank's
Petition on Saturday.

Renewed activities on the part of the defense of Leo M. Frank, convicted of the murder of Mary Phagan, were apparent Wednesday, coincident with the return to Atlanta of Solicitor General Hugh M. Dorsey and his announcement that it would be practically impossible for him to be ready by Saturday to reply to the motion for a new trial.

It is stated upon apparently good authority that the attorneys defending the young factory superintendent are prosecuting their work in several other cities, but it is not known whether this is for the purpose of securing affidavits attacking a third juror, or whether it means a new phase to their side of the question.

No Additional Affidavits.

Thus far no additional affidavits have been filed against Jurors A. H. Henales and M. Johnning, whom the defense charges expressed bias in the case before they were sworn in as jurors.

It is the general belief now that the solicitor will be prepared to go on with the case by next Tuesday or Wednesday and that the hearing will be held then, provided the defense has no new evidence to introduce.

The solicitor is said to be working to obtain affidavits from each of the twelve men who convicted Frank to the effect that they did not hear the cheering for the solicitor during the trial, as charged by the defense. Thus far it is known that he has not obtained all of these affidavits, as several of the jurors have been out of Atlanta for quite a while.

Other affidavits backing up his defense are being gathered by the solicitor and a strong fight will be made by the state at the hearing.

E. A. Stephens, assistant to Solicitor Dorsey, did not return from Valdosta Wednesday. Mr. Stevens will remain in the south Georgia town for a day or so longer and will continue his work from that end.

115 Reasons Cited.

In the petition for a new trial which is now due to be heard about the middle of next week by Judge L. S. Roan, the defense has cited 115 reasons why their plea should be granted and the solicitor and his assistant have been devoting practically all of their time to replying to it.

The delay, which in this case has clogged the wheels of the criminal division of superior court in Fulton, is not regarded as more than is customary in any similar motion, but as the work of the courts is halted until the Frank case is ended, officials would like to see the hearing come off as soon as possible.

It is expected that when the solicitor appears in court Saturday and requests another delay from Judge Roan, that the plea will be granted and the case set for next week. This, however, may be changed by some further action of either the solicitor or Attorneys Luther Z. Rosser and Reuben H. Arnold, representing the convicted man.