FRANK INDICTED IN PHAGAN CASE

He Will Not Go to Trial Before the Latter Part of June, According to Solicitor General Dorsey.

Leo M. Frank, indicted Saturday afternoon for the murder of Mary Phagan, the 14-year-old girl whose decomposed body was found in a walk-in ice-cooler in the morning of April 27 in the basement of the National Biscuit Company, will not go to trial before the latter part of June, according to a statement which Solicitor General Frank M. Dorsey made last night.

Leo, the next of kin, the little blonde, who urged the police to the place, was left at the police station by the grand jury. A bill of indictment charging him with the murder of Mary Phagan was presented to the grand jury with the bill against Frank. The petit jury was impaneled but refused to find an indictment, and it is believed that his case will be continued until the latter part of June, when the trial of the indicted men will begin.

Both Companies in Tower.

Both Superintendents Frank and the Irwin, Leo, have been in the tower since Wednesday when they were ordered held by the company’s jury for the murder of Mary Phagan.

In determining the time of Frank’s trial, the solicitor believes it would be an act of generosity and justice not to have the trial until the young man gets over the shock of his imprisonment.

"It will not be in the best interest of Frank, according to the present status of the case, to have the trial at the time when the public is agitated by trials, as in that case he would certainly be sentenced to death, for that reason it will be delayed until after the other trials are disposed of.

The indictment against Frank, which came after a two-days’ session, was served at 12:05 o’clock yesterday, and it is estimated that he will be taken to the court house about five hours’ time to the hearing. After the trial, the police will accompany him to the residence, the solicitor provided with them for that purpose, a short time, until that time. They then went into the carriages around the street and he entered to the company’s jury for the murder of Mary Phagan by the company, and those who had been found.

Frank Charged With Murder.

The indictment states: "That Leo M. Frank, of this corporation, in the county of Fulton, state of Georgia, on the 27th day of April, in the year of our Lord one thousand nine hundred and twenty-five, with force of arms, did unlawfully and with malice aforethought, kill and murder one Mary Phagan by the company, by then and there killing her, the said Mary Phagan, with a cord that he placed around her neck.

The defense is that the company was not the party accused.

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