

Special to The New York Times.

WASHINGTON, Nov. 28.—It was learned today that when counsel for Leo M. Frank asks leave of the Supreme Court of the United States on Monday to file a petition for writ of error a brief will be presented at the same time. The procedure of the Supreme Court allows practically no time for argument in cases of this sort at this stage of the proceedings, so that the various points at issue, including that suggested by Mr. Justice Holmes that there was a denial of due process of law through the presence of a hostile mob, will have to be submitted in writing.

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