

STATE OF GEORGIA,
COUNTY OF FULTON.

Be it remembered that at the May Term 1914 of the Superior Court of said County, there came on to be heard before Hon. B. H. Hill, Judge of said Court presiding, in the case of the State of Georgia vs. Leo M. Frank, the motion in writing, as amended, of the said Frank, upon the grounds therein set forth, to set aside the verdict of guilty of murder rendered against him in said cause. To the said motion the State of Georgia, by its Solicitor General, interposed its demurrer in writing, upon grounds both general and special.

The said hearing was had upon said demurrer, and at the conclusion thereof, during said term and on June 6, 1914, judgment was rendered by the Court sustaining said demurrer upon each and every ground thereof and dismissing the said motion of said Frank. To the said judgment the said Leo M. Frank then and there excepted and now excepts and assigns the same as error. And for more specific assignment of error he says:

That said judgment was erroneous in sustaining the first ground of the general demurrer because the ground of demurrer therein set up presents no good and sufficient reason in law why the same should be sustained and the motion dismissed; that said judgment was erroneous in sustaining the second ground of the general demurrer, because the ground of demurrer therein set up presented no good and sufficient reason in law why the same should be sustained and the motion be dismissed; that said judgment was erroneous in sustaining the third ground of the general demurrer, because the ground of demurrer therein set up presented no good and sufficient reason in law why the same should be sustained and the motion be dismissed; that said judgment was erroneous in sustaining the fourth ground of the general demurrer, because the ground of demurrer therein set up presents no good and sufficient reason in law why the same should be sustained and the motion be dismissed; that the said judgment was erroneous in sustaining the fifth ground of the general demurrer, because the ground of demurrer therein