

April 29, 1913, three days after the murder of the little girl, the populace of Georgia seemed to be greatly aroused against the young factory manager. All sorts of stories, calculated to reveal Frank as a brute, were circulated and public sentiment was so strongly stirred against him following his indictment on July 28, 1913, and the beginning of his trial on the 22d of the next month, that Frank was kept out of the court room when he was convicted and sentenced on Aug. 26.

Then began a fight to save Frank's life which lasted until Governor Slaton announced his commutation, an act which brought threats against the Governor's life and caused him to proclaim martial law about his country home near Atlanta and call out the militia to protect him.

On Oct. 31, 1913, a motion for a new trial was brought. Counsel for Frank made a hard fight, but the motion was denied. Thereupon they carried the case to the State Supreme Court, asking for a new trial. On Feb. 17, 1914, this motion also was denied, and eighteen days later Frank was again sentenced to die for the murder of Mary Phagan.

Instantly a new motion for a retrial was made, and again, on May 5, this was denied.

Every resource of the State courts had then been tried unsuccessfully, and counsel for Frank turned to the United States Supreme Court for aid. They made an appeal on the question of a writ of error, and after long arguments on both sides, the court decreed that no such writ lay and left Frank's death sentence still operative.

A way yet remained open, and Frank's lawyers took it. On Dec. 28, 1914, they appealed to Justice Lamar, who granted them a hearing on the writ of error. On Feb. 26 of this year the Supreme Court heard Louis Marshall in a final argument to save Frank's life. The case was considered until April 19, when the court declined to issue the writ, and on May 10 Frank, for the third time, was sentenced to death.

His lawyers then arranged for an appeal to the State Prison Board. Petitions were circulated throughout the country, and thousands of petitions were signed. Private appeals were telegraphed and written to Georgia's Chief Executive. Newspapers throughout the country called on Georgia to free itself from a species of hysteria which seemed to grip the State, and to give Frank justice. Prominent lawyers analyzed the testimony and wrote articles, tending to show how the evidence, so far from convicting Frank, seemed to fix the guilt on Jim Conley, the negro, whose testimony was the chief factor in the evidence against Frank. But on June 9 the State Prison Board declined to act.

Appeal to Slaton Saves Him.

There remained then the sole hope of an appeal to the mercy of Governor Slaton. The Governor practically held a new trial. Attorneys for the State and for Frank went over the testimony, analyzing it, and developing its strong points from their opposite viewpoints. This took several days and then the Governor went into retirement. He emerged on June 21 with the announcement that Frank should not die. He said that he felt that there was a doubt of his guilt and that, feeling thus, he could not see the death sentence carried out.

Frank was even then at the State Prison Farm. He had been assigned to light work around the Dormitory, where he would be more closely under the eyes of the officials, for Frank was not on good terms with other inmates of the prison. There, too, apparently the prejudice had extended, and officials kept a close watch over him, although they did not think that he would be attacked.

It was in this dormitory that Frank was attacked on July 17. It is a large room, occupied at night by all the inmates of the farm. Until 8 P. M. the prisoners were allowed the freedom of this room, but thereafter none could move without the permission of a keeper. The attack on Frank was so sudden that no guard could interfere.

Green drew a knife from his clothing, sprang behind Frank, and slashed him across the throat. The jugular vein was severed, and Frank's head was nearly cut off, but the windpipe and spinal cord were not cut. The lights were out, but at Frank's scream they flashed on and Green was disclosed, trying to make his way back to bed. Frank did not lose consciousness. To the first to bend over him he remarked:

"I guess they've got me."

Then he was placed on the operating table and efforts were begun to save his life. Green expressed sorrow after he had been captured. He said:

"At the moment I thought I was doing right. Now I am sorry because of the criticism, which I realize this will bring on Warden Smith. I wouldn't do a thing in the world to injure him. He had confidence in me and I violated that confidence."

It was two or three days after this before Frank was declared to be out of danger of death from his wound.

Sheriff's Posses Ordered Out.

AUGUSTA, Ga., Aug. 14.—Sheriff's posses have been ordered out in all counties surrounding Baldwin County, in which Milledgeville is located, in an effort to find Frank and the party which took him.

FRANK WOUNDED AND WEAK.

Had Not Recovered from Fellow-Convict's Attack—His Many Trials.

Leo M. Frank was only just recovering from an attempt to kill him, which was made on July 17 by William Creen, a fellow convict at the Prison Farm at Milledgeville, who cut Frank's throat with a prison-made butcher knife. The young life prisoner was in a weakened condition, for the excessive heat had retarded his recovery, and two weeks ago his head was encased in surgical braces so as to prevent the stitches on the left side of the neck from tearing out.

He was taken to the prison farm on June 20, the day before Governor Slaton commuted his death sentence to one of life imprisonment for the murder of Mary Phagan, a fourteen-year-old factory girl of Atlanta.

From the time of Frank's arrest on