

person, is an assumption by the Governor which has, we think, little or no basis. What the "outsiders" did—not always wisely or tactfully—was to proclaim that Georgia justice was going wrong, just as justice might in any State, and to protest against the infliction of a cruel wrong in consequence. Resentment was produced, however, and it was the Governor's natural impulse to vindicate his fellow-citizens from the suspicions and accusations which he and they thought had been made against them. That end his remarkable presentation of the prosecution's case effected. Then he turned to the case as a whole, and with sound logic and with courage which the whole country appreciates he reached the conclusion that FRANK should live.

Why Frank's Escape Is Resented.

There is one sentence in Governor SLATON'S summing up of the evidence in the Frank case which, while true as he intended it, may cause a misunderstanding serious enough to justify its clearing up at the cost of dealing with a most repulsive subject. It is the sentence in which the Governor wrote: "The first suggestion that was made of FRANK'S being a pervert was in CONLEY'S testimony."

Accurate as regards the record of the trial and of the subsequent legal proceedings, this statement, as a matter of fact, is not correct. The first "suggestion" of that sort took the form of explicit accusation in the affidavit of the woman FORMBY, which was published in full by the Atlanta papers soon after FRANK'S arrest. Before the trial came on the maker of that affidavit retracted all her assertions and confessed their falsity. It could not be and was not offered in court, but not only did it give to CONLEY a hint which he was vicious and shrewd enough to use, but it had an enormous and sinister influence in arousing public feeling against the unfortunate prisoner.

More than that, to this day there are in Atlanta and the rest of Georgia thousands of men and probably even more women—honest men and good women—from whose minds the abhorrence excited by the publication of that hideous charge has not been removed by the confession of the FORMBY woman that her identification of FRANK was a mistaken one.

It is a peculiarity—a most dreadful peculiarity—of such charges that, once made, they stick, in spite of innocence and of an amount of refutation that fully suffices to rehabilitate the victim of almost any other calumny. That is because they require an impossibility—the proof of what the logicians call a universal negative—and because, without reason, but not quite without excuse, there is a widespread feeling that, if made at all, there must be in them at least an element of truth.

In FRANK'S case the disproof is as nearly complete as the nature of things permits. No trace of positive evidence against him was found by eager search or elicited by the offer of a large money reward. His family, his relatives, his teachers, and classmates, his friends and acquaintances, all agree in crediting him with a moral character more than ordinarily clean. Yet it is more than probable—it is practically certain—that except for this false assertion, so soon retracted and in court only repeated by CONLEY, FRANK would never have been convicted.

Gunda Is "Good" at Last.

Gunda, the elephant that stood swaying in rigorous chains so many years, is free from his bonds—all of them!

The peculiarities that caused him to be called a "bad" elephant were but the exaggeration into a sort of insanity of a natural and normal instinct, yet from the standpoint of his keepers and from the part of the public with an inveterate habit of anthropomorphizing the character and conduct of animals, Gunda was vicious. He certainly was dangerous, in some degree all of the time and for part of it an exponent of homicidal fury. The amount of freedom accorded to most other elephants in captivity, therefore, could not be given to him.

For travel and the circus he long since became impossible, and even in a zoological garden he could be safely kept alive only under special and permanent restraints. It was the extent, the quality, of these restraints that aroused the memorable controversy which for months filled not a little space in this and other papers. Dr. HORNADAY and the keepers insisted that Gunda's chaining was necessary and not cruel. Others denied the necessity, or rather insisted on the probability that less harsh measures of equal efficiency could be devised and used. To all people of sensibilities at all delicate the spectacle of the great beast as he stood day and night chained to his posts was a trying one—one next to intolerable. As usual, the excitement died out after a while, and, in spite of certain vague promises of amelioration in his condition, nothing of any consequence was done for the relief of the creature's real or imagined sufferings.

Now something has been done. Gunda has been shot. The chains were no longer trusted, and Gunda is a "good" elephant at last. THE TIMES was his friend and tried to help him. For his sake it came to a near-quarrel with the estimable Dr. HORNADAY, but fortunately it never denied that able scientist's superior knowledge of elephants, and war was avoided.

TOPICS OF THE TIMES.

Why Georgia Condemned Leo M. Frank.

To not a few of the people who have followed closely from its beginning to its

present stage the case of LEO M. FRANK, it does and must seem that Governor SLATON, in explaining his commutation of the death sentence, makes quite the best showing for the prosecution that has yet been offered. Of course he does not prove that the contention as to FRANK'S guilt was well-founded, but he does show, even better than did Solicitor General DORSEY at the trial or since, that there are facts and circumstances which, standing alone, reveal why it was that a considerable number of Georgians in and out of Atlanta acquired the belief, to which they still cling, that FRANK murdered the PRAGAN girl.

Why they should abandon that belief, and for it substitute at least a realization that FRANK'S guilt was not proved beyond a reasonable doubt, his statement also clearly shows, but before doing so it most ably accomplished what was doubtless the Governor's purpose—that of removing, wherever it may have existed, the impression that the antagonism to FRANK shown in Georgia was a mere product of prejudice against a man known to be innocent. That antagonism still retains some of its mysteries, but certainly the Governor did succeed in demonstrating that the opinions of the people of Georgia are formed just as are those of the people in other States and that they do not demand a man's life unless they are honestly convinced that he deserves to die.

That there was any real doubt of this in any part of the country, that the State of Georgia and its inhabitants were ever "attacked" by any responsible paper or