

FRANK TRIAL JUDGE, L. S. ROAN, DIES HERE

Georgia Jurist, Who Gave Death Sentence, Expires from a Blood Clot in Artery.

DID WORRY HASTEN END?

Some Relatives Say It Did, and Others That It Didn't—His Statement on New Trial Motion.

Judge Leonard S. Roan of the Court of Appeals of Georgia, before whom Leo M. Frank was convicted and by whom he was sentenced to death on Aug. 16, 1913, for the murder of the little factory girl, Mary Phagan, in Atlanta, Ga., died yesterday in the Polyclinic Hospital in this city. His death was caused by embolism, or a blood clot which formed in an artery, and, finally becoming dislodged, made its way to a vital spot in the blood system. Judge Roan made no written or verbal comment on the Frank case before he died, according to his relatives here.

When B. H. Roan of Atlanta was asked if his brother's illness had been brought on or aggravated by the widespread discussion of the Frank case and the prevailing opinion that the doomed young man was innocent, he answered that such was not true.

"Apparently my brother did not worry about the Frank case. If he had we would have known it. He never spoke of the case."

It was pointed out to Mr. Roan that Judge Roan in denying Frank's motion for a new trial had admitted he did not know whether the convicted man was innocent or guilty, explaining that the question had been one for the jury and not for himself.

"I don't know what my brother thought about the case," said Mr. Roan. "However, his illness started more than a year ago, and it was not worry about his judicial affairs that caused it."

Judge Roan came here three weeks ago for treatment and without delay underwent an operation. He had spent the Winter at North Adams, Mass., where he thought that his health would be benefited. When his condition did not improve it was decided that he should be brought here.

That his condition had become very serious was apparent on Monday night, when it was learned that members of his family had been telegraphed to hurry to his bedside. Mrs. Roan and their eldest son were already in New York, and were staying at the Hotel Markwell, in forty-ninth Street, west of Broadway. Members of the family denied a report that Judge Roan had come here to take the radium treatment for cancer, though it was admitted he had been suffering for some time from a "sore."

It was before Judge Roan that the first motion for a new trial for Leo M. Frank was made. In denying that motion he made this remarkable statement:

"I have given this question long consideration. It has given me more concern than any other case I was ever in, and I want to say here that, although I heard the evidence and the arguments during these thirty days, I do not know this morning whether Leo Frank is innocent or guilty. But I was not the one to be convinced. The jury was convinced, and I must approve the verdict and overrule the motion for a new trial."

So intense was the feeling caused by the Frank trial before Judge Roan that from 2,000 to 3,000 persons were massed at times about the Court House, in addition to the throngs that packed the courtroom. According to counsel for Frank, Judge Roan at the close of the trial was apprehensive of the result of the verdict because of the excitement inside and outside.

The State Militia was held in readiness on several days to prevent violence. The editors of three of the leading papers of Atlanta had sent word to Judge Roan before the close of the trial not to let the case proceed on Saturday before the verdict was returned because they feared bloodshed if the verdict should be rendered when the mill workers, enjoying a half-holiday, were in the downtown streets. At last it was decided that it would be safer for the defendant not to appear in court when the verdict was rendered, and this fact subsequently was used as a basis for another motion for a new trial.

Judge Leonard S. Roan started his career as a lawyer, and, typical of many other Southern men of that profession, he never had the advantage of a college education, but educated himself in law. He was born at Griffin, in Spalding County, Georgia, sixty-six years ago. He was educated in the schools of the country village, and later took up the study of law by himself. In 1870 he was admitted to the Georgia Bar, and first began the practice of law at Fairburn where he was very successful.

Subsequently he was made Judge of the Stone Mountain Circuit, including the towns of Campbell, DeKalb, Rockdale, Newton, and Clayton, Ga. He was Circuit Judge for fourteen years, during which time he made his home at Fairburn, Ga.

Judge Roan was appointed to the Court of Appeals by Gov. Slaton a little more than two years ago, and he went to live in Atlanta. When his health began failing him about a year ago he decided not to be a candidate for his place on the bench in the November elections. For about six months, according to his brother, Judge Roan had been taking the rest cure.

Judge Roan married Miss Willie Strickland of Fairburn, Ga. He is survived by her, three sons, B. S. Roan, Eldon Roan, and Leonard S. Roan, Jr.; two daughters, Mrs. Henry McCurry of Fairburn, Ga., and Mrs. A. W. Stubbs of Newton, Ga.; two brothers, B. H. Roan of Atlanta, and Dr. James T. Roan of St. Petersburg, Fla., and one sister, Miss Ella Roan of Atlanta.

Members of Judge Roan's family started back to Atlanta with his body this morning at 12:30 o'clock over the Pennsylvania Railroad. The funeral will be held, probably tomorrow, at Fairburn, Ga., at the old First Methodist Church, where Judge Roan for many years was a member, and the interment will be in the family plot in Fairburn Cemetery.