

subornations of perjury that the seeker after truth is confused and baffled. Some of the important evidence favorable to the defense has been destroyed by the testimony given before Judge HILL, but, on the other hand, it is impossible to get away from the vital fact that among the most flagrant perjuries of the case were those committed by the very witnesses whose testimony convicted FRANK. Mr. ARNOLD of the defense gave the names of five of these witnesses "on whom conviction rested almost exclusively." He spoke of them as criminals, as men who had led careers of crime, and declared that "the perjuries committed by them and others of their ilk were enough to sicken any man." He pronounced them unworthy of belief. But some of the witnesses whose testimony appeared to shift the guilt from FRANK to CONLEY have recanted and admitted that they testified falsely.

Some light may be thrown into the murky corners of the case by Judge HILL's opinion, which has not yet been written. In denying the motion for a new trial he said that he would grant a bill of exception on which the case could be taken to the Supreme Court on appeal, and in that case he would write an opinion. As the appeal will certainly be taken, the public will soon have an opportunity to know in what way the Judge's mind was affected by the conflicting evidence and how he reached his conclusion.

THE FRANK CASE.

The trial of LEO M. FRANK in Atlanta for the murder of MARY PHAGAN was from the beginning about everything that a murder trial ought not to be. Judge HILL of the Superior Court denies the extraordinary motion for a new trial, yet it is impossible to feel that the first trial was a fair one. The community in which the trial took place was stirred to such a heat of ferocious passion against the prisoner that the State, the court, and the defense agreed that it would be imprudent that he should be in the courtroom when the verdict was returned; while in the public prints and in the speech of men there was an insistent demand for his conviction. It is preposterous to say that in such a state of public opinion a fair trial on a murder charge can be had. Nevertheless a new trial is denied.

The path to a sound and tenable conclusion as to the guilt or innocence of FRANK lies through such a veritable thicket of perjuries and