

The Jeffersonian

Vol. 12, No. 23

Thomson, Ga., Thursday, June 10, 1915

Price, Five Cents

POSSIBILITIES AND PECULIARITIES OF THE FRANK CASE

(1.) IT is a peculiar and portentous thing, that one race of men—and one, only—should be able to convulse the world, by a system of newspaper agitation and suppression, when a member of that race is convicted of a capital crime against another race.

Does anybody in this country know what was the truth about Dreyfus, the French officer who was convicted of treason, and, at first, sentenced to death?

Nobody does. All we know is, what the newspapers told us; and it leaked out, long afterwards, that the wife of Dreyfus abandoned him as soon as he was turned loose.

Presumably, she was a Jewess; but, like the other Hebrew champions of Dreyfus, she dropped him, as soon as she had accomplished her purpose.

One of the Rothschild banking houses exerts a powerful influence over French finances; another in Frankfort, another in Vienna, and another in London, have often stood together to control the policies of European governments: if they insisted upon the liberation of Dreyfus, the French Republic—beset by royalists, socialists, and clericals—was in no condition to resist the demand.

The peculiar thing, and the sinister thing, is, that some secret organization existed which could permeate the whole European world, and the United States, also, with the literature which clamored for Dreyfus.

The Beiliss case, in Russia, was equally remarkable, in its progress and its end.

A Gentile boy was found dead, with more than forty small incisions in his veins and arteries, from which practically every drop of his blood had been drawn—and the blood had left no marks, anywhere.

That much trickled through the newspapers to the American people, and they realized, of course, that here was a novelty in deliberate and atrocious crime.

Beiliss, a Russian Jew, was accused of kidnapping the little boy, and emptying his blood-vessels of their contents, in order that it might be used in "a religious sacrifice."

What was the evidence against Beiliss?

We do not know.

The Russian court found him guilty, and the Russian Government was satisfied with the verdict; but, apparently the same mighty engine of agitation and suppression, that had worked for Dreyfus, was put in motion for Beiliss.

Mankind was told, that there was no such thing as "blood sacrifice" among Russian Jews; and that Beiliss was the victim of jungle fury, race hatred, lynch law, &c. &c.

In the meanwhile, the hysterical public lost sight of the pallid corpse of the Gentile boy, whose veins presented the pale lips of forty-five cuts, made by a sharp-cutting instrument.

Somebody had killed the lad—most deliberately, most cruelly—and the Russian witnesses, and Russian courts, in full possession of the facts, declared that Beiliss had done it.

But the American people, and European people—not knowing the material facts, and totally in the dark as to who *did* get the blood out of the boy's veins—were excitedly certain that Beiliss didn't.

Consequently, a pressure of the same pecu-

liar and irresistible sort that had saved Dreyfus, caused Russia to stay her uplifted hand, and spare Beiliss.

To this day, the Americans and Europeans who blindly, hysterically helped to put the pressure on the Czar's Government, have no idea who made the forty-five slits in the blood-vessels of the little boy; and, what's more, they don't care.

They accomplished their emotional purpose, blew off their psychological steam, and then forgot all about Beiliss, and the boy.

Is there such a thing as "blood sacrifice" in Russia?

We don't know. Nobody can dogmatize on such a subject.

Even in our own country, there is a blood sacrifice practised yearly in the remoter wilds of Arizona, the Indians who practise it having welded Christianity to some ancient tribal rite, and having adopted the custom of crucifying an Indian as the Savior was crucified.

Russia is so vast a country, and some of the Jews in her remote interior provinces are described as so extremely narrow, ignorant, intolerant, and superstitious, that I can't see how Mr. Hearst, and Mr. Pulitzer, and Mr. Ochs, and Mr. Strauss can be so certain as to what those people believe and practise.

When I see Abraham with his knife uplifted over the breast of his boy; and when I see Agamemnon covering his face to shut out the sight of the priest and his knife—about to slay the Greek king's daughter; and when I see the sacrifice of the idolized girl who ran out, radiant with joy, to greet Jephtha on his return from battle—I feel myself lost in doubt as to what a Russian fanatic might do.

When we see the educated Jews of the country adhering to so many of the old customs, for which the Eastern climatic reasons do not exist—as in the Eastern clime where the commands were given—I can not understand why it is impossible to believe that, in *Darkest Russia*, there may be something horribly out of line with our American creed and observance.

Bohemia is one of those countries where the Jew has been backward; and it is a curious fact that so recent a writer as F. Marion Crawford, in his "Witch of Prague," locates in that Bohemian capital a hideous sacrifice of a Jew boy, by Jews!

Let all this be as it may, the other races of men must "sit up and take notice," if the repeated campaigns of this Invisible Power seem to mean, that Jews are to be exempt from punishment for capital crimes, when the victim is a Gentile.

If the work of this Invisible Power has been substantially the same in a third case, as in the other two; and this third case is that of Leo Frank, then the Frank case assumes a new aspect, a new importance, and a formidable danger.

America is big enough to be "the melting pot" of the Old World, provided the metals melt—otherwise, it isn't.

If the Jew is not to amalgamate and be assimilated; if all the very numerous foreign nationalities that are being moved over into this country are to retain their several

languages, customs, foreign flags, foreign holidays, foreign ideas of law, education, government, &c., then the melting pot will fail to fuse into one another, these conflicting elements.

In such a case, the melting pot becomes a huge bomb, loaded with deadly ingredients.

Heretofore, that question has been a mooted point in the other sections, but not in the South.

New Orleans, it is true, was momentarily menaced by it; but New Orleans rose in such swift wrath, and wreaked vengeance upon those Mafia murderers, that the Southern people never feared its return.

Has the menace of secret organization, of an Invisible Power, and of cynical defiance of law, returned, in the Frank case?

Reflect upon it!

(2.) It is a peculiar and ominous thing, that the American public should be deceived and mesmerized by the American press, on wilful, deliberate, shameless falsehoods, concerning the evidence, when the evidence itself is so accessible to those papers, and to the men who write lies for those papers.

Heretofore, a convict pleading for clemency has begged for a calm, careful examination of the evidence upon which he was convicted.

Heretofore, he has asked nothing better than that the record be scrutinized, and dispassionately judged.

In Frank's case, that is the very thing he has not done, and does not dare to do.

In half the space taken up by Hooper Alexander's absurd creation of a straw man, he could have printed the material facts in the case.

Why didn't you consume less time and ink, Mr. District Attorney, by publishing the essential points in the unimpeached testimony against Frank?

In order that our people may have a clear understanding of the manner in which the Invisible Power of Unlimited Money has worked Atlanta lawyers, and Atlanta papers, I insert at this point a letter which neither of those three journalistic prostitutes would publish, and which seems to indicate that Hooper Alexander's zeal for law, order, justice, humanity, &c., is somewhat sporadic, uncertain, eccentric and spasmodic:

Editor The Georgian:

In view of my recent experience with the office of the U. S. District Attorney in Atlanta, I was amazed to read his voluminous emanations in Sunday's papers concerning the Leo Frank case, with which he states he has no professional connection.

My sisters, both Atlanta girls, were foully done to death in Texas nearly a year ago, and the evidence to convict the murderer has been in the hands of Mr. Hooper Alexander, as District Attorney, for nearly six months, without action.

Under the instructions of the Department of Justice at Washington, and under his promise to me and to my mother, he was to investigate the evidence and take official action by bringing certain features of the crime to the attention of the Federal Grand Jury in Atlanta.

My mother and I have both frequently complained of the apparent neglect to which the matter has been subjected and the great delay, but each time we have been assured that the delay resulted from no lack of interest in the case, but wholly from lack of time, and that his official

duties are so absorbing as to leave no time for other matters.

Imagine my amazement therefrom when I read the lengthy deductions of Mr. Alexander concerning the Frank case in the Sunday papers.

I have no interest in the Frank case in which the defendant was promptly convicted for murder by a jury of the State court.

I am complaining that the U. S. District Attorney, who was not employed in either side of that case in devoting his time to undo the conviction of a man convicted of the murder of a Georgia girl, instead of devoting his time to aid in bringing to justice the man accused of the murder of my sisters.

If his deductions in the Frank case were spontaneous they would be of little value, and if the product of sufficient time and thought to prove, as attempted, that he could have acquitted Frank where Rosser and Arnold failed, then I think we were entitled to the time and thought the District Attorney has devoted to a case in which he has no more concern than I have.

MARSHALL NELMS.

In this connection, the public may remember that William Smith, attorney in the Nelms case, stated that he had made a deal with W. J. Burns, by which the two cases were to help each other.

HELP EACH OTHER, HOW?

(3.) It is a peculiar and portentous fact, that every one of the numerous efforts that have been made to start something in favor of Frank, in Georgia, falls flat, the moment it gets out of the offices of political lawyers, and jelly-fish editors.

They tried to buy the work girls of Atlanta—and couldn't.

They tried to buy the work men of Atlanta—and couldn't.

They tried to buy a poor old ricketty, ramshackled Baptist preacher—and fell down on it.

They tried to work up sentiment in the towns and villages—and failed.

They had Dr. Jacob White to preach a sermon on it—and Jacob's flock, to a large extent, walked out on him.

The lawyers stay bought: the editors keep the muzzles on: the detectives are not to be discouraged while the money holds out; but any one who wants to see, can see, that the great mass of people in Georgia are dead sure of this man's awful guilt.

The Invisible Power has not been able to make the slightest impression upon the honest, intelligent, unprejudiced Georgians who have studied both sides.

Everlasting honor to the working class of Atlanta, for choosing the part of honest poverty and incorruptible civic virtue, rather than all the gold that could be temptingly offered.

Everlasting shame upon the three Atlanta papers which sold themselves in the open market; colluded with the traducers of Georgia's good name, her courts, her laws; and utterly refused to allow any man, or any woman, to use an inch of their space in the defense of our people!

THE ATTEMPTED USE OF A DEAD MAN.

(4.) It is a peculiar and sinister thing, that, after having utterly failed to manipulate the jury into a petition for Frank, the whole case should be rested upon the grave of the dead judge.

It is the blackest feature of the defensive methods, blacker than the attempt to bribe witnesses, and to suppress evidence—for those people were alive, and could defend themselves.

With Judge Roan, it was different: the attack on him was postponed, until death had made him helpless prey.

Not until his pulseless hand could not strike back, did his bosom friend, and former partner, Luther Rosser, produce that letter.

Very precious, indeed, is a piece of evidence relied on to save a guilty man's neck, but which can not be given into the hands of the officials who are asked to assume all responsibility!

Why could not the lawyers of Frank have kept the certified copies, and the lithographs?

Those copies will be as valuable to the lawyers, as the original is, for we must suppose that the petition for clemency is the last place where the letter can be used.

When, before, did lawyers demand that a legal tribunal accept copies of an existing original?

Like everything else in this phenomenal case, the acceptance of those copies, by the Prison Commission, was without precedent.

The letter from Judge Roan to Rosser pretends to have been written on some unnamed day in December last.

Presumably, Rosser got it in December, and in reply to a letter from himself to his former law-partner.

Did Mr. Rosser write to Judge Roan in December, when the Frank case was confidently expecting a victory in the United States Supreme Court?

Does Mr. Rosser want to be understood as having had no confidence in Frank's appeal to the Federal Court?

Will he publish the letter he wrote Judge Roan?

In December, 1914, Judge Roan's face was in such a terrible and agonizing condition, that an operation, taking away his jaw, and almost the whole side of his face, had to be performed.

In December, the sufferer could not hold a pen. He was not a man who could write on a typewriter.

He certainly could not have prepared such a letter as Frank's lawyers presented, without assistance.

Who assisted Judge Roan in the preparation of that letter?

Who typed it? Who signed it, with stencil, or otherwise? Who addressed it? Who mailed it?

Where is the envelope, with the North Adams, Massachusetts, post-mark on it?

The Rosser letter is in hopeless conflict with the written statement of Rev. H. C. Emory, the pastor of Judge Roan, who held a confidential relation with him during the Frank trial, and who conversed with him privately, afterwards.

THE STATEMENT OF JUDGE ROAN'S PASTOR.

I give Rev. Mr. Emory's statement, in the form of question and answer, as he gave it to me at my residence, last Friday, in the presence of Messrs. Julian Hill, L. D. McGregor, J. W. Skelly, and Mrs. A. L. Lytle: a careful perusal of it, the questions and answers, will convince any impartial mind that this Methodist clergyman vindicates the probity of the dead jurist in a manner perfectly consistent with the official record, and with the known character of the upright judge:

Q. How long have you known Judge Roan?

A. Since 1910; I was his pastor for four years, till 1914.

Q. Were you his intimate friend?

A. Yes, as much so as pastor and parishioner could be.

Q. Did you visit his home immediately following the Frank trial?

A. Yes.

Q. Did he say whether or not he believed Frank guilty?

A. He declined to commit himself, saying that was not his part in the trial.

Q. What was the attitude of the mind of Mrs. Roan in reference to Frank's guilt?

A. She told me she never had believed Frank guilty, and admitted that she besieged the Judge continuously during the arguments for a new trial, begging the Judge to grant a new trial.

Q. Did the Judge say why he did not grant a new trial?

A. Yes; he said Frank's counsel failed to

substantiate any of the many grounds set forth at the hearing.

Q. Did you talk with the Judge about what he said when sentence was pronounced?

A. Yes; he said that people had come to him, from the mountains to the sea, some positively saying they knew Frank was guilty, others saying positively that they knew he was innocent, and offering the Judge advice as to what his duty was. He said he intended to put himself on record as saying that whoever knew what his duty was, set himself up as an oracle, for he himself had heard the evidence, and the trial had been extended through six weeks, all told, and he could not positively say he was guilty or innocent.

And he said he meant nothing more than this by his statement, notwithstanding the newspapers of the State tried hard to read into the statement a great deal more than this.

Q. What other matter was specially mentioned in connection with the case?

A. The Judge said, after all, with reference to my remarks at the time sentence was pronounced, no man's private opinion is worth anything at a legal trial, and at the hearing for a new trial, it was a question of evidence, and ACCORDING TO THE EVIDENCE, FRANK WAS UNQUESTIONABLY GUILTY; and there is but one sentence for first degree murder in Georgia, and I had no alternative, the jury was responsible for the verdict, and not me.

The very fact that I was unbiased, is conclusive evidence that I was a competent Judge in the case.

I am glad that the Supreme Court will have an opportunity to find whether or not I made a mistake in any of my rulings—for during the two weeks' review of the case, I fail to find it myself.

Q. Did Judge Roan ever discuss with you his intimate relation to Luther Rosser?

A. Yes, he and his wife both mentioned the fact to me, that Rosser was one of his bosom friends; and one reason why the trial went so hard with him, was that he so often had to rule against Rosser—his best friend, while at the same time he felt that he must do his duty, in every respect, as Judge presiding.

Q. Of what disease did Judge Roan die?

A. It is reported to me that he died of cancer.

Q. Did he undergo a serious operation prior to his death?

A. Yes; his jawbone was removed.

Q. Did he suffer with any other trouble than that which caused the operation?

A. Yes; embleism at the base of the brain, not long after the Frank trial.

Q. Do you believe the nervous strain brought on by the Frank trial was responsible in hastening Judge Roan's death?

A. Yes, indirectly.

Q. During your pastoral visits, did you talk of other matters with the Judge?

A. Yes; we talked of his appointment to the Appellate Court; I remember he remarked that he was glad he would soon be free from the duties of circuit judgeship, as he would not go through the mental torture of another trial like the Frank case, for \$10,000 in gold.

Q. Were you at Judge Roan's funeral?

A. Yes; I officiated.

When Judge Roan remarked to Parson Emory, that the evidence proved Frank to be UNQUESTIONABLY guilty, the following is the evidence he had in mind:

The evidence, that Frank was lascivious, and given to running after the little Gentile girls who worked for him:

The evidence, that he had acted indecently in his place of business, by opening the door of the girls' dressing room, and leering at them, when they were partly undressed:

The evidence, that he had gone into a private room with one of the girls, several times, during work hours, when neither Frank nor

the girl had any innocent business calling them into that private room:

The evidence, that Frank lusted after Mary Phagan, and had been repulsed by her:

The evidence—by his own clock—that after his stenographer, Hattie Hall, left him in his office, at 12:02, Mary Phagan went into the office to him, a few minutes later;

The evidence—by his own clock—that when Monteen Stover went into his office, at 12:10, she did not see Frank or Mary; and that when she left, at 12:15, neither Frank nor Mary could be seen or heard;

The evidence, that Frank endeavored to place himself in his office at the time of the murder, and that two of his own employees defeated his attempt: they were Miss Corinthia Hall and Mrs. Emma Freeman.

The evidence, that Mary went back to the metal room to look and see if the new tips had come, for her hair was found on the handle of Barretts machine back there, and her blood on the floor, not far off;

The evidence, that Frank went back when Mary did, and when Monteen found his office empty, for he told the jury he might have gone back there, *unconsciously*;

The evidence, that he cleared the building of Denham, White, and Mrs. White, so that he could safely return in the afternoon;

The evidence, that he locked the door on the stairway, leading from the first floor to the second, so that nobody could come upstairs and interrupt him, that evening, until Newt Lee should come in, at a late hour, to go on duty as night-watch;

The evidence, that this door on the stairway had never been locked before, when Frank was in the building;

The evidence, that Frank was not in his office when Newt unlocked the door on the stairway, and went up to the second floor, but came up from the rear of the second floor, where somebody had smeared a white substance over those blood spots;

The evidence, that Frank knew that Conley was the only other man in the building that Saturday at noon, and immediately afterwards, who could have done the deed; and that Frank tried to fasten guilt on Newt Lee, but not on Conley;

The evidence, that the notes found in the basement charge the night-watch with the crime, and that Frank, when first arrested did the same thing;

The evidence, by Frank's clock, that had Mary Phagan, after leaving Frank's office, not gone back to the metal room on the same floor, but had gone on down stairs to the first floor, where Jim Conley was, and had been seized by the negro, *Monteen Stover would have caught him in the very act*;

The evidence, that there were no signs of crime on any floor but Frank's, and that no other human being was shown to have had the motive and the opportunity to assault her;

The evidence, that he could not look at her dead face; that he pretended not to know whether such a girl worked for him, when four of his white employees testified that he knew her well—and wanted to know her better.

Judge Roan knew that all this array of evidence was in the record; and that, without the evidence of the negro, the white man was proven to have been the only possible criminal.

Consequently, what he told Rev. Mr. Emory was in the strictest accordance with truth, and with his own official utterances.

Here, then, we have a pathetic spectacle of a clear-minded jurist, afflicted with what he must have feared would be an incurable cancer; and so worried and exhausted, by a long, tedious trial, in which he had to rule so often against his former partner and bosom friend, Rosser, that a blood-clot settled in the nerve centre, at the base of the brain!

The newspapers persistently misrepresent

him, and try to read into one of his remarks that he did not mean—the *New York Times* even going so far as to say that Judge Roan told the jury he did not believe Frank to be guilty.

The partisans of Frank continue to torture the dying Judge, until he is a mere wreck of his former self; and after he goes away to Massachusetts, for rest and quiet, and treatment, they pursue him, even there; and it is his former partner and bosom friend who does this cruel thing.

Rosser knew that Judge Roan had felt a mournful regret, that his duty had compelled him to decide against his best friend; and Rosser played on this, at a time when the Judge was so worn down in mind and body that he no longer had the strength of resistance which he had had, when he overruled Rosser's motion for a new trial, and declared to his beloved pastor that, *according to the evidence, "Frank was unquestionably guilty."*

Whether it was legitimate for Rosser to pursue and harass and importune a friend whom he knew to be dying; and whether such a course of conduct was not a brutal disregard of friendship and common decency, is a question that others may consider.

By official act, and in private converse, Judge Roan approved that verdict, as one demanded by Law and Evidence.

What may have been wrung from him, long afterwards, when his brain and his nerves must have been sadly altered, has no real value in comparison.

"It is possible that I may have deferred too much to the verdict of the jury," are not, in my judgment, the words of Judge Roan; for he was good enough lawyer to know—when he "was at himself"—that the same principle which estops a juror from attacking his own verdict, *applies to a judge*, when his decision has passed beyond his jurisdiction.

While life is short and art is long; and the written letter is one of the fine arts—sometimes superfine—I really have a curiosity to know what precautions were taken to preserve Judge Roan's letter, when it was within the bounds of possibility that the Lord might call Rosser to another and better world, before Judge Roan himself passed away.

THE STATE LOOKS TO THE GOVERNOR.

Nobody cares two straws what Bob Davison and T. E. Patterson, Prison Commissioners, recommended, for everybody knew beforehand what they meant to do.

The point of interest—profound and universal—is the Governor! What's he going to do?

Strictly speaking, the Frank case had no business before the Prison Commission, at this time. If the Commission set a bad precedent in the McNaughton case, they should not have taken advantage of their own wrong, and transformed a bad precedent into a rule which violates the law.

Besides, the record shows that, while Frank was indicted and tried for murder, *the same evidence* convicted him of at least an attempt to rape.

The law expressly forbids the Prison Commission to take jurisdiction of a case involving rape, or the attempt thereat.

Technically, the Commission had jurisdiction; but it should have taken the broad view, and considered the reason and spirit of the Act which created *this anomalous and dangerous tribunal*.

By the very terms of the Act, the Legislature meant that the Commission should not pass on just such a case as Frank's.

Therefore, the Governor is more than ever authorized to ignore the Commission. It is to the Governor that the great mass of our people look as the responsible man—and they confidently expect him to measure up—gravely, fearlessly, and impartially, conscientiously—to the requirements of that word

which Robert E. Lee declared to be the grandest word in the language.

STAND FOR DUTY!

The employees of Leo Frank—poor laboring people—did not want to testify against him; but the Law said they *must*, and they had the courage to do their *duty*.

The jurors who were selected by Frank and the State to test the convincing weight of the evidence given by his employees, did not want to find him guilty, but the Law—as Judge Roan expounded it to them—said *they must*, and they had the courage to do their *duty*.

Judge Roan loved the leading lawyer of the defense, and had perhaps in other matters often deferred to Rosser's domineering character; therefore, Judge Roan did not want to rule so often against Rosser, or to deny his motion for a new trial; but the Law marked out the line for the incorruptible Judge, and he unflinchingly did his *duty*.

Both the Supreme Court of Georgia, and that of the Republic were free of any bias against Frank, and did not want to harm a hair of his head; but the Law said what they must do, and they had the courage to perform the *duty*.

Thus far our *system* stands superbly erect, unshaken by all the tremendous and unparalleled assaults that have been made upon it.

One man, *just one*, can undo all that has been done; and lose, for the Law, all the fruits of the long battle of the great victory.

One man, *just one*, can smite our system with a blow, from which it will reel as long as he lives—and that man is Governor John M. Slaton.

Everybody knows that a commutation, *in this case*, means that Mary Phagan's blood will forever cry in vain to Heaven!

All the casuistry that subtle brains can hatch, does not hide *this* fact:

"If the man is innocent, he should go free; if guilty, he should hang."

THE REV. BUFORD was one of those who petitioned for clemency in this case: asked if he believed Frank to be guilty, he answered—

"YES: GUILTY AS HELL!"

"Why, then, did you sign the petition?"

"Because, I am opposed to capital punishment."

"Guilty as hell!" says the preacher: guilty of a cruel, deliberate crime against a little helpless working girl, whose innocent light went out, as she stood, *all alone*, fighting for her one precious treasure.

"Guilty as hell," saith Preacher Buford; yet he asks Governor Slaton to take upon his official shoulders the stupendous responsibility of virtually annulling the State's law of capital punishment!

EX-CONGRESSMAN W. M. HOWARD AGREES WITH PARSON BUFORD THAT FRANK IS GUILTY.

It was stated in the papers, that Hon. W. M. Howard had come to Atlanta, a week or so before the day set for the Prison Commission hearing, for the purpose of making a close study of the official record of the evidence.

It was stated that Mr. Howard intended to demonstrate Frank's innocence, from that record: naturally, therefore, we looked forward to his argument, and were astonished when he suddenly cut short his talk before the Commission, without any effort to demonstrate Frank's innocence.

The following affidavit, of which I hold the original, may be the true explanation of Mr. Howard's change of plans:

Georgia, Fulton County:

Personally appeared before the undersigned, a notary public in and for said county, G. W. Jarrell, who, being duly sworn, on oath says:

I know Wm. M. Howard, attorney representing Leo M. Frank before the Prison Commission of

the State of Georgia, in presenting his application for executive clemency. I discussed the case with Mr. Howard in Lexington. He said he believed that Frank was guilty. C. W. JARRELL.

Sworn to and subscribed before me, this 5th day of June, 1915., W. F. YOUNG,
Notary Public, Fulton County, Georgia.

CHICAGO BUTTS IN.

After the Illinois delegation spread itself over the upper regions of Atlanta Sassiety, and Mary Delaney Fisher had electrified Upper-Tendom, until Jim Woodward was roaring for military help, the following *special* appeared in the Northern dailies:

The committee representing the big Frank committee of Chicago arrived here Sunday night. We went directly to the Tower, where Frank is confined. He seems nothing but a boy—a particularly brave, fearless, philosophical sort of a boy—without a word of harshness or malice towards any of those who might be called his enemies. His manner is frank, and his speech indicates the college graduate.

His own wife tells me that when she is thoroughly discouraged and in the greatest depths of woe she manages to slip down to the jail, where she spends most of her time, anyway, in order to get buoyed up again.

He pathetically observes he has spent two birthdays in prison. His remarks concerning the Judge and the various prosecuting factors in his case are the most charitable ones that I heard. He spoke of the trial judge as a "poor old man, ill with cancer, intimidated from without, worried within, and trying to do the best he could," and gave him no blame for his action. His loyal, loving wife, Lucile Selig Frank, has spent every day with him since his imprisonment.

The loyal spirit and loving heart that looks out from the mild, brown eyes that betoken the typical Rebecca of Scott's Ivanhoe. She has all the Southern woman's high ideals and says that they have all been realized in her husband. (May God pity the poor soul.)

Mrs. Fisher urged the woman's appeal, that brought tears to the members of the Commission and audience. This plea prompted the members of the Commission to step from the bench and personally thank Mrs. Fisher for voicing the opinion of the Georgia women whose homes are now outside the State. The whole sentiment of the city seems to have changed since our arrival. Populace and better classes all seem in favor of mercy towards Frank.

The Governor said to me when I presented the plea, "When the case will be presented to me by the Prison Commission I shall give it every consideration and go thoroughly into every detail, being guided by the facts presented in the record. I am glad to receive the plea for mercy from the women, but if I find, in my opinion, that Frank is not guilty, I shall exercise my prerogative and grant him a full pardon."

Then Higinbotham, in his excitement, jumped up and said, "Do you mean a pardon?" and he said, "Undoubtedly," to which Higinbotham answered, "Thank God, I knew you were a man."

I interviewed Mrs. Slaton today in her country home, where I was escorted by one of the prominent Gentile women of the inner circle of the Governor, in her own private car. Of course she could not tell me she would help the Frank cause, and I would not ask her, but she did say her own brother, John Grant, one of the prominent men of the city, had signed the petition."

My lords, this is the manner in which the Invisible Power of Unlimited Money can mangle facts, delude the public, mock the law.

None of these people had a thought, much less a word, for the little victim, lying up there in Cobb County, a few miles away.

THE EXTREME LENIENCY OF GEORGIA LAW TO A DEFENDANT.

People outside the State do not seem to understand that our law gives the prisoner the right to make just such statement to the jury as he may desire, and that he cannot be questioned or put under oath.

The Judge's duty is to instruct the jury that they may believe this unsworn statement of the defendant, in preference to all the sworn witnesses in the case.

Judge Roan, of course, so instructed the jury in Frank's case, after Frank had made a carefully prepared statement covering forty-five large pages of print.

The defendant in Georgia cannot be asked any question by the State's officer prosecuting him, unless the defendant voluntarily concedes the State that privilege.

In Frank's case, he kept behind his legal right, and refused to allow a single question to be put to him—although he went on the stand *twice*.

It has been said that *the time* was too short for Frank to have committed the deed—the time being half an hour by his clock.

A *seducer* needs more time than that, but a rapist doesn't.

It is doubtful whether the sexual organism and the nervous system could sustain, for thirty minutes, the frenzy of the rapist.

However that may be, *somebody* did what was done to Mary Phagan, in less than half an hour; and the undeniable evidence shows it.

The undisputed testimony also shows, that Frank had the girl in his possession at that very time, and that both he and the girl disappeared at that time.

Mrs. White found *him*, again, at 12:35, but when Mary was found, *that night*, her body was rigid in all its members; and her blood and hair were near the place where Frank said he *might* have gone, *unconsciously*, when he was out of his office, and Monteen was in it.

It has been said, that Frank accounted for all of his time, that fatal day, *except a few minutes*.

Yes; and Lady Macbeth's little hand was clean, except for the one blood spot which all the waters of ocean could never wash white again.

It has been said, that the State was indebted to Frank for knowing that Mary Phagan was in his office that day.

When the State traced the doomed girl from her home, at near noon; traced her on the street-car, going into the heart of the city; traced her from the car to within a few yards of Frank's office; and proved her sayings that she was on her way there—and then found her stiff body in the building, *that night*, how *COULD* Frank deny she had been there?

When the State proved that she could not have entered the building *before* 12:02; and proved that she must have entered, *after* 12:02, and *before* 12:35, what *COULD* Frank do, except fix a time *between* the two?

Fate willed that he should tell Harry Scott, before *he* was accused of the crime, that Mary came into his office at 12:10.

Fate also willed that another work girl, wanting her wages, looked at the same clock as she went up stairs to Frank's office, "and it was ten minutes after twelve. I waited five minutes, and left at 12:15."

Where was Frank? Where was Mary?

It has been said that Frank was the first to identify Mary's body.

The evidence shows that Miss Grace Hicks identified the body at the morgue. "I knew her by her hair."

The officers who went out to Frank's house, a few minutes later, that Sunday morning, told him that the dead girl found in his place of business was Mary Phagan.

So far from identifying her, he wouldn't, or couldn't, look at her face, when the undertaker took the face in his hands and turned it toward him.

Before that mute accuser, he turned his back, and went behind the curtain.

It has been said, that Frank's wife would not go to him, for three weeks, *because* she had been rudely treated at the station-house, and because she expected him to be turned loose, any day.

The *record* shows that Frank claimed to have sent her away, on April 29th, after three men had brought her there, and that his reason was that he did not want her humiliated by reporters, snap-shooters, and detectives.

The *record* also shows that Frank's virtual preliminary trial began the next day; and that he was formally bound over, without bail, a week later—and it was still ten days or more that his wife would not come about him.

They say he talked to her every day over the telephone, a statement easy to make, and impossible to disprove.

As well might *you* say that those daily calls over the 'phone were the desperate appeals of a guilty man, to an obdurate wife whom he had mortally offended.

It has been said, that Frank was a man of pure morals, an ideal husband, &c.

The *record* shows the names of a dozen white girls and women who swore that *they knew* Frank to be lascivious.

The *record* shows that one white girl was offered as a witness, to prove that Frank tried to debauch her, the second day after she went to work for him; and that Frank's lawyers were afraid to let the girl testify.

The *record* shows, that Frank went into a private room with one of his work-girls, Rebecca Carson, in the day time, repeatedly, when neither Frank nor Rebecca had any legitimate business to be alone together.

It has been said, that the State of Georgia is about to hang a white man, on the evidence of a negro.

The *record* shows that, if the negro had not been in existence, the body of Frank's victim would have been found where he killed her, for he was not physically able to move her without help.

The *record* shows that, if the negro had never gone on the stand, Frank would have been convicted on the evidences of the blood and the hair, the minute hand of his clock, and the unimpeachable testimony of white witnesses, the most important of whom were his employees, and friends, at the time the deed was done—*not discharged employees and enemies*.

It has been said, that Georgia did not give Frank a fair trial.

The *record* shows that he absolutely exhausted the resources of a Code which is more lenient to the accused, than any in the Union; and when he had resorted to extraordinary, unparalleled expedients in Georgia courts, he had the extreme good fortune to have the entire procedure *reviewed* and severely scrutinized by the highest court on earth.

When the United States Supreme Court said that Frank's able, industrious, indefatigable attorneys had utterly failed to show that Georgia had *not* given Frank a fair trial, ought not the question to be considered *adjudicated*?

It has been said, that this crime is not one that a Jew would commit.

How does anybody know what any man *will* do, until he does it?

Nobody believed that Oscar Wilde, the English genius, was a Sodomist, until the evidence sent him to Reading Goal.

Nobody suspected that the dashing Russian soldier, General Skobeleff, was a sensualist of the lowest type, until his young wife left him, *after the first night*; and he soon afterwards died in a wild orgy in Moscow.

Nobody knew what Stanford White was, until it was proved on him.

You would not believe that a Jew would make a mistress out of his own sister, and beget children by his own daughters, if you did not read of it in the Bible.

Nobody could believe that two Jewish cities could be wallowing in sodomy; if their own sacred writing did not reveal the hideous truth.

In the Frank case, the Gentile witnesses accuse him of nothing more depraved and criminal, than the Jewish writers allege against Jews, in Holy Writ.

Jews are just human, created out of the

same clay as other races, subject to like passions, liable to commit the same crimes.

If there be a peculiarity in the sexual vice of the race, it is their lust after women of other races than their own.

Northern cities are more dreadfully aware of this than we of the South have been; and we owe it to this New York Jew, that we have learned the lesson.

It has been said, that Frank was convicted, because he is a Jew.

The truth is, that after Frank's lawyers realized the case was past hope, they flung that feature into it, as the only hope to save him.

They have been playing that card ever since.

Had Frank been a Gentile, as the Cantrell boys of North Georgia were, his neck would have cracked last summer, when theirs did.

The Invisible Power of Big Money allows us to hang as many Gentiles as we convict.

It is only when we prove that a Jew rapes and kills a Gentile girl, that our rotten newspapers, and cowardly politicians crouch to Jew money and Jew votes.

Let the Chief Magistrate of Georgia take the case; and let him remember that, under our system, *this man's GUILT has been ADJUDICATED.*

Let him remember that, under our system, the petitions of 90,000,000 people who were not sworn jurors, cannot impair the work of the twelve sworn men in the box.

Let him remember that, under our system, executive clemency is not a judicial prerogative, but is an executive act, based upon some *exculpatory fact*, consistent with defendant's guilt, but mitigating the penalty.

Broadly speaking, executive clemency is the Equity of the penal law; its mission, like that of equitable proceedings in former years, is to grant relief which the strict letter of the law might refuse.

Thus, a jury would be compelled to find a verdict of guilty, if a destitute mother stole food for her starving child; but executive clemency would consider the equities of the case, and hold that necessity palliated the crime.

If, in all this official record against Leo Frank—who murdered a child, and sought to hang an innocent man for the crime—there can be found a reason for equitable relief, for executive clemency, let the whole world be told what it is.

Let us have no evasions of the true issue, and no placing of responsibility upon the dead.

My lords, I have done; I can say no more; my part is finished.

Without bluster, and without grand-stand play of any sort, I have defended my State, her courts, her laws, her people.

Would that some other man, with fewer enemies, had volunteered, and done the work. Such as it is; it is finished.

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Sample Board Salaries and Sample Convention Stories.

IN the Southern Baptist Convention, it came out that one of the secretaries of the Foreign Board draws a salary of \$3,500 a year; and another, \$3,000.

An assistant secretary gets \$1,100.

Then, there is an editorial secretary, who gets \$3,000, for editing something, I suppose.

(Don't I wish there was a liberal person, or church, or society, that would pay me \$3,000 a year to edit these two Jeffs? Here I am, working like a nigger, and I haven't had a cent for it all these years—besides which I have to take lots and cords of cussing.)

In addition to the editorial secretary, the Foreign Mission Board employs three Field Secretaries, at a yearly salary of \$3,300; then comes the Treasurer, at \$1,800, and \$1,250 for half the salary of the Secretary of the Layman's Movement.

By the way, the laymen ate so much at those preliminary banquets in New York, Macon, and elsewhere, that they never have moved, very much.

The Layman's Movement seems to be unable to pay both halves of its Secretary's salary.

Then the car fare, hotel bills, office rents, stationery, postage, etc., of the Board must be considered; and, as Mr. Brownlow stated, the Foreign Board of Missions costs as much to operate, as the Government of Cuba!

Said Mr. Brownlow:

We owe \$121,000 to home and foreign missions and have got nothing to show for it, except a bunch of well-groomed secretaries who are drawing enormous salaries.

Mr. Brownlow offered a resolution, for the appointment of a committee of five—two business men, one lawyer, one preacher, and one educator—who should, without salary, devise a more economical plan of administration for the Boards, the same to be reported to the next annual convention.

Can you see any objection to such a resolution?

I can't, but the powers which control the Southern Baptist Association fought the Brownlow proposition vehemently, and no voice save Brownlow's spoke boldly in its favor. It went down.

In part, it was mortally wounded by the following story, told by the Rev. Dr. J. B. Gambrell:

A Waste of Good Ammunition. Dr. J. B. Gambrell, of Texas, secured the floor and supported the report of the Efficiency Commission. The brother from Tennessee reminded him of a fellow who was coon hunting. His ammunition was short. He spied a coon at the top of a tall tree, and fired. The coon came thrashing through the limbs and hit the ground with a dull thud. As the hunter looked upon him, he said: "That was a waste of good ammunition. The fall would have killed him."

Bro. Alex Bealer did not insert "Great laughter," in brackets, as profane reporters are accustomed to do; but it is fair to assume that Brother Gambrell's anecdote created infectious merriment.

If Dr. Gambrell uses that veteran story many more times, it will have fairly earned an honorable discharge, and a liberal pension.

However, Brother J. B. G. was not the only humorist of our great convention, as you will readily perceive from the following story, embalmed for posterity in Bro. Bealer's report:

The Need for Training Negro Preachers. Dr. A. J. Barton concurred in the statement that we owed a debt to the negro. It was time for us to begin the payment of the debt. To train their preachers, was the best way to begin to pay the

debt. How they needed training. Not long ago he was talking to an old negro gardener. He said he was a Baptist preacher.

"Do you ever do wrong?" asked Dr. Barton.

"Yasser, some time."

"Do you drink?"

"Yasser, some times."

"Aren't you ashamed of yourself?" asked the doctor. "A Baptist preacher going into a saloon to take a drink!"

The old negro, as if horrified at the suggestion, straightened himself up and said, "You don't reckon, ooss, dat I'd go in a saloon to get a drink?"

"How do you get your whiskey, then?"

"I gits a good member to buy it for me. You don't reckon, boss, I'd kill my 'fluence 'mong my fokes by drinking in a bar room. No, sah, Ise got to be keerful."

"What about your standing with God?"

"Boss, I can't splainify nuttin' like dat to a hard-headed nigger, but I kin make it straight wid de Lawd in fifteen minutes."

The report of the committee was adopted.

I have perused this story from top to bottom, from bottom to top, from right to left, and from left to right, in the effort to find "the debt we owe the negro;" but, while I see the liquor, plain enough, I don't see where the debt comes in.

If we owe debts to illiterate preachers, why omit the white ones?

Then comes this witty definition, in the midst of jaw-breaking verbosity:

Henning Defines An Optimist. B. C. Henning, of North Carolina, said there was danger in this movement, but he was optimistic over the situation. Not long ago he heard an optimist defined as a man who was cross-eyed, and who was thankful that he was not bow-legged. He was persuaded that the Syracuse Baraca-Philathea effort, not the local classes, and all interdenominational State Sunday School Conventions, were perilous, because they had a tendency to sidetrack denominational efficiency. He thought we should, in every possible way, preserve the purity of our denominational work.

In opposing the Brownlow resolution—whose author is a successful business man—Brother F. W. Barnett spoke of himself as follows:

Barnett Speaks for the Irresponsibles. F. W. Barnett, of Alabama, caught the Convention with a very bright speech, the first he had ever made before the body. He spoke for the army of irresponsibles. He had helped to hang some of the greatest criminals in Alabama by defending them when he was a lawyer. He had been cashier of a bank with a capital stock of \$25,000, and it failed. He was elected manager of a great industrial concern, and it went to the wall. He was now editing the Alabama Baptist, and everybody said it was no good. The problem of all problems was to separate the irresponsible Baptist from his money to support our mission enterprises.

Brother Barnett, somewhat boastfully, declared that he had been a failure as a lawyer, and had generously contributed numbers of his clients to the gallows; that he had been a failure as a banker, and had busted the bank; that he had been a failure as a business manager, and had shattered a great industrial concern; that he was no account as an editor; and, therefore, he was competent to combat the resolution of Brownlow, who had not a single failure to his credit.

Alex Bealer says that Barnett made a very bright speech.

He did.

Barnett is a very bright man; but he would have added radiance to his bright speech, if he had told us what he is good at, besides hanging his clients, busting his bank, driving that great industrial concern to the wall, and editing a paper that is "no good."

I believe that, if I were the Foreign Mission Board, I'd just as lief not be defended by Barnett: The luck of his clients, heretofore, has not been such as to encourage others.

Read Foreign Missions Exposed, by Thos. E. Watson. Beautifully printed. Profusely illustrated. Price 30 cents. The Jeffersonian Publishing Co., Thomson, Ga.