

FRANK MAKES PLEA FOR COMMUTATION

Condemned Man Reiterates Innocence and Says He Was Convicted on Ques- tionable Evidence.

Attorneys for Leo Frank have filed with Captain Goodloe H. Yancey, secretary of the state prison commission, his petition for executive clemency in a last effort to spare his life.

He asks commutation to life imprisonment. The petition was signed by Frank and filed at the capitol early Thursday afternoon, at least two days earlier than was expected. Frank's chief contention that he is absolutely innocent of the crime for which he stands convicted, and that the evidence on which he was tried was not substantial, but was questionable and unreliable.

To Await Notification.

No hearing will be given the petition. It is stated, until after the mandate from the United States supreme court is forwarded to the superior court of Georgia and after Frank has been re-sentenced to the scaffold. The Washington court's mandate is official notification of its verdict on the habeas corpus appeal. It will not be dispatched to the superior court until the end of the present supreme court term next June.

The Frank petition follows:

To the Honorable Prison Commission and the Governor of the State of Georgia:

The application of Leo M. Frank for executive clemency respectfully shows: On August 26, 1913, I was convicted in the superior court of Fulton county, of murder, and I am now under sentence of death pronounced on said verdict. I ask that this sentence be commuted to life imprisonment upon the following grounds:

I am absolutely innocent of the crime of which I was convicted. My death would neither avenge it nor punish the real perpetrator. I have no personal knowledge of the crime other than the facts related by me in my statement made at the trial. Beyond these facts, I know no more than any other person who was present in the court room and heard the evidence.

Says Evidence Was Questionable.

The main evidence on which I was convicted was of a questionable and unreliable character. My alleged guilt has not been established beyond a reasonable doubt, but, on the contrary, conflict of testimony, uncertainty and doubt still exist as to every material feature of the case made against me.

I do not undertake to set out herein, in full, all the reasons on which I ask clemency, but request permission to do so at the hearing. I file herewith four printed copies of the brief of the evidence, introduced at the trial, and urge that they be given the most careful consideration.

An examination of the building and premises of the National Pencil factory is necessary to a clear understanding of the evidence, and I earnestly request that before beginning the examination of the record a personal inspection of this building and premises be made.

Respectfully submitted,

LEO M. FRANK.