

DECISION ON FRANK EXPECTED MONDAY

No Reprieve Will Be Given Prisoner on Account of Nearness of Execution Date, However, Says Gov- ernor.

Governor John M. Slaton will deliver no decision in the Leo Frank case until either Monday afternoon or Tuesday morning on the eve of the date set for execution.

This delay is caused by the immense volume of evidence with which the governor will have to familiarize himself before he decides what to do.

Slaton's action, however, will be deferred no longer than Tuesday. There will be no respite for Frank, it was stated definitely last night. A decision either to commute or to decline to interfere will be announced by that time.

Visits Pencil Plant Again.

Friday afternoon the governor and his secretary, Jesse Perry, revisited the pencil factory the scene of the Mary Phagan murder, where they spent considerable time examining the second floor on which the prosecution alleges the crime was committed, and the basement, where the defense contends the negro slew the girl.

Primarily the trip to the factory building was made to test the elevator on which Conley swore he and Frank transported the body to the basement from the second floor. The governor wished to satisfy his mind whether the elevator was adjustable in speed or descended to the bottom of the shaft precipitately.

A reporter for The Constitution last night shortly before midnight visited the country home of Governor Slaton near Buckhead. The executive was hard at work on the case. He was assisted by his secretary, Mr. Perry. Huge volumes of records, stenographic reports, affidavits, court data and published record surrounded him. In his hand he held a voluminous supreme court report of the retrial hearing.

Studying the Records.

As he read he jotted notes. Occasionally he would call to his secretary to search out portions of evidence which had been called to mind by certain portions of the report.

Asked when he expected to render a decision, he declared that it would not be earlier than Monday afternoon and no later than Tuesday morning. Upon this he was questioned whether or not he would reprieve Frank because of the closeness of decision and hanging date.

"No," he replied. "The judgment of the court should cause the prisoner to prepare for death. In event my decision is adverse, he has had ample time to make preparation."

Frank Is Cheerful.

At no time since the series of latter day setbacks from the varied courts befell him has so much cheer radiated from the cell of Leo M. Frank in the Tower, where an air of assurance has replaced the former tension of suspense and apprehension.

Friends of the doomed man, jail-keepers and the special turnkey assigned to his cell say that Frank is more cheerful now than ever, and that he constantly assures visitors that he is confident of rescue from the scaffold.

Throughout most of Friday morning he received visitors, friends of long standing, who were familiar comers to his cell. At noon and all during the early part of the afternoon he spent the time with his wife, who came for luncheon, which they ate alone. His mother came later in the afternoon.

Health Still Good.

Attaches of the hospital ward say that Frank's health has not been visibly impaired by the nearness of the execution day and the suspense that naturally prevails in the interim of Governor's Slaton decision. He takes regular daily exercise, spends much of his time walking, and, at specified times, is granted the privileges of the runway alongside his cell, where he finds freer walking.

His mail continues heavy. Letters still come from all parts of the country. Some of them come addressed to Mrs. Frank. Others come to his attorneys.

What spare time he finds when not talking to visiting friends the prisoner devotes to his mail and to the newspapers, by which he keeps well posted on all important topics of the day.