

Frank Starts Prison Work; Noisy Crowd at Governor's Home Dispersed by Militia

Solicitor General Hugh Dorsey Issues Statement in Which He Says That He Believed That Slaton Was Disqualified to Pass Upon the Case and Declares He Cannot Find in His Statement Single Reason Why Sentence Should Have Been Commuted.

"I DID MY DUTY," STATES THE GOVERNOR; "INNOCENCE WILL BE PROVED"—FRANK

Major I. T. Catron and Lieutenant Arnold Parker Injured by Missiles Thrown by Members of the Crowd at the Governor's Home—Many Arrests Made by Police During the Day—Slaton Hanged in Effigy in Two Cities Monday.

Atlanta passed one of the most exciting days in her history Monday following the exclusive announcement in The Constitution that the sentence of Leo M. Frank had been commuted by Governor John M. Slaton. Some of the most important developments of the day and night follow:

Crowd estimated at 1,200 people marched last night to home of Governor John M. Slaton, near Buckhead, creating considerable disturbance on the way. They were met by battalion of the Fifth regiment, which quickly dispersed the crowd.

During the night Lieutenant Arnold Parker was injured by brick; Major I. T. Catron was struck by bottle; one member of crowd was hit over head with automatic, and several prisoners taken. Many arrests made by police during day.

Mass meeting held Monday afternoon in senate chamber. Sheriff Mangum makes address, telling of his trip with Frank to prison farm.

Frank arrives in Milledgeville and gives out statement, in which he expresses his thanks to governor and asserts his innocence will eventually be proved.

Solicitor Dorsey gives out statement, in which he scores action of governor in commuting sentence.

Governor Slaton gives out statement, in which he analyzes case and tells why he commuted Frank's sentence. "I am confident I did right," he says.

Governor Slaton and Frank burned in effigy in Newnan; governor hanged in effigy in Marietta and Woodstock; Valdosta starts fund for monument to Mary Phagan.

Developments came thick and fast yesterday following the departure of Leo M. Frank to Milledgeville to begin serving a life sentence there.

The prisoner left Atlanta, accompanied by Sheriff Mangum and a number of deputies, at 12:01 o'clock. The party reached Macon shortly before 3 o'clock, there secured an automobile and by 5 o'clock Frank was an inmate of the state prison farm at Milledgeville.

Shortly after being admitted reporters were permitted to see him.

His appearance spoke clearly the tremendous strain through which he had gone. Upon being asked whether he had anything to say, he said in clear and composed language: "I am grateful beyond words to the governor for the way he has disposed of the case. I felt confident all the while that it would turn out as it has. Somehow I just felt confident that I would not hang. Of course, I am unsettled, as you see, from the tremendous nerve-racking experience through which I have been drawn, especially during the last trying hours of this ordeal. No person can know what I have gone through."

Believes Innocence Will Be Proved.

"And I am not composed enough at this time to give you an intelligent and connected conversation. Just say that I feel more than I can express in words, and am happy that my life is saved. Time will prove, as I have often told you, the fact of my absolute innocence of the murder with which I am charged."

"I felt in my heart all the time a secret assurance that I should not hang." And with a firm look directed in the face of his interviewer, he paused briefly and added, "I am innocent."

"I had begun to think I wouldn't get to see this place," was the significant remark made by Frank to Warden Smith, just after his arrival with Sheriff Mangum at 4:55 o'clock.

Both Frank and the sheriff appeared very nervous when they reached the prison, and the sheriff heaved a sigh of relief as he delivered his charge to the penitentiary officials. The strain of the trip down from Atlanta had told on both. The sheriff remained here but a few minutes, returning to Macon in the automobile in which he had made the hurried trip out.

Frank was first registered and then dressed in his suit of stripes, after which he was taken to the bunkroom of the main building for a bit of rest before being given his breakfast. Strict orders were issued to permit no one to see him, except on specific order from the prison commission in Atlanta. Also Superintendent J. M. Burke and Warden Smith were instructed by the prison commission to immediately double the force of guards at the prison.

DORSEY'S STATEMENT.

Availing that he considered Governor John M. Slaton disqualified to pass upon the Leo M. Frank case, Solicitor Hugh M. Dorsey, who prosecuted the prisoner, Monday afternoon issued a statement denouncing the bestowal of clemency and explaining why he had gone before the governor to oppose the Frank plea for commutation.

The statement, in full, is as follows: "The action of Governor Slaton nullifying the judgments of the state and federal courts and overriding the reco-

ommendation of the state board of pardons was as surprising to me as it was unprecedented.

"No defendant within my recollection has had the benefit of more appeals to the judicial processes, state and federal, than Leo Frank. His guilt was conclusively established beyond a reasonable doubt to the satisfaction of an impartial jury of twelve reputable Georgians and their verdict was approved by the trial judge and affirmed by the supreme court of Georgia. Repeated efforts to have the judgment set aside have been denied by the state supreme court, the United States district court and the supreme court of the United States.

"With the unbroken record of all available courts declaring Frank guilty of the heinous crime with which he was charged, the influential friends of Frank appealed to the state board of pardons elected by the people to pass on applications for pardons and commutations to be considered by the chief executive of the state, and the pardon board sustained the records of the courts of justice and declined to recommend the application for a commutation.

Satisfied of Verdict.

"I did not appear before the pardon board because I felt confident that, with the evidence and the court records before them, there would be no interference with the course of justice. When their decision refusing to recommend commutation was transmitted, I felt it to be my duty to plead for the enforcement of the law by the chief executive because I knew the force of the influences at work to upset the judgments of the courts and of the pardon board.

"I knew that the senior member of Governor Slaton's law firm, Rosser, Slaton & Phillips, was the leading counsel for Frank, not only throughout

his trial, but in prosecuting the original and extraordinary motion for new trial, and I know it would be difficult for the governor to escape the substantial effect of his environment.

"The constitution of Georgia commands the impartial and complete administration of our laws, and imposes this command upon the solicitor general of each circuit, as well as upon the governor of the state.

"My feeling that the governor was disqualified, at least to an extent, by his environment and affiliations, from viewing the records in this case impartially, prompted me to appear before him in person to urge the enforcement of the law.

"Not one of the grand jurors who found the true bill against Frank and not one of the jurors who convicted him joined in the petition for clemency, which was granted over the protest of the prosecuting attorneys and over the adverse recommendation of the state board of pardons.

"I cannot find in the record of the Frank case, or in the governor's lengthy statement of attempted justification, one reason why the governor should have departed from his declared policy and interfere with the judgments of the courts in this case."

MARCH TO GOVERNOR'S.

About 8 o'clock several thousand people gathered on the sidewalks between the city hall and Five Points. At 8:30 o'clock they began to move northward, with Governor Slaton's country place, near Buckhead, as their objective.

At Peachtree and Ellis streets a squad of city police was mobilized to stop them, but the crowd surged past. The crowd, now numbering over 1,200, continued on Peachtree street to Porter place, where they divided, and part went Peachtree street, while the remainder proceeded on West Peachtree.

At Fourth street, on Peachtree, the Peachtree street crowd was met by another squad of police, and some were

turned back, but the majority of them got by the police again.

At Brookwood, the West Peachtree street and the Peachtree street contingents again met.

At Brookwood bridge Chief of Police Beavers, in command of about forty policemen, met the crowd. A number of arrests were made here, and hundreds of the crowd were turned back. Several hundred, however, succeeded in getting by the police again and proceeded on foot out Peachtree road.

County Police on Guard.

At the governor's residence a formidable body of county police had been stationed, under Chief of County Police George Matheson, in anticipation of the crowd. When those on foot arrived they found a crowd already there, having come by automobile.

Sheriff Mangum was also there with a squad of deputies and a force of deputized citizens, in charge of W. Woods White.

The county police and the deputies arrayed themselves behind barbed wire entanglements just inside the governor's property, while the crowd gathered in the road outside. Sheriff Mangum asked the crowd to be orderly and disperse. He was met, however, with shouting and threats.

In the meantime the entire Fifth regiment had been mobilized at the Armory. A hurry call was sent in for troops, and a battalion, under command of Major I. T. Catron, was dispatched in automobiles. Upon arrival at the governor's residence the militia deployed along the road with fixed bayonets and pushed the crowd back towards the city.

The governor declared martial law within a radius of a half a mile of his house.

The crowd was gradually dispersed, but this was not accomplished until several men and officers of the militia had been wounded by stones, bottles and other missiles from the crowd. The militiamen, too, were forced a number of times to use the butts of their guns to force the crowd back.

Two Soldiers Hurt.

Among those who were hurt were

Major Catron, cut upon the wrist with a broken bottle; Lieutenant Arnold Parker, struck in the stomach with a brick, and, perhaps, internally injured; W. W. Foote, a private, cut by a broken bottle; Clyde Burroughs, a civilian, struck with the butt of an automatic revolver; a man named McDonald, with an abrasion on the head.

Preston Moon, of Greenville, S. C., and Dick Copeland, of Buckhead, were made prisoners.

After the crowd in front of the governor's residence was either dispersed or quieted, it was reported to Major Catron that 200 men from Marietta were approaching from the rear, down Pace's Ferry road.

A company was stationed on Peachtree road, another to the south of the premises on Peachtree road, and a third company was stationed to the rear of the property in the neighborhood of Pace's Ferry road. Meanwhile the remaining company was divided into posts and stationed around the house.

General Nash Arrives.

Shortly after midnight Adjutant General J. Van Holt Nash arrived at the governor's residence and took personal command.

Another battalion was ordered out from the armory and proceeded on street cars. The Governor's Horse Guards, under Major J. O. Semans, also reported at the governor's residence and helped in dispersing the crowds.

Governor Slaton issued a statement during the day in which he asked the people to suspend judgment until they had read his decision on the case. He declared he was confident that he had done the right thing, and that he had only considered his duty in this case.

Enters Hardware Store.

The crowd on the way out broke into the branch store of the King hardware store on Peachtree street, at Tenth, presumably in search of arms and ammunition. Bricks and building material were picked up by the crowd from houses in course of construction along the way.

An incident at the governor's residence before the arrival of the militia was the discovery by County Policeman Haney of a man within 100 yards of the house with a revolver. He had slipped through the cordon of police. He was quickly overpowered, disarmed and placed under arrest.

Governor Slaton stated last night that, according to reports made to him by the county police, a large portion of the crowd was made up of boys between the ages of 12 and 18 years and that the older element are not representative of the people of Georgia.

In the governor's residence with him last night were Colonel W. L. Peel, Jesse Perry, the governor's private secretary; H. A. Alexander, attorney for Frank; R. L. Cooney and Ashley Jones of the New York Life insurance company; A. L. Waldo, Attorney Robert Jones, Alton Jones and William and James Slaton, nephews of the governor.

NUMEROUS DEVELOPMENTS.

Numerous developments followed Frank's secret removal from the Tower to the state prison in Milledgeville at midnight Sunday. Governor Slaton delivered through the press to the public a voluminous explanation of his act of commutation, which is carried elsewhere in full.

The governor gave out his statement at his country home near Buckhead, on the Peachtree road. He did not come to his office throughout the day, although scheduled to appear there between 9 and 10 o'clock Monday morning to give his statement to the newspaper men.

Considerable excitement prevailed throughout the city from early dawn Monday, which time the Constitution brought first news of the commutation, until last night, when the tension subsided. Large assemblages gathered in various parts of the downtown district and upon the capitol grounds.

Invasions Governor's Office.

Among the incidents that arose during the day was the invasion of a crowd of men into the office of Governor Slaton, where they asked of his secretary, Jesse Perry, that they be admitted to the office of the chief executive, and be allowed to talk with him relative to the case. The secretary threw open the doors, revealing the absence of the governor.

This occurred during the morning. In the afternoon a gathering of about 1,000 collected upon the streets adjoining the city hall. Speeches were made by citizens picked from the crowd. Much excitement was caused at one time when Policeman J. A. Bozeman, assigned to plain clothes duty to mingle in the throng, attacked Chief J. L. Beavers when the chief attempted to rebuke him for defending the tactics of the crowd.

Beavers was sternly admonishing the plain clothes man, when Bozeman suddenly drew back his fist and struck the chief in the face. Beavers clutched him in the collar, ripped off his badge, disarmed him and bundled him into a nearby patrol wagon, which had been kept with engine going at the curbstone at Marietta and Forsyth streets for any emergency that might arise.

A great number of arrests were made during the day. The slightest

disorder merited a trip to police headquarters. Patrol wagons were kept working overtime. More arrests were made in the vicinity of the city hall than any other spot. But a few occurred on the capitol grounds.

Calls for Men.

At 1 o'clock in the afternoon the crowd that had gathered upon the capitol lawn suddenly grouped around a speaker who had arisen upon the steps—a gray-haired man, thin and gaunt of frame, who plainly showed his sixty or more years.

"Who'll follow me?" he cried.

He led the way into the capitol and up the steps to the second floor, where the men packed the senate chamber. A number of speeches were made disapproving of the commutation. Sheriff Mangum who had but shortly returned from his trip to Milledgeville, appeared in the crowd and took the rostrum.

He explained that Frank was in Milledgeville and not in Atlanta. He gave details of the trip, and declared that it was at the order of the governor, whose dictates he had been sworn to uphold. His address was brief. Afterward he quit the audience, returning to the jail, where he took a rest.

Regarding the situation in Atlanta, Mayor James G. Woodward wired the following message to The New York World Monday afternoon in reply to a query received from that paper:

"The sentiment of Atlanta is divided. The larger part of the population believes Frank guilty and that commutation was a mistake. Mass meetings condemning the governor have been held, but there has been no violence.

(Signed)
"JAMES G. WOODWARD,
Mayor."

The police kept the situation competently in hand. Re-enforced mounted squads patrolled the streets. Plainclothesmen mixed and mingled with the crowds. At no time did violence seem imminent.

MANY ARRESTED.

Many arrests were made last night at Marietta street and Forsyth—the city hall corner—where the huge gathering began to collect shortly after supper. Chief Beavers was in charge of a squad of fifty mounted policemen and patrolmen, who effectively managed to keep the traffic cleared and to keep the crowd in a scattered state.

News from Milledgeville late last night had it that the town was serene and there was no evidence of trouble. Frank retired early on account of the sleep he had lost on the journey the previous night. He will start today upon his first work as a lifer on the state farm. He will be given light tasks in the farm work until he recovers the strength lost by his two years' confinement.

Passengers reaching Atlanta last night reported excitement in Woodstock and Marietta and adjoining towns. In Woodstock and Marietta Governor Slaton had been hung in effigy.

LEAVES CELL.

The sentence of Leo M. Frank, condemned to die for the murder of Mary Phagan on Memorial day two years ago, was commuted late Sunday night by Governor John M. Slaton to life imprisonment.

The prisoner was taken out of the jail, under guard of Sheriff Mangum and a number of his deputies, and carried to the Terminal station. He was placed on Central of Georgia train No. 8, which left at 12:01 o'clock Monday morning for Milledgeville. The utmost secrecy was observed in taking the prisoner from the jail to the railroad station. Nothing was known of the move until the alert Constitution reporter at the Terminal station discovered that the attempt was being made to secretly take Frank to the prison farm at Milledgeville. The Constitution was on the streets with the first story before 2 o'clock in the morning.

Kept News From Frank.

Frank himself did not know that he was to live until just a few minutes before he was taken from the Tower in Atlanta. He had spent his quietest Sunday in the Tower. Usually on Sundays he had received long visits from relatives and friends, but on Sunday his confinement was practically solitary.

Shortly after 10 p. m. Sheriff Mangum entered the cell and told him to prepare to leave the Tower, in which he had been confined for more than two years. The words of the sheriff, which meant the life for which he had longed, and for which his friends have struggled so earnestly, were received in the same manner that Frank has received the news of each movement in his fight against the gallows.

Out of Side Door of Jail.

Whether the tidings were as dark as

death to his cause or whether they were lighted with the brightest rays of hope, Frank has always been calm, cool and reasoning when they were brought him. And so he was Sunday night. The commutation order of the governor meant to him everything in the world, but he never allowed his emotions to overcome his power of reasoning.

The utmost secrecy was preserved at the Tower throughout the day. Even before Frank was notified of the governor's action, Sheriff Mangum had the Tower to everyone. Even telephonic communication with the jail was stopped.

When Frank had prepared himself for the journey, Sheriff Mangum and a number of deputies assembled on the prison floor, and Frank was brought to them by a jailer. An automobile was waiting near the side entrance. While reporters, who had been watching the Tower all day, were keeping their vigil at the front of the prison, the little party went out the side door and entered the car. They were whirled away to the Terminal station.

Wife Was in Ignorance.

Not even his attorneys, nor his wife, were aware that his sentence had been commuted. Attaches of the Terminal station could hardly believe their eyes when they beheld the nation's most famous prisoner stride into the waiting room of the capitol building, accompanied by a transfer guard and Sheriff Mangum. Frank had been slipped out of the Tower while a group of reporters were waiting for him. He was lowered into the basement of the building and carried to the rear of the jail through a subterranean passage that opened into a maze of alleyways.

So cautious were officials in carrying out their program that Frank, himself, was dazed when he heard the announcement at 10:30 o'clock that he was to go to Milledgeville at midnight. The news was brought by Sheriff Mangum, who ordered the prisoner to prepare for the trip.

Frank was given a rear seat in the train, which was a local and stopped repeatedly on the route. He sat beside Sheriff Mangum, Guard Edgerman and the deputies were congregated nearby. The trip was made mostly in silence. Hardly a passenger on the train was aware that the most talked-of prisoner in America was a fellow-traveler.

Frank Takes Auto.

At Macon, when the train rolled into the station, it was found that the party would have to wait until 5 o'clock for connections to Milledgeville. A group of taxi-cabs stood at the stand beyond the station building. It was decided to make the remainder of the trip—twenty-six miles—by machine. Frank selected his own automobile.

A squad of newspaper reporters, ordered to meet the train by Atlanta and Macon newspapers, volleyed question after question to the sheriff and his captive. Frank was reticent. Sheriff Mangum ventured the information that Frank had been commuted, but would say nothing else. The machine traveled to the outskirts, where a supply of gasoline was obtained at an all-night garage.

With a trail of newspaper automobiles following in its wake, the car bearing Frank arrived at Milledgeville between 4:30 and 5 o'clock, just as the sun of a new day was streaking the skies with purple. Necessary documents were signed by the sheriff, the prisoner was turned over to the prison authorities—Leo M. Frank became Convict No. 965—and the sheriff and his bodyguard returned in the same automobile in which they had come.

HISTORY OF FIGHT.

Monday's events wrote the final chapters to the two years of judicial fight for the life of Leo Frank. He has obtained a compromise. The courts of the land have decreed that he shall, for the remainder of his life, stride through the corridors of the state prison as No. 965 in stripes.

Never in the history of Georgia courts—even those of entire Dixieland—has a case attracted more widespread attention. From Canada to the Rio Grande and from the Pacific to Atlantic it commanded an unprecedented interest. In the interest of the condemned man persons came from all parts of the country, and from every nook of the continent came messages pleading for executive mercy.

The fight for Frank's life continued without cessation for two years, during all of which time he remained in the county jail, a quiet, stoical prisoner, speaking to the public only occasionally, and then through written statements which he issued to the newspapers. Every judicial source to which he appealed turned him down until he had come to the governor, his last resort, when, on the very eve of the day marked for his doom, he was given a life sentence.

MONUMENT FOR VICTIM.

Valdosta, Ga., June 21.—(Special.)—Citizens of Valdosta today began a petition with the following purpose in view:

"We, the undersigned citizens of the state of Georgia, hereby subscribe one dollar each towards a fund of one thousand dollars for the purpose of erecting a monument suitably taking care of the burial place of 'Little Mary Phagan,' who lost her life in the defense of her virtue." Contributions are solicited from all Georgians. Charles W. Barnes has been appointed to handle funds.

OPPOSE COMMUTATION.

Waycross, Ga., June 21.—(Special.)—Replying to an inquiry from The New York World today asking for his opinion of sentiment in Waycross on Governor Slaton's commutation of Leo Frank's sentence, Mayor Scott T. Beaton tonight answered as follows: "The people here generally feel that governor should have refused commutation inasmuch as all the courts had decided against Frank and the state pardoning board refused to recommend same. A great many good, conservative people, however, feel that Slaton acted wisely."

Slaton Condemned.

Canton, Ga., June 21.—(Special.)—There was considerable excitement at this place today when it became known that Governor Slaton had commuted the sentence of Leo M. Frank to life imprisonment. There was universal condemnation of the governor's act. At least 90 per cent of the people of this county believe Leo Frank guilty and they felt like the law, as interpreted by the lower courts and affirmed by the higher courts, should have been allowed to take its course.

BURN SLATON IN EFFIGY.

Newnan, Ga., June 21.—(Special.)—The offices of Leo M. Frank and Governor John M. Slaton were hung to a giant oak in the park at the union station here tonight and set on fire, after which they were dragged blazing through the principal streets of Newnan, accompanied by about fifty automobiles. Later the charred effigies were hung to an enormous chaucanqua sign, which is stretched across the street at the courthouse square. The effigies swung there until almost midnight, when they were cut down.

The effigies were prepared in the afternoon from clothing store dummies, artificial limbs and such material. Early in the night they were hung to an oak tree in the park, just a few blocks from the center of town. Some ten or fifteen gallons of kerosene and gasoline were poured upon them and fire was set to them.

The fire department was called out. In the presence of about 1,000 people the fire department made ready to extinguish the flames, but before this could be done the effigies were cut down and attached to the back of an automobile by lines long enough to allow the blazing effigies to drag along the ground. They were thus dragged through the town and later hung up. Feeling ran at a high tension here until midnight. No one was hurt and there was no property damage.

Guards Are Increased.

Milledgeville, Ga., June 22.—Although officers at the state farm here would not discuss the matter, it was learned from reliable sources here tonight that the number of guards on duty there has been increased since Leo M. Frank's arrival. It also was ascertained that there has been no request made for state troops.

There was no disturbance at the prison tonight. Warden Smith stated that Frank would be assigned to work tomorrow, probably in the cotton or corn fields.