

character of the conflicting testimony has never fully satisfied unprejudiced observers of the case.

If Frank is innocent he is today a most grievously injured man in the failure of the judicial process to adjudge his case impartially, while if he is guilty he is making a remarkable fight for life against heavy odds.

"Shall Georgia Commit Murder?"

From The Louisville Courier-Journal.

Do the people of Georgia realize that the mob spirit in Atlanta, set on by race prejudice, is about to send a man to execution of whose innocence of murder there are many reasons for believing and whose guilt has been by no means proved? The courts have adhered to the letter of the law in denying the man Frank a retrial; but it is inconceivable that the State of Georgia will deliberately assume the responsibility of putting this man to death on the evidence presented.

Holmes's Blow for Justice.

From The Baltimore Sun.

Justice Holmes struck a blow for both justice and humanity when, in refusing a writ to bring the Leo M. Frank case before the Supreme Court for review, he went beyond the legal point and stated that he seriously doubted whether Frank had had due process of law.

The way in which Frank is to get a rehearing is not yet plain to the layman, but it is impossible now to doubt that some way will be found. It is inconceivable that the State of Georgia should put this man to death in the face of the statement of a Supreme Court Justice that he has not had a fair trial. For the sake of its reputation among its fellows, if not for the

sake of justice, the State must at least grant a rehearing of the case.

Legalized Lynching.

From The Milwaukee Sentinel.

A correspondent writes to a New York paper of the Frank case:

"I cannot believe that the people will allow such an injustice to be perpetrated without a strong protest."

If a referendum to the masses at Atlanta had been taken, Frank would have been strung up summarily long ago. The first referendum to the people of which history makes mention was that made by Pontius Pilate nearly 2,000 years ago. The world knows what came of it.

It is a relatively small minority of sober, thoughtful and conservative citizens of Atlanta, not the infuriated and prejudiced "masses," who would "not allow such an act of injustice to be perpetrated without a strong protest;" and it may yet bear good fruit. The Governor and the State Pardoning Board may cheat popular vengeance by commuting the death penalty, but it will be at their own political peril.

The State of Georgia would risk a terrible moral liability by taking this man's life on the evidence thus far adduced. That much is clear. Mob lynching is bad. Legalized lynching by public authority would be infinitely worse.

No Preponderating Evidence.

From The Philadelphia Inquirer.

It is a mysterious case. The Baltimore Sun sent one of its most efficient reporters to Atlanta, who investigated the case for many days, and he reports

that the evidence seems to him flimsy and that the janitor (Conley) is unworthy of belief. Nothing is harder to accept than the execution of a man against whom there is not preponderating evidence of guilt.

Uneasy Impression of Doubt.

From The Richmond Times-Dispatch.

It is unfortunately the truth that if Leo Frank is hanged without a review by a competent court of the evidence on which he was convicted a large number of impartial persons, not only in Atlanta and Georgia, but throughout the United States, will be left with the uneasy impression that an innocent man was put to death.

Justice Before Technicalities.

From The Boston Journal.

If the man has not had a fair trial he should have one. Justice Holmes says that he has not had one. The technicalities of law must not be permitted to supersede justice.

THE PRESS ON FRANK CASE.

Editorial Protests Against Denial of Justice on Technicality.

The newspapers of Atlanta have refrained from editorial comment on the recent developments in the Frank case, but on Saturday The Atlanta Journal printed the following concerning views of papers in other cities:

WASHINGTON, D. C., Nov. 28.--Eastern newspapers are commenting daily on the Frank case, and without exception the trend of comment is an editorial demand that he be given a new trial or at least a review by the highest court.

There appears to be an editorial outcry over the apparent prospect that Frank is to be denied a fair trial simply because of a technicality of pleading. That a man should be executed in denial of his constitutional rights because of an error of pleading has aroused the press to sharp comment in which a comparison is drawn between modern judicial process and the ancient laws of England in which the harsh rules of pleading often operated to take the life of a man.

The Washington Times and the Philadelphia Press are leading in the comment.

Here are some of the comments referred to in the above dispatch:

Never Too Late to Do Justice.

From The Philadelphia Public Ledger.

It is a sinister commentary upon the administration of criminal justice in this country to find a Justice of the Supreme Court of the United States declaring his serious doubt whether an appellant had had that fair trial which was his right—"due process of law" was the exact phrase—in the same breath almost in which he denied a writ of error because of technical points of procedure.

For the honor of American justice some way should be found to reopen the case, and to demonstrate that it is never "too late" to do justice. A pardon would settle nothing whatever, for it would be no more than a confession by Georgia's Governor of his lack of confidence in the judicial machinery of the State. It would leave untouched the vital question of Frank's guilt or innocence, and put an indelible stain upon Georgia's method of meting out justice to its citizens.

Fair Trial Improbable.

From The Albany Knickerbocker Press.

Frank's conviction was obtained under most unusual circumstances. The jury reached its verdict while crowds in the Court House and in the streets gave vent to intense hostility to the prisoner. The Judge who conducted the trial admitted that he feared a lynching and riots in the event of an acquittal. That a fair trial was possible under such conditions is improbable.

Is it not an amazing commentary upon our judicial system that an associate Justice of the United States Supreme Court "seriously doubts if Frank has had due process of law," and yet there is no means at hand by which "due process" may be had!

Sentiment Favorable to Frank.

From The Washington Star.

Outside of the area of public feeling in Georgia there is unmistakably a sentiment favorable to Frank. Whether or not he is guilty of the crime a belief prevails in many quarters that his trial was not a fair exposition of justice in view of the outbreak of vehement feeling against him in the very courtroom and the influence which it had upon the minds of the jurors. The