

TO MAKE LAST PLEA FOR FRANK TODAY

Delegations from All Over Georgia Gather for the Hearing Before Governor Slaton.

NEW EVIDENCE EXPECTED

Augusta Chronicle Urges the Governor to Disregard Adverse Finding of Prison Commission.

Special to The New York Times.

ATLANTA, June 11.—The last effort to obtain a commutation of the death sentence imposed on Leo M. Frank for the murder of Mary Phagan to one of life imprisonment will be made before Governor Slaton at 9 o'clock tomorrow morning. Attorney W. M. Howard will present the case for the defendant, assisted by Attorneys H. A. Alexander and M. J. Yeomans, at the conclusion of which Solicitor Hugh Dorsey will make an appeal to the Governor to allow the verdict of the court to stand.

Dorsey refused to appear before the Prison Commission at the recent hearing, stating that he would make his fight against commutation before the Governor. It is stated that he has some sensational evidence in regard to the letter written by the late Judge Roan on his deathbed in behalf of Frank which will be presented to Governor Slaton. The Roan letter was presented to the Prison Commission by Frank's attorneys, but was disregarded. It is generally conceded that Governor Slaton's action will be governed largely by the view he takes of this letter.

Everything points to a hard fight before the Governor. Big delegations from many parts of the State will appear for and against Frank. Among these will be a party of prominent Savannah men, including city and county officials, merchants, bankers, and professional men, who will urge clemency.

Ex-Governor Brown will head a big anti-Frank delegation from Marietta. Mary Phagan was born in Marietta and she was buried there. The former Governor will make the concluding argument against commutation. A big mass meeting will be held on the Capitol grounds to protest against commutation while the hearing is in progress before Governor Slaton. Delegations from various Georgia towns will come to Atlanta to take part in this meeting.

On the eve of what will be the final effort to save his life, Frank remains calm. He spent the afternoon conversing with his aged parents and wife and appeared especially cheerful to those who called to see him.

In an editorial addressed to Governor Slaton, The Augusta Chronicle urges him to disregard the finding of the Prison Commission and to commute the death sentence of Frank. The Chronicle says in part:

"The refusal of the Georgia Prison Commission, by a vote of two against, to recommend to the Governor the commutation of the death sentence of Leo Frank to life imprisonment has, we believe, greatly surprised, we might even say shocked, the best thought and sentiment of Georgia.

"We have been reliably informed that up to very recently the three members of the Prison Commission favored commutation and that they so expressed themselves. If they were correctly quoted, then one of two things is certain: Either that they honestly changed their minds after the official hearing of the case or they feared to act on their individual judgment in the matter.

"We cannot get away from the fact that a great hue and cry was set up in Georgia against the commutation of Frank's sentence, just as the Prison Commission was getting ready to review the case, a cry that was kept up even while the commissioners were endeavoring to reach a fair and impartial conclusion in the matter.

"If it could be true, that a jury of twelve men was in any way intimidated by public sentiment and the so-called 'mob spirit' at the time of the Frank trial, there may be those who will say that two or three men could be just as easily intimidated by what they were told is 'public sentiment,' but which is not, at least not of the kind worth considering too seriously, and by the poisoned pen of Tom Watson, the professional scourge of Georgia politics and public men.

"The latter, with all the abuse and vindictiveness for which he is famous, demanded Frank's life. The usual class of people and some others followed him in this. And to one who can be frightened by such things, it may have seemed that not to summarily execute Leo Frank would not only be a great miscarriage of justice or of political policy, but would greatly arouse 'public sentiment' as well. As if public sentiment should have anything whatsoever to do with an orderly and dispassionate administration of the law.

"As the matter now stands, it seems the majority members of the commission have simply passed that responsibility on to the Governor. If his own conscience and judgment tell him that Leo M. Frank did not have a fair trial as contemplated by the laws of our State, or that there is still a reasonable doubt as to his guilt, Governor Slaton owes it to himself, to his State, and to his God to commute the Frank sentence to life imprisonment, even though all the Tom Watsons and all the Atlanta mobs that could be gathered together stood on the State House grounds and threatened him with summary vengeance for doing his duty. And we believe Governor Slaton will dare to do just this, if his mind and heart tell him he should.

"And in doing it he will prove himself a bigger and braver man in one minute than all of the bloodthirsty hordes that may cry out against him will ever be, all put together, in all their natural lives. As for the personal and political harm that could come to him for thus doing his duty as he sees it, even if he were disposed to consider these things, we say, bosh and nonsense."

PLEA FROM NEW YORKERS.

Special Committee Urges Clemency by the Governor.

Former State Tax Commissioner Joseph S. Schwab, Chairman of the New York Committee on the Commutation of the Sentence of Leo M. Frank, last night sent to Governor Slaton of Georgia a telegram asking clemency for Frank. Mr. Schwab's telegram read:

Hon. John M. Slaton, Governor of Georgia, Atlanta, Ga.:

On the principle laid down by Blackstone that better ninety-nine guilty men go free than one innocent man be punished, in view of the doubt of the trial jurist, Judge L. S. Roan, as expressed when he denied a motion for a new trial, in view of the dissenting opinions of Justices Fish and Beck of the Georgia Supreme Court and of Justices Hughes and Holmes of the United States Supreme Court, as expressed in Frank's habeas corpus proceedings, in the name of humanity and fair play, His Excellency is asked to commute the sentence of Leo M. Frank.

Besides Mr. Schwab, the members of the committee named to appeal for Frank are the Rev. Madison C. Peters and Nathan Straus.