

Heckler Questions Slaton Concerning Leo Frank Case

GAINESVILLE, Ga., July 15.—(AP)—Answering a question from the floor, former Governor John M. Slaton departed from the text of a political address here Tuesday night to tell a Hall county audience that he commuted the death sentence of Leo Frank 17 years ago as a matter of duty imposed by the constitution and the law.

"I have neither regret to express nor apology to offer," he said. "I merely discharged the duty imposed upon me by the constitution and laws according to my honest opinion, and if I had not done so I could not have retained my self-respect nor have been entitled to the respect of others."

The Frank case was one of the most sensational in the history of Georgia courts. The man, accused of murder of a young white girl in Atlanta, was sentenced to death, the sentence was upheld in the highest courts, and Governor Slaton commuted the sentence. Later the man was taken from the state prison, brought to a point near Atlanta and lynched. The governor called out state troops to restore order.

Slaton said the list of recommendations for commutation included one from the trial judge, and added:

"After the judge had recommended to me commutation, on the ground that he doubted Frank's guilt, I could not arrogate to myself that which belongs to God alone, to look into the heart of a self-confessed and repeated liar and tell when he was lying and when speaking the truth.

"There is no case known to me where any governor took upon himself the responsibility of having a man executed when the trial judge urged commutation."

Says Conley Had Opportunity.

The circumstances were such, Slaton said, "that guilt lay between Frank and a negro named Conley. Both of these parties had equal opportunity to commit the crime.

"The prior character and reputation of Conley was extremely bad. He was a drunkard of a low and brutal type who came of a vicious and criminally inclined family in Pike county. Conley is now serving a 20-year sentence for burglary in the night time, being caught red-handed in the act."

Slaton recalled that in addition to the trial judge's recommendation for commutation, two supreme court justices urged a new trial, two justices of the United States supreme court, including the present chief justice, held that Frank did not have a fair trial, and Judge T. E. Patterson, of the Georgia prison commission, contended Frank was innocent.

"After the most careful and painstaking examination of all the evidence I had so much doubt of the guilt of Frank that I felt it my duty both to God and man to commute the sentence," Slaton said.

The question was brought up by Turner Quillian, Hall county citizen, who told Slaton he had "heard a good deal of criticism of your action in the case."

"Path of Duty Not Always Easy."

"The path of duty is not always easy," Slaton said. "If I had been willing to listen to those who advised me to play politics about this matter of life and death I might have avoided prejudice and enmities and misrepresentation, but I would have been unworthy to stand before you and look

you in the eye with a conscience at rest as today."

Slaton recalled another clemency case before resuming his regular address, telling of his refusal in 1914, while he was a candidate for the senate, to commute the death sentences of two Cantrell brothers charged with murder. He said he spoke in Gainesville on Tuesday and at that time a petition signed by 1,800 residents of that section, asking for clemency, was presented to him. He said he disregarded the petition, the men were hanged Friday, and the election was held the following Tuesday.

He said he expected to lose Hall, Habersham and Lumpkin counties then on account of his action, but that the men's guilt was certain and the "power of executive clemency is not political."