

KILLING UPHELD LAW, SAYS MARIETTA PAPER

Contends Lynching Was Merely Carrying Out Sentence Illegally Deferred.

Special to The New York Times.

MARIETTA, Ga., Aug. 17.—The following is part of an editorial in *The Marietta Journal*, the leading paper of Marietta for forty-nine years:

We regard the hanging of Leo M. Frank in Cobb County as an act of law-abiding citizens. Our reasons for this view are as follows:

A little fourteen-year-old girl, Marv Phagan, was found in the basement of an Atlanta factory with evidence tending to show murder of the foulest character.

Leo M. Frank and Jim Conley, a negro, were arrested on suspicion. Each was given a trial according to law and the former found guilty by a jury of twelve men sworn to render a verdict according to the evidence without prejudice. This they did and the law-abiding citizens of Georgia waited patiently for the sentence of the court to be carried out. The attorneys for the condemned man appealed to every court of jurisdiction in the land and to the Prison Commission of Georgia and no fault was found with the trial, verdict, or sentence. And then Governor John M. Slaton, a member of the law firm defending the condemned man, took upon himself the responsibility of reversing every court in the land by commuting Frank's sentence to life imprisonment.

The people of Georgia had waited more than two years for justice and then in the last few hours of his power John M. Slaton commuted his sentence. Justice was cheated. The law-abiding citizens of Georgia then determined that the sentence of the courts should be carried out, whether the offender was white or black, Jew or Gentile. And the law-abiding citizens of Georgia carried out that determination to the letter of the law.

"That he shall hang by the neck until dead." Nothing else was done. That is all any one desired—life for life.

We have no apology to make or regrets to express.

The people demanded that the verdict of the court be carried out and saw to it that it was. We insist they were, and are, law-abiding citizens of Georgia because they came from somewhere within our boundaries, we presume, whether from Cobb County we do not know.

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