

MANDATE HASTENED ON FRANK'S MOTION

Handed Down by Supreme Court
Without Waiting 30 Days—
Expedites Clemency Hearing.

JURORS FOR COMMUTATION

At Least Three Oppose Death Pen-
alty for Frank—Gov. Slaton Guar-
antees Impartial Consideration.

Special to The New York Times.

WASHINGTON, May 5.—So as to give Leo M. Frank, now under sentence of death in Georgia for the murder of a factory girl in 1913, a definite status in the Georgia courts without further delay, the Supreme Court of the United States today, upon the request of Frank's counsel, issued its mandate sustaining the Federal District Court of Georgia in its refusal to grant to Frank a writ of habeas corpus. Recently, when counsel for the State of Georgia asked that another day be named for Frank's execution, the State court refused to proceed until the Supreme Court's mandate had been received. It is thought that counsel for Frank voluntarily expedited the matter so as to hasten their petition for a commutation of sentence.

The Supreme Court ordinarily issues its mandate thirty days after a decision, although it is customary, as today, to issue the mandate sooner upon the request of the defeated party. The thirty days will have elapsed on May 19.

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