

TV'S MURDEROUS MURDER OF MARY PHAGAN

NBC-TV'S LATEST ANTIWHITE, anti-Southern, anti-Populist, pro-Jewish goggle-boxer, *The Murder of Mary Phagan*, wasn't too schlock-ridden from a dramatic standpoint, but let's see how it squares with the facts. As became glaringly evident by the first reel, it had been more heavily doctored than the usual docudrama, which may be why Orion Pictures, a purely Jewish film outfit, financed it, and why Brandon Tartikoff, the purely Jewish chief of NBC-TV's entertainment division, chose to buy it and give it five hours of precious prime time on January 24 and 26.

FICTION

Played by the aging Jack Lemmon, a Southern governor who was a sure thing for the U.S. Senate willingly sacrificed a brilliant career in national politics by commuting the death sentence of a Jewish pencil factory manager. A cultivated man who enjoyed listening to Puccini, this Jew was wrongly perceived by a largely redneck population to be the violator and murderer of a teenage girl.

The docudrama quickly bypassed Mary Phagan and made Leo Frank the tragic figure. In the traditional Hollywood mode, a non-Jewish actor, Peter Gallagher, was cast (or rather miscast) as a Jew. Frank comes across as little short of angelic, with an equally angelic and attractive wife who stood by him all the way.

It soon became apparent that Frank, the president of the Atlanta B'nai B'rith, was a martyr, a victim of the Georgia and U.S. legal system. Though he had some outside support, white racism in Georgia turned the whole state against him and left him at the mercy of a corrupt old-boy network.

Thomas E. Watson, who became one of the south's greatest senators some years after Frank's lynching, was characterized as a political "boss" who ruled Georgia politics like an early-day Richard Daley. It was intimated that Watson was the gray eminence behind Frank's trial.

Hugh Dorsey, the Fulton County solicitor and the attorney who represented the people of Georgia in the trial, was played by Richard Jordan, the most Nordic-looking actor. Consequently, he had to be the villain of the piece. Less than subtle sneers and grimaces typecast him as an unscrupulous, hypocritical, on-the-make politico who enthused over the task of framing Leo Frank.

FACT

John Slaton was governor of Georgia from 1913-1915. In 1914, in the middle of his term, he ran for the U.S. Senate and was defeated. Consequently, despite the main dramatic theme of the film, his career was already on the shelf before he commuted Leo Frank's death sentence. Slaton, though depicted as a man of principle in the TV show, had very few principles in real life. While serving as governor, he was a partner in the law firm which collected at least \$250,000 in legal fees for defending Frank. Transpose that tidy sum into 1988 dollars and it's hard to see exactly what Slaton was giving up in his "sacrificial" act.

In real life Leo Frank, born and bred in Brooklyn, was not exactly an Apollo Belvedere. Nor was his wife a modern version of Aphrodite. Mrs. Frank, hyped as a paragon of loyalty in the film, actually refused to visit her husband for the first seven weeks he was in prison. Frank ran a sweatshop in which more than a hundred teenage girls worked ten hours a day for 12¢ an hour. Some of these employees testified their boss had a "bad" character. To prevent any details of this "badness" from coming out, defense attorneys decided not to cross-examine.

Almost the entire Northern press was on Frank's side, so he was by no means alone in his fight to beat the rap. At his disposal were the huge financial resources of U.S. Jewry. As for getting his day in court, his appeals were turned down once by the U.S. Supreme Court and five times by the Georgia Supreme Court. The film did not point out that Frank took the stand as an "unsworn witness," which meant that under Georgia law he could not be cross-examined.

Watson, a scholar and the author of biographies on Napoleon and Thomas Jefferson and a two-volume history of France, was no political boss. He had no connection whatsoever with Frank's trial and did not even comment on it until eight months after the verdict.

Hugh Dorsey was actually a respected and talented prosecutor who later became a governor of Georgia. He stayed strictly within the parameters of the law throughout Frank's trial.

FICTION

Mary Phagan's father was portrayed as a ne'er-do-well who lived off his daughter's meager earnings.

Ku Klux Klan-type mobs were filmed breaking up the trial with racial chants of "Hang the Jew" and similar taunts.

In order to get to the "truth" of the Phagan murder case, the good-hearted, principled Governor Slaton presided over a special court of inquiry which turned into a second trial.

The chief witness for the prosecution was Jim Conley, the janitor at the factory, who claimed that he helped Frank carry Mary's body down to the cellar. Unabashedly, the film came up with a pre-civil rights, almost a pre-Civil War, stereotype of the shiftless, lying black, a character no longer permitted on TV -- unless, of course, his Rastus-like behavior helps build up sympathy for a Jewish hero.

The film tried to pretend that Alonzo Mann, the office boy who served as a defense witness, showed up 70 years after the trial of his own accord, because he had a change of heart. For the good of his soul, he wanted to recant his earlier testimony and said that he only saw Jim Conley, but not Frank, carrying Mary Phagan's body.

The Confederate Memorial Ball in Atlanta was a gala event in the film. The widow of Stonewall Jackson was one of the star attractions.

Little attention was paid to the jury that convicted Frank, which reinforced the impression that it was composed of twelve bigoted illiterates.

Members of Tom Watson's, Hugh Dorsey's and Mary Phagan's families are still alive in Atlanta. One can imagine what they must have felt seeing their forebears demeaned and denigrated on national TV. But such humiliation is the price Majority members have been paying ever since showbiz fell into alien hands. The humiliation will continue until the entertainment industry is returned to the people who represent Americans as a whole, instead of one narrow, race-obsessed group.

The promotional hype that preceded *The Murder of Mary Phagan* was as damaging to historical truth as the video itself. The worst example was an article in TV Guide by Morris Abrams, a Reagan appointee to the Civil Rights Commission, who resigned some months ago to become chairman of the Conference of Presidents of Major American Jewish Organizations. As such, he has emerged as one of the prime apologists for the Israeli soldiers who have been busy gunning down, beating and clubbing Palestinian teenagers.

Abrams's article was headlined, "They Lynched an Innocent Man -- as the Governor Tried to Save Him." In a few more years, may we expect to see a similar exculpatory headline in an Abrams TV Guide promo for a miniseries that will prove Jonathan Pollard's innocence?

FACT

Mary Phagan's father died years before his daughter was raped and murdered.

No such raucous interruptions took place. The event was cooked up by the filmmakers to add a Ku Klux Klan flavor to the proceedings.

No such court of inquiry was held. If it had occurred, it would have been an outrageous violation of criminal justice procedure.

Jim Conley stuck to his story under one of the most relentless cross examinations in U.S. courtroom history. It lasted three full days. All that could be pinned on him was that he had been an accessory to the murder. He was released from jail one year after Frank was convicted of first-degree murder.

When Dan Rather reported on Mann's fortuitous reappearance on the *CBS Evening News*, he said Mann "saw" the murder. Mann saw no such thing. That Conley was carrying Mary's body alone without Frank's assistance did not prove that Frank was not the murderer. Jerry Thompson, a reporter on the payroll of the American Jewish Committee, found Mann and shepherded him from Tennessee to Atlanta. In the late 1950s, Mann had made the same confession to Ralph McGill, the civil rights crusader, who considered the story the alcoholic ravings of a publicity hound.

Mrs. Jackson was not in Atlanta when the alleged Confederate Memorial Ball took place -- alleged because it never occurred.

At least four Jews were members of the grand jury that indicted Frank.