

FRANK SENTENCED TO DIE.

Execution Set for Oct. 10, but New Trial Is Asked For.

ATLANTA, Aug. 26.—Leo M. Frank, of Brooklyn, superintendent of the local factory of the National Pencil Co., who was convicted yesterday of murdering Mary Phagan, was to-day sentenced to death. The execution was set for October 10.

Before sentence was pronounced Frank's attorneys moved for a new trial on the ground that several popular demonstrations said to have been heard by the jurymen had prejudiced the case. October 4 was set for the argument on this motion.

Frank kept cool while he listened to the reading of his sentence. Not until Judge Roan reached the concluding words did the factory superintendent display nervousness.

Newt Lee, the negro night watchman at the National Pencil Factory, was released from jail to-day. Lee was arrested immediately after he had reported the finding of the Phagan girl's body in the factory basement. Together with Frank he was bound over to the grand jury after a coroner's inquest but no indictment was ever returned against him.

James Conley, negro sweeper at the factory, who told the Frank jury he helped dispose of Mary Phagan's body, remains under arrest.

A fellow-graduate of Cornell is calling upon the alumni of that institution to join him in clearing the character of one of their number, Leo Frank, who was convicted on Monday in Atlanta, Ga., of the brutal murder of a fifteen-year-old girl. Letters of appeal were sent out last night to Oscar S. Straus and other influential members of the Cornell alumni body, rehearsing Frank's excellent record in the undergraduate life of the university as tending to show that he could not have committed the crime of which he was convicted.

"I am firmly convinced," the writer says in the letter to Mr. Straus, "that the testimony of the two negroes against him, prompted by the desire to keep suspicion from themselves, was only accepted because of anti-Semitic prejudice."

Leo Frank, the letters explain, was a debater and basket ball player. His class was 1906.

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