

SLATON HERE, GLAD HE SAVED FRANK

Ex-Governor of Georgia Reviews His Many Strong Reasons for Commuting Sentence.

SIMPLE JUSTICE, HE SAYS

His Wife Supported Him in His Decision, Although Told It Might Result in His Death.

Ex-Governor John M. Slaton of Georgia, who last week commuted to life imprisonment the death sentence of Leo M. Frank, and against whom threatening demonstrations were made, arrived in New York yesterday afternoon. He is accompanied by Mrs. Slaton, and they will remain in New York until Friday, when they will go to the country home of J. Ledlie Hees, at Sacandaga Park, near Northville, Fulton County, N. Y. They will start next week on a tour via Canada to the Pacific Coast, and do not expect to return to Atlanta until September.

Mr. and Mrs. Slaton reached the Hotel Waldorf-Astoria shortly before 6 o'clock. There they found a dozen waiting newspapermen and about as many photographers. Mr. Slaton needed a shave and a "star" cocktail, and as soon as he had obtained them he proceeded to the Waldorf roof and announced his readiness to answer questions pertaining to the Frank case, the State of Georgia, his plans for the future, and so on.

He wanted it known that he had not "slipped out of Georgia." After rendering his decision in the case of Frank, he said he went about his own business in the usual way, and although it was quite true that he had been the object of a hostile demonstration, that had not caused him to go into hiding or made it necessary for him to do something which, he added with emphasis, he was incapable of doing, namely, "slipping away from Georgia or anywhere else."

Slaton Will Not Lecture.

Many and varied were the questions put to the youthful ex-Governor. The first was put by a very young reporter, who in a serious manner asked Mr. Slaton if he contemplated going on the lecture platform as a result of the added fame that had come to him because of his act in commuting the sentence of Frank.

"I certainly am not going on the lecture platform or any other platform," he replied, "and, of course, I never even considered such a move. Anyway, why should I be an attraction? There was nothing spectacular about the Frank case. It was just a simple case of justice, nothing more."

"Do you have any reason to believe that the case will become a political issue in Georgia?" was asked.

"To even attempt to make it such would be an outrage. The administration of justice is something too sacred to be made a matter of politics or self-aggrandizement."

"Will you be a candidate for United States Senator three years hence, when the term of Senator Hardwick expires?"

"I may be, but it is impossible to say yet."

"In your own opinion, can you say now whether or not Frank is innocent or guilty?"

"I am not dogmatic, and I admit that there is a difference of opinion, and that among the people of Georgia there are some good people, just as good as I am, who believe that Frank is guilty. It is a point of view. With my convictions in the matter formed after a careful and long study of the great mass of evidence in the case it would have been simply impossible for me to have taken any other action than the one I did."

Question of Frank's Guilt.

"But is Frank guilty?"

"I do not know. I was simply asked to commute his sentence, and had I done otherwise I would have felt like an assassin. As it was, I went six nights without sleep, but I would rather lose a few nights' sleep than go forty years—if I live that long—with the blood of that man on my hands."

"There is another matter I want to call attention to in the case of this man Frank, whom, by the way, I have never seen, and that is the fact that some of the most powerful evidence in his behalf was not presented to the trial jury that found him guilty."

"Under our system in Georgia the only Judge who could pass on the merits of the case was Judge Roan, the Judge before whom Frank was tried. Judge Roan could have set the verdict aside, and that he did not do so was a regret that followed him to the grave."

"It was Judge Roan himself who wrote me asking that I do what he had himself failed to do, namely, to commute Frank's sentence, and I did what he asked me to do. Had Judge Roan expressed his doubts in writing instead of orally at the time of the trial there can be no question but that the Supreme Court of Georgia would have granted a new trial to Frank. Judge Roan wrote me that I was the only power on earth who could correct the mistake that he realized he had made. There are things appellate courts cannot do in sweeping aside technicalities, and there is where the Governor, as the safety valve in the administration of justice, comes in, and it was my duty to correct the errors the courts themselves could not correct."

Reflects on Negro Witness.

"Has the Governor of Georgia the power to grant a full pardon?"

"Yes."

"Had Frank's friends appealed for a pardon instead of a commutation would you have granted their plea?"

"I cannot say. I certainly should have given to it careful and conscientious study. As Governor of Georgia I would have given any man a hearing, no matter how poor or friendless that man might be."

Mr. Slaton then touched on the character of the negro witness Conley and the evidence he gave, which more than any other evidence was responsible for the conviction of Frank. Conley in the days that followed the arrest of Frank, Mr. Slaton said, was grilled day in and day out by the detectives in the case, sometimes hours at a time. He told different stories to the detectives, and finally added still another version when on the witness stand.

"It must be remembered," said Mr. Slaton, "that one of the stories Conley told was that he had seen the Phagan girl's mesh bag in Frank's safe. No one else saw it there. It must be kept in

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mind that the mesh bag was lost, and it is known that Conley wanted money and that his creditors, men to whom he owed fifty cents and a dollar, were after him all the time.

"I left no stone unturned in my investigation of the case. I went over it again and again from every point of view. Conley said the girl was murdered on the second floor of the factory, and yet the experts found only two corpuscles of blood in the room where he said the murder was committed, and there are 80,000 corpuscles in a single drop of blood. Then the experts said they did not believe those strands of hair were from the head of Mary Phagan, and had this been a fact they would have no difficulty in proving it.

Hostility in Courtroom.

"Then in those death notes there were certain expressions often used by Conley. Subsequently, when in jail, Conley wrote notes to one of the negro women prisoners, and in those the same identical expressions were used. Those words were the expressions of Conley, not of Frank. Furthermore, I want to say that there was not a shadow of evidence to justify the aspersions cast on the private character of Frank.

"And we have heard much of the temper of the crowd that was in the courtroom during Frank's trial. It is not necessary that there should be a demonstration, or even a spoken word, to indicate the temper of a crowd. The looks on their faces will show it, and you or I, or any man with common sense, could see and understand the feelings of a crowd under such circumstances. The Judge in the case noticed it, and so must the jury. We also know that Conley is a thief and a forger."

"How do you account for the bitter feeling that was created against Frank?"

"It was a case of 'hue and cry.' Somebody said he believed that Frank committed the crime. The suspicious remark was repeated. It was like some one pointing to a running man after a crime has been committed and shouting 'there he goes,' although the fact that the man is running is in no way connected with the commission of the crime. Every suspicion, it seemed, was so directed that it pointed to Frank."

No Race Prejudice.

"Do you think the question of race prejudice had anything to do with the case against Frank?"

"No. You will find prejudice against foreigners on the part of some people in Georgia just as you will find the same thing in New England, here in New York, or anywhere else. Georgia is as human as any State in the Union."

"Is there any prejudice against Jews in Georgia as a result of the Frank case?"

"I answer that question by pointing to the fact that one of the Trustees of the Colony of Georgia under Ogelthorpe was Minas, a Jew, whose descendants

to this day are among the best and most highly respected of Georgians. The head of the Education Board in Atlanta is a Jew, and so is the Vice President of the Atlanta Chamber of Commerce. My own law partner, Mr. Phillips, is a Jew. Some of the best of Georgians are Jews."

A few hours before he signed the order commuting the sentence of Frank Governor Slaton told his wife he had arrived at the conclusion that the man should not be permitted to die on the evidence produced against him.

"I told her that it might mean my death, but that I was convinced that it was my duty," said Mr. Slaton. "And Mrs. Slaton told me that there was only one course to follow, and that was to do the right thing. But I don't deserve any credit for this act. It was justice."

Trying Time for Mrs. Slaton.

When he commuted Frank's sentence at one minute after midnight of the day before the one set for Frank's execution, Mr. Slaton said he had arranged to protect Frank's life, and that had it been necessary every National Guardsman in the State would have been called into service for that purpose.

When asked if her recent experience had been fatiguing, Mrs. Slaton said:

"For four nights I scarcely slept at all. It was not exactly the anxiety of the moment that kept me awake, but the frequent calls of 'Halt, who goes there?' that kept ringing out. Every time I was aroused, in spite of myself. We live six miles in the country, and there are woods back of our house. These were full of men trying to get in. The mobs were made up of a rough class, many of them unemployed men, but the mobs were led by relatives of the murdered girl, men who felt sure of Frank's guilt, and who thought it their duty to avenge the wrong."