

COMMISSION READY FOR FRANK HEARING

Will Begin Receiving Arguments
for Commutation of Sentence
at 10 o'Clock This Morning.

EXPECT SPEEDY PROGRESS

Numerous State Delegations Will
Be Heard, but Possibly Not
Those from Outside.

Special to The New York Times.

ATLANTA, Ga., May 30.—The hearing on Leo M. Frank's petition for a commutation of his sentence to life imprisonment will be begun before the State Prison Commission in its audience chamber at the Capitol, tomorrow morning at 10 o'clock. It is believed that the hearing will be concluded by Tuesday at noon and possibly before the adjournment hour tomorrow afternoon.

It had been rumored that the commission probably would adjourn the hearing to the Hall of the House of Representatives because of the large crowd expected. This is not likely to be done, as the commission is not concerned with furnishing entertainment for persons who attend out of idle curiosity; neither is it likely that crowding in the aisles and around the walls of the chamber will be permitted.

The three Commissioners, Chairman R. E. Davison, Judge T. E. Patterson, and E. L. Rainey, arrived in Atlanta tonight. Chairman Davison announced that the hearing would be expedited.

Immediately after the hearing, Frank's attorneys will read and file a letter written by Judge L. S. Roan shortly before his death. In this letter, addressed to the Prison Commission and left to be presented to that body if the case should come before it, Judge Roan, it is understood, reiterated his doubt of Frank's guilt and urged executive clemency.

After reading and filing Judge Roan's letter, numerous letters from many leading citizens of Georgia will be read and filed, following which the spokesmen of a number of voluntary delegations from various sections of the State will argue in Frank's behalf. Among these will be Judge Samuel B. Adams, heading a delegation from Savannah; Colonel Samuel H. Maddox, heading a delegation from Dalton, and the Rev. Mr. Christie, pastor of the First Baptist Church of Columbus, heading a delegation from that city. Other Georgians will make short speeches urging commutation.

William S. Smith of Atlanta, who as attorney represented James Conley, the negro who was the principal witness against Frank, will appear on his own motion in Frank's behalf and submit a statement of his conclusions, to the effect that Frank is innocent and that Conley murdered Mary Phagan. Mr. Smith's statement will deal largely with the two notes found near the murdered girl's body, which Conley, alleged he wrote at Frank's dictation, and with the numerous affidavits made by Conley prior to Frank's trial.

Affidavit from Frank's Wife.

Frank's attorneys then will present an affidavit from Mrs. Leo M. Frank, setting out the happy and devoted relations of her married life with Frank, and denying the rumors, circulated prior to and since the trial of her husband, that she had refused to visit him at the police station and at the jail, that she was estranged from him because of the murder of Mary Phagan, and that she contemplated a suit for divorce.

Then will be introduced the affidavit made by Judge Roan concerning the hostile atmosphere of the trial and his reasons for having requested that Frank and his attorneys be absent when the jury returned its verdict. Among the other documentary evidence to be submitted will be official records of the trial, motion for new trial, extraordinary motion for new trial, proceedings in the Georgia Supreme Court and in the United States Supreme Court.

EX-Congressman W. M. Howard of Augusta will make the principal argument for Frank, dealing with the record in the case and emphasizing the doubt as to Frank's guilt. Mr. Howard's speech probably will be long.

When Mr. Howard concludes the commission will have read the letter from Solicitor Hugh M. Dorsey, protesting against commutation. If Mr. Dorsey is present and wishes to argue against Frank's petition he will have all the time he wishes, as will any others who care to protest. Should Mr. Dorsey appear, the attorneys for the defense will have an opportunity to reply to his arguments.

Mr. Dorsey has not announced whether he intends to make an argument before the commission or stand on his letter of protest. He will, it is understood, be governed in this respect by developments. Should an attack be made upon him or his methods in handling the case he doubtless will go before the commission and make a speech defending himself and the fairness of the trial, and urging that Frank's petition be denied.

Information has been received at the Prison Commission's office that several delegations from other States will appear in behalf of Frank's petition. Among these, it is understood, will be delegations from Boston and Chicago. It has not yet been decided whether outside delegations shall be allowed to take part in the hearing. Several of the outside delegations expected to call on Governor Slaton in Frank's behalf, but the Governor will be out of the city, as he has engagements to deliver addresses at college commencements.

Atlanta Journal's Plea.

In an editorial addressed to the Prison Commission, The Atlanta Journal today makes a final plea for Frank. The Journal says in part:

"Frank's sentence ought to be commuted to life imprisonment because of the deep-seated and overshadowing doubt of his guilt. The State cannot afford to sacrifice human life on uncertainties.

"This doubt is not fanciful or impulsive. It is not confined to one class or section. It is logical and mature. It is shared by all sorts and conditions of men throughout the nation.

"It is profoundly significant that the rank and file of the Atlanta bar and of the Georgia bar have grave doubts as to the guilt of Frank. It is profoundly significant that a majority of the thoughtful people in this as in other States feel that the evidence on which he was convicted is not sufficient to justify his execution.

"The people of Georgia and of the common country are thinking of Frank's case coolly, and they are not convinced of his guilt. If he is guilty he has not been proved so beyond a reasonable doubt. If he is innocent his execution would be a brand of everlasting shame upon the honor and integrity of the State.

"The Journal urges the board and the Governor to consider this case in the broad light of public conscience and in that spirit of wisdom and justice and moderation which has stood a long age as the shield of Georgia's faith. Convinced as we are that the execution of Frank, in the doubt that now surrounds his case, would be a tragic injustice, we earnestly urge that his sentence be commuted to life imprisonment."

"Big Six" Election Results.

Official returns from the election of Typographical Union No. 6 showed that Leon H. Rouse has been elected President, receiving a majority of 211 over James H. Dahm, his nearest competitor. Other officers chosen were: Vice President Charles J. Marquart; Secretary Treasurer, John S. O'Connell; Trustee, Charles E. Conway; Auditors, Samuel Hart, Ambrose D. Albertson, Harry W. Veir. More than 6,000 votes were cast.