

# FRANK LYNCHING DUE TO SUSPICION AND PREJUDICE

New York Times Staff Correspondent on the Ground Analyzes the Causes.

## AN ANTI-JEWISH FEELING

Did Not Exist Before Frank's Arrest, Says Gov. Harris, but Does Now.

### "OUTSIDE INTERFERENCE"

Resented by Many Georgians—Slaton, Burns, and Watson as Factors.

From a Staff Correspondent.

ATLANTA, Ga., Aug. 19.—Nothing is so incomprehensible to the Northern understanding as the state of mind that led to the murder ride of Tuesday morning, which culminated in the lynching of Leo M. Frank, or that justifies it. That state of mind is fairly clear to THE NEW YORK TIMES correspondent, who has talked with all sorts and conditions of men, alike in nothing but being all in deadly earnest and in feeling and saying that the other States do not understand them, and have made no effort to understand them. It is a feeling which breeds another, and that other is a feeling of being alone against the world, which draws men in such a beleaguering closer to each other. For Georgia understands perfectly what the outside world thinks of her, make no mistake about that, and she feels that a penalty will be exacted of her by that world. She feels helpless, and she knows that she is alone.

THE NEW YORK TIMES correspondent has made an honest effort to get at what is in the minds of these people. Of the many to whom he has talked it is well to choose one for quotation—an old man with a gentle voice, a great deal of thin white hair, full and expressive blue eyes, and a winning and appealing manner. He was a Confederate soldier, and now he is the Governor of the State of Georgia. Nat E. Harris is his name.

"Tell me the news from New York," he said humorously. "How is Georgia's credit there?"

"I haven't been in New York for several days," said the correspondent. "The last I heard, Georgia could get money in New York cheaper than New York City could."

"That was true last week," said the Governor. "Is it true now?"

The reply was that there was unquestionably a feeling not only in New York but in other States that Georgia had shocked the Union.

### When Women Are Concerned.

"I know it," said the Governor. "This awful horror hurts the State. But I don't think the North has had the right idea about the feeling against this dead man. It was not for the reasons that have been given for it. It was not because he was a Jew; there never was any anti-Jewish feeling in Georgia until now. It was because, in the first place, there is something that unbalances men here in the South where women are concerned. I won't call it chivalry, or call it anything; it is, if you like, something that destroys a man's ability and even willingness to do cold and exact justice. I have been a lawyer for over forty years, and have had many cases in the courts, and I have found that where a woman is the plaintiff she will get twice the damages a man would who had the same case."

"That is the way it is in the South; it cannot be argued against, and must be accepted as a fact. If a woman is the victim of a crime, a fury seizes upon our men. It is a feeling that never will pass away until we have woman suffrage, which I think we will soon have."

"Will woman suffrage do away with it?"

"Yes," said the Governor. "Not with the respect and admiration men have for women, but with the protective feeling that comes from their helplessness. Let a strong man make use of his strength to force a helpless woman to yield to him, and there is something that arouses the tiger in Southern men. Yet I won't restrict it to the South. I believe it is the same with your men in the North; it is the same everywhere; it is something that goes with this," and the old Governor touched his white cheek. "It goes with the white man's skin," and I have even seen it in some cases among negroes."

"I went through the State prison and a negro man came up to me and said: 'Boss, I'm dying of tuberculosis; won't you pardon me and let me go home and die with my people?' I said: 'What was your crime?' He said: 'Murder.' I said: 'I can't let you out of here, even though you are dying, if you committed such a crime as that. Did you really kill a man?' He said: 'Yes, I killed a man who seduced my wife.' I said: 'Old man, you shall go home and die with your people.'"

"No, Sir, we can't argue those things, they are too deep for reason to reach."

### "Outside Interference"

"Now, that was the first thing. But there was another thing that roused bitterness against Frank, and it was outside interference. From all over the Union there came an attempt to govern Georgia's action. Detectives were sent here, petitions circulated, resolutions passed, attacks made upon the State. Whether it should have aroused resentment may be a question, but that it did there is no question whatever.

"These are two things that in the first place created anger against Frank."

"Not among the ignorant classes, surely," said the correspondent. "They don't read papers from other States."

"But they learned what those papers were saying," answered the Governor. "What was said outside of the State was commented on by the papers here, and Tom Watson in his weekly published parts of the original criticisms, whether correctly quoted or not. I do not

know. All classes in Georgia knew what was being said and done, and knew of the organized efforts to set Frank free, and every one of these efforts deepened the feeling against him."

"You said a while ago that there had never been any anti-Jewish feeling in the State until now," said the correspondent. "Is there now?"

"I am afraid there is," said the Governor reluctantly. "But I hope it is only a flurry and will pass away. It is among the more thoughtful of our people. There has never been an atom, never a trace or a thought of it. The Jews have always been our friends; we have here the best class of Jews. For a man to be known as a Jew was actually an asset to him in a business way. But among the thoughtless elements there has grown up—temporarily, I hope—a feeling that the Jews banded themselves together as a race or a religion to save a criminal, and out of that has grown a feeling of hostility. You would not believe the tremendous extent of the influence that was exercised by a report that spread from one end of the State to the other, and was believed by thousands of people. It was that the Jews had said that no Jew had ever been hanged, and that none ever would be."

### Danger to Ex-Governor Slaton.

The Governor was asked if there was any danger that ex-Governor Slaton would be assassinated if he attempted to return to the State. This question was asked because the air is full of rumors that he will be.

"I can't tell; I hope not," said the Governor, gravely. "I hope the time hasn't yet come in Georgia when one of her Governors cannot safely return to her soil."

But he would go no further than to hope; he would not say he believed it.

Governor Harris said he fully realized that the injury to Georgia's standing would continue for a long time.

"If I could bring Frank back to life I would," he said. "As it is, all I can do is to try to punish the men who killed him. To that end I shall offer a reward for their conviction, a reward of \$500 each for the conviction of three of them. The law does not permit more than \$500 to be offered in reward for the conviction of any one man, and there remains only \$3,000 of the fund available for rewards."

There was some talk about the character of the men who killed Frank. The correspondent told the Governor that his investigations had convinced him that they were all men of high standing in the community and asked what could have induced men of such character to engage in a lynching.

"Do you not think," answered the Governor very slowly, "that there may have been in the minds of these men, of the character you describe, a belief that Frank was a convicted felon, that he had been condemned by a jury, and that all the appellate courts had affirmed his conviction; that after this was done the guilty and convicted felon was saved by an act of the Governor, who did not pardon him, but only commuted his sentence to life imprisonment; that this left the original sentence unexecuted but still left the convicted man as guilty as ever and the law unsatisfied, and that they may have believed they were executing the law?"

### No Probability of Punishment.

This was only a question in form. In reality it was the answer the correspondent expected. But though Governor Harris set forth the situation correctly as far as he went, there was a good deal he left unsaid which is necessary to an understanding of the conditions. First, it should be said that there is not the remotest probability of any human being suffering any notable inconvenience, to say nothing of arrest or indictment, as a result of Tuesday's hanging. The Governor had a conference with the Prison Commission today, and though they all know very well that nothing can be done in Cobb County, some of the friends of order hope that something can be done in one of the other counties through which the murder procession passed, for it seems that there is a stringent mob law in this State overlooked by the lawyers who hold that the lynchers can only be indicted in Cobb County, and that under this statute they could be punished in any one of four counties.

Nevertheless, not one of those men will be held to answer in any way for what happened opposite Mary Phagan's house on Tuesday morning. And this is said without in the least impugning the sincerity of the Governor, the Prison Commission, or anybody else connected with the attempt to bring the murderers to justice. It is no more possible than it would have been possible to convict Wendell Phillips in Massachusetts under the fugitive slave law for aiding a slave to escape.

This said, it is necessary to explain the sentiment which makes otherwise good citizens unwilling to aid in the punishment of a great crime, which creates sympathy for Frank's murderers among law-abiding men to such an extent that they would go any length to protect them. Three main elements enter into the feeling which brought about the lynching:

### Causes of the Lynching.

First—The thing to which Governor Harris referred—the unfounded belief that the Jews of the country, hitherto not the object of any hostility or dislike, had banded themselves together to save a criminal because he belonged to their race and religion and had thus ranged themselves in opposition to men of other races and religions. Against this belief no argument was effective, no denial was listened to.

Second—The bitter resentment over what everybody in Georgia to whom this correspondent has talked calls "outside interference"; and this does not mean only the "interference" of the New York newspapers by a long shot, though Tom Watson has done his evil best to make it appear that the New York newspapers are attempting to govern the State of Georgia. There is more resentment against Indianapolis, Chicago, and California than there is even against New York.

Third—And this is the thing which turned the smoldering fire into a raging flame and maddened men who were merely angry—it is believed from one end of the State to the other that Governor Slaton was Frank's lawyer and pardoned his client after every court had upheld that client's conviction. The ignorant believe Slaton was bribed, or that at best he received, as Frank's lawyer, a share of the fee paid to his firm; the more intelligent believe that he was merely influenced in his judgment by the fact that Frank was his firm's client.

Then there are lesser elements. One is of strong influence among the working classes. It made its appearance earlier than any of the other factors, and dates back to the time of Frank's trial. It was the belief that wealth weighed heavily in the balance of justice, and that a poor working girl's life was of no account compared with money.

### Effect of Burns' Activity.

Another, and one of incalculable influence, was the appearance in the case of Detective William J. Burns. It is astonishing how that one thing brought things to a head; how it

brought men hitherto incredulous of Frank's guilt, or doubtful, or indifferent, into the ranks of those clamoring for his blood; how it crystallized sentiment, and how it sharpened mere antagonism toward Frank into furious hatred. This was not due alone to Burns's employment by Frank's friends, which tended to increase both the feeling against "outside interference" and the belief that money was outweighing the life of a working girl; it was made tenfold more injurious to Frank by Burns's behavior here, every feature of which seemed expressly designed to foster and intensify a feeling already bitter enough because of his mere presence.

It is necessary to take these three main factors and the two lesser ones as the things that went to make up the original animosity toward Frank, already believed guilty of a vile crime and erroneously believed to have been guilty of others. It is necessary because every possible attempt to find other factors have failed, unless the extraordinary influence of Watson's violent publication be considered a separate factor. It is necessary to exclude the theory that anti-Jewish prejudice was responsible, because among the men questioned have been men, not only of high character and great intelligence, but friendly to the Jews and active in Frank's behalf.

It is undoubtedly true, though many of the men questioned deny it, that there is an anti-Jewish prejudice now in some parts of the State. It has not made its appearance in Atlanta yet, but it has in other cities, where it never existed prior to the Frank case. It is the Frank case that has created it; but it seems to be due, not to the fact that Frank was a Jew, but to the idea that Jews the country over were banded together to defeat justice. This hostility is manifest in small cities and even there is deplored by all the better men in the community. These express the hope and belief that it is only temporary, a part of the aftermath of the wake of the Frank case, and will die down when that case ceases to be the topic of conversation.

From men who hate Frank and are glad he is dead, from men who strove to save him, from men who believe him guilty but are angered and horrified at the method of his taking off, there comes one story, almost in the same words from each of them. It is that Frank died at the hands of friends who insisted on interfering with Georgia from the outside, and at the hands of Governor Slaton, who made anger uncontrollable by overruling the courts in behalf of a client; they lay Frank's death at these two doors.

### Why There Was No Second Trial.

As for Burns, there are cool-headed and critical men here, utterly unsympathetic with the mob and deeply regretful over Frank's death, who would almost place him with these other two as responsible for that crime. One of the leading lawyers of Atlanta, a man of calm mind and strong intellect, said to THE TIMES correspondent today: "There was a widespread impression that he would get a second trial. It was believed by many to be practically certain. Then Burns was injected into the case, and instantly everything was changed. If there had been no more stir, if the case had been allowed to take its course without any exciting and irritating factors being thrust into it, I have not the least doubt in the world that there would have been another trial."

There is a general impression in the North that Burns merely went through a rather rough experience in Marietta and that his face was slapped. The North does not know what a deadly serious affair that was. It was the first real outbreak of violence in the whole case; the demonstrations in the courtroom were mere growls compared with it. A recital of what really happened will give an idea of the tumultuous feeling aroused by Burns, a feeling which hitherto had been kept in restraint and had even been nonexistent in many parts of the community which has now become a part of the whole.

Burns arrived in a community already touchy and sensitive over "outside interference," already convinced in its less educated circles that wealth was pitted against the honest poverty of an unavenged working girl. He was promptly photographed and interviewed, and he announced that it was a simple case and that he would have no trouble in getting to the bottom of it. This off-hand manner of treating a case which all Georgia believed to be by no means simple was not well received; and Burns's subsequent activity and his New York methods soon turned hostility into hate. When to this was added a belief in many quarters that Burns was getting false testimony to be used in Frank's behalf hate became fervent.

### Burns' Narrow Escape.

He went to Marietta and encountered Howell, who on Tuesday stamped on Frank's dead face and tried to raise the mob to burn the body, and was foiled with great difficulty by Judge Newton A. Morris. Howell set upon him, slapped his face, and chased him to the Court House, with a rapidly growing mob at his heels, and at the Court House raised the lynching cry. At that time there were a couple of thousand men shrieking for Burns's blood; it was court day and the town was full of strangers, many of them rough characters.

Some one telephoned for Morris, as people in Marietta usually do when there is anything to be done. The Judge came on the run, broke through the crowd, and ascertained that Burns was in the Whitlock House, about four blocks up the street. He made his way there with some friends and found that about 200 men had learned where Burns really was and had surrounded the house. Morris got through them, entered the house, and found Burns on an upper floor, guarded by some women guests of the place.

Howell and the larger crowd were still besieging the Court House. Morris saw that Burns must be got out of there before the crowd learned the truth, and Howell led his followers to the Whitlock House. His chief difficulty was with Burns.

Morris went out and made one of his anti-mob speeches, trained down to the size of an infantile understanding.

"Boys," he said, "this man Burns didn't kill Mary Phagan. Frank did. Are you going to hang Burns and leave Frank safe in jail? Besides, Burns is employed by the Federal Government. It always protects its people. If you kill him the Government will send United States marshals down here, and they'll arrest you and put you in Federal prisons, where you will never see your wives and children again; and you'll go through all that just for hanging the man who didn't kill Mary Phagan."

### Won Promise From Mob.

The childlike nature of this argument illustrates better than anything else can the ignorance and simplicity of the natures Morris was seeking to influence. He knew, of course, the silliness of his own arguments, but he knows exactly what sort of talk will sway that kind of people. In a few minutes he had them under control, and he called on them to promise that they would let him get Burns into his machine and out of Marietta. They yelled a promise. Morris knew that in a minute their mood might change and that they would be yelling for blood, and he dashed up the stairs and tried to get Burns to come. Burns refused.

But the women joined their entreaties to Morris's demands and the Judge and Deputy Sheriff Hicks led the detective through the crowd. As they got into the machine the air was full of yells of "Lynch him!" But Morris held the crowd off with another elemental appeal until the car was started, and then it went like lightning, with the crowd in pursuit.

Morris and Hicks leaned over Burns and pelted him with their bodies from the machine's missiles and were hit by nothing worse than an egg, which struck Morris on the head; but the crowd was, as Morris had foreseen, in a changed mood and desperate for a lynching. They never stopped until they got over the county line. Neither Morris, Hicks, nor the women ever heard from Burns again.

This story is now told—it has never been told before—to explain the effect of Burns's appearance in the case. Bob Howell's hand, which slapped Burns in the face, struck fire out of all Georgia. In a dramatic way it focused attention on what was until then only a growing opinion—that money and "outside influ-

ence" were being used to save a rich man from punishment for the murder of a working girl. Frank, of course, was not rich, but it was impossible to make these people believe it, and such falsehoods as the one cited today by Governor Harris about the vow that no Jew should ever be hanged spread widely over the State and increased the tense suspicion.

### Tom Watson's Part.

The part that Tom Watson played has never been sufficiently appreciated in the North. It was enormous. One cannot talk to any Georgian about the case for five minutes without hearing Watson's name. He runs a hill-billy weekly at his home town of Thompson, seventy-five miles from here. It is something like what Brann's Iconoclast was fifteen years ago in Texas, or like what Jim Jam Jem's was to North Dakota when it was circulated by hand. It is largely made up of picturesque villification writ with a practiced hand.

Watson undertook to have Frank's blood, and his attacks were written with none of the restraint which must bind even the most sensational of dailies. There were no more ropes on him than on a maverick. The conservative classes look on him and his weekly with abhorrence, but it was not to the conservatives that he appealed, and it was not they whom he influenced.

The conservatives were, however, as deeply affected by other things as the "red necks"—which is Georgia for hill-billies—were by Tom Watson. "Outside interference" was the thing that made them first hostile, and then angry, and then frantic. Of course the cry was exaggerated. There is no attempt here to make it appear that the charge was true, or even reasonably probable; the only attempt which this dispatch is making is to portray what was going on in the Georgia mind, so that the North can understand it.

### Slaton's Law Partnership.

Then came Slaton's part. A year or more ago Judge Morris called on him to resign from the firm of Rosser, Brandon, Slaton & Phillips or else announce that he would leave Frank's case over for his successor. This and other things fostered the suspicion that Slaton intended to pardon Frank if the appeals to the various courts did not make it unnecessary. The last year of Slaton's term as Governor was spent with thousands of eyes watching him with deep suspicion to see if the belief was justified. When all the appeals failed and Slaton did pardon Frank, it was of no use to argue with the men who had been expecting just such an act and had assigned in their own minds an evil motive for it. It was then that the frenzy became homicidal madness.

Among the less educated the belief that Frank would escape because of Slaton's partnership with Rosser was doubled by a conviction that he would escape anyhow. From the time of Frank's conviction the carpenter, the blacksmith, the cobbler, and the motorman had been saying: "He will never hang. He's rich, and Mary Phagan has no friends."

They had never wavered in that conviction. As to Slaton's partnership, they knew nothing of that until Tom Watson began to blaze it all over his paper. His paper was written for them, and they read it. Now, this partnership of Slaton's was largely mythical. He had lent his name to the firm, which he intended to join actively on his retirement from the Governorship. But that was all. He took no part in its business dealings, and his object was merely to help the firm by advertising the fact that he had not left it and would return to it when his official duties were done, so that the firm might hold on to his clients. Nevertheless, even the most conservative and intelligent people in Atlanta resented his leaving his name on the office door, especially in view of the fact that Rosser had not been one of the partners during Slaton's former membership, and had only joined the firm on the eve of Slaton's becoming Governor. As for those who were not conservative and intelligent, they took the bald and brutal view that Rosser and Slaton were partners, and were to divide up the fee Rosser got if Frank was liberated. They hold to that view today, and with them it isn't a view, but a fact. Nothing will get it out of their heads.

### Concern for Slaton's Safety.

When Slaton said, on pardoning Frank, that his political career was ended, he understated the truth. His career in Georgia was ended and his life was in danger, and it is yet. Everywhere you go in Georgia you hear the conservatives expressing the earnest hope that Slaton will stay away from the State for a few weeks longer, until the excitement dies down. Last night the writer was talking to a responsible and representative Atlanta man who was pool-poohing the idea that Slaton was in any danger. The writer asked him, "Do you mean to say that if Slaton came back today he would be as safe here as you are?"

"If he came back in a week or two," was the answer. "There wouldn't be any organized effort to kill him—none at all. He would be safe from anything like that. Of course, there are individuals like the man that stamped on Frank's face yesterday. One of them might shoot him."

"Wouldn't it hurt as much to be shot by an individual as by an organization?" asked the inquirer. The subject was changed.

That expression, "the individual who stamped on Frank's face," is suggestive. Nobody will utter, nobody will print the name of the man who stamped on Frank's face, though everybody knows who it was. Both the men who were holding this conversation knew it perfectly well, but even in conversation names were not to be mentioned. It is suggestive of the ease with which the Governor will find somebody to tell him who the lynchers were.

### All Bi All Prepared.

There is little more to be told about the lynchers. They were mainly from Marietta, but not all. Two of them were from Atlanta. Every man in Marietta has accounted for his movements on Monday night to the satisfaction of the constituted authorities of Cobb County. These authorities have been convinced that the lynching party did not contain a single Marietta man, and that the only men to pit themselves against the Governor's representatives go to Marietta to make inquiry, if he deems it worth while to send any.

If he sends any such representatives, they will be received in Marietta with courtesy. But he will not send any detectives. Marietta is a city of 6,500 people. It is a busy city. But the moment a man appears in the main square he is under observation, and before he has been there fifteen minutes his identity and mission are known. The surveillance is not obtrusive, but it is unmistakable.

Marietta is courteous itself to strangers who have business not connected with the Frank case. It does not take Marietta twenty minutes to find out whether the strangers have business unconnected with the Frank case or not. It is quite an interesting experience to be a stranger going through, although many persons of quiet tastes might not prefer it to other amusements. There is nothing coarse about it. No visiting stranger need object to the interest shown in him because it is shown by the rude and uncultured persons, for it is not. Its shown by gentlemen well dressed and educated.

### Georgia Off Her Balance.

This dispatch has sought to interpret to the puzzled Northern mind the mind of Georgia and the combination of different factors which bred in a gentlemanly and civilized people a frenzy of suspicion and hate. There are among the thinking and far-sighted citizens of the State certain fears and forebodings which are not shared by the others. One of the fears, which is more a certainty than a fear, is that Georgia has fallen low in the estimation of other States, that she has received a heavy blow from which it will take her long to recover, and that her credit will be the first to suffer.

Another is that lawlessness will breed lawlessness, that the example set in the murder of Leo Frank will be followed again and again, until anarchy sets in. Some of these are already laying plans how to act in the next case of the kind, and there is talk of a meeting of leading citizens to take action that will check anarchy as soon as it begins to show its head.

But even such men as these share the feeling about "outside interference" and the feeling about Slaton's partnership with Rosser, and find it easier to condemn the lynchings than to say anything very harsh about the lynchings. Georgia is temporarily off her balance. The attempt here is to diagnose her case and to show what were the things that bit by bit combined to bring about the fever.