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# GEORGIA PARDONS VICTIM 70 YEARS AFTER LYNCHING

AP

**ATLANTA, March 11**— The State of Georgia awarded a posthumous pardon today to Leo M. Frank, a Jewish businessman who was lynched in 1915 for a murder he denied committing.

The Georgia Board of Pardons and Paroles had refused to grant a pardon in December 1983, despite Gov. Joe Frank Harris's public statements in favor of the proposal.

But the board reversed itself and granted the pardon today after the Anti-Defamation League, the American Jewish Committee and the Atlanta Jewish Federation submitted a new petition arguing that they should not have to prove Mr. Frank's innocence, only that he was denied justice.

The board said Mr. Frank was pardoned because the state failed to protect him and because officials failed to bring his killers to justice.

### Another Man Carried Body

The action came less than a year after the death of Alonzo Mann, who came forward in 1982 to say that, as a 14-year-old office boy in Mr. Frank's Atlanta pencil factory, he saw another man carrying the body of 13-year-old Mary Phagan. Mr. Mann said he did not speak out during Mr. Frank's trial because he feared the real murderer.

Mr. Frank's trial, which took place in Milledgeville with crowds outside the courthouse chanting "Hang the Jew," brought him a death sentence for the 1913 murder of Miss Phagan. The girl was beaten, strangled and her body dumped in the factory basement.

The board said: "The funeral of Mary Phagan, the police investigation and the trial of Leo Frank were reported in the overblown newspaper style of the day. Emotions were fanned high."

After Gov. John Slaton commuted Mr. Frank's sentence to life in prison, a mob stormed the Governor's mansion in Atlanta. An armed mob then abducted Mr. Frank from a Milledgeville prison and, chanting anti-Semitic slogans, lynched him near Miss Phagan's home in Cobb County on Aug. 17, 1915. In the anti-Semitic climate, other Jews were physically attacked and many fled Georgia. A One-Page Pardon

The parole board held in 1983 that the evidence did not prove Mr. Frank was innocent. The one-page pardon issued today said, "Such a standard of proof, especially for a 70-year-old case, is almost

impossible to satisfy."

The document said the pardon was granted "in recognition of the state's failure to protect the person of Leo Frank and thereby preserve his opportunity for continued legal appeal of his conviction, and in recognition of the state's failure to bring his killer to justice, and as an effort to heal old wounds."

Wayne Snow, chairman of the parole board, said, beginning last fall, the five-member panel met with leaders of the Jewish groups to discuss how the pardon could be reconsidered.

Mr. Snow said the board told the Jewish groups that their original petition, which asserted Mr. Frank's innocence, had left the board "limited in what we could do." Parole Board Meetings Closed

Subsequent discussions focused on the language of the pardon, Mr. Snow said, culminating in the unanimous vote to pardon Mr. Frank. The board's meetings are closed to the public and the 1983 vote by the same board members was not disclosed.

Gerald H. Cohen, president of the Atlanta Jewish Federation, said the pardon removed "a tragic stigma from the great state of Georgia, indeed from the collective conscience of our nation."

Barbara Morgan, the Governor's press secretary, said Governor Harris was pleased that the parole board "acted in a very deliberate and responsible manner on a very sensitive issue."

While Governor Harris was not one of the parties officially requesting the pardon, Miss Morgan said the Governor's office had been "expressing concern over the matter" to parole board members.

Stu Lewengrub, Southeastern director of the Anti-Defamation League, said, "People of good will and judgment have long believed that Leo Frank was victimized by perjury and prejudice at his trial and that an innocent man was lynched by a mob inflamed by bigotry."

Mr. Frank's lynching has been cited as the worst single incident of anti-Semitic violence in the United States, and the case was a catalyst for the resurgence of the Ku Klux Klan.

It also was a factor in the creation of the Anti-Defamation League, Mr. Lewengrub said. "We can now finally close our files on our first case."

"We regret that Alonzo Mann did not live to see this posthumous pardon granted," Mr. Lewengrub said.

Mr. Mann said, in affidavits first given to The Tennessean newspaper of Nashville, that he saw Jim Conley, a janitor, carrying Miss Phagan's body. He said Mr. Conley threatened to kill him if he talked, and his mother also urged him to keep quiet. Mr. Conley died in 1962.

Mr. Mann, who died in Johnson City, Tenn., last March, was present when the 1983 pardon request was denied. He said then: "My conscience is satisfied. I did the best I knew how, and that's all I can do. The pardoning board is wrong."

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