

PROOF OF FRANK'S INNOCENCE.

Men of light and leading in Georgia can render their State the highest service in their power to give by establishing in the sight of all the world the innocence of LEO M. FRANK and the right and justice of Governor SLATON'S act in commuting the sentence of death to life imprisonment. There should be a rigid and comprehensive inquiry into all the evidence concerning the murder of MARY PHAGAN, and this work should be undertaken with the support and co-operation of those members of the Georgia Bar and those citizens of Georgia who urged the commutation of sentence. After his review of the court testimony and examination into facts not put before the trial jury, Governor SLATON was convinced that the guilt of FRANK was not proved beyond reasonable doubt; it is very evident from his written decision that he believed that FRANK was not the murderer. To establish now the innocence of FRANK would be a supreme service to the State of Georgia. It would be the most effective possible check upon that lawless spirit which, in Georgia and other States, too often prompts mobs to that act of criminal violence which they call taking the law into their own hands.

The establishing of FRANK's innocence would visit upon each and every one of his murderers a punishment more terrible than any court could decree or any Sheriff execute. One and all they would then have upon their consciences the proved and torturing guilt of having taken the life of an innocent man. The penalty of the law, if it should ever be visited upon them, they might accept with bravado, insisting even upon the scaffold itself that they had done a work of justified vengeance and had vindicated the laws of their State. Repentance can come to them only through the terror that haunts the minds of guilty men. Then, even though left unwhipped of justice, they would go through their lives bowed down under the weight of remorse and the ceaseless reproofs of conscience, an example to all their fellow-men against the terrible risks and wrong of the lynching practice. The exemplary effect would be enormous throughout the South.

For the State of Georgia and its people the demonstration of FRANK'S innocence would be a deliverance. There would be a change of spirit, an instant revulsion to wholesome respect for law which would make condemnation of the lynchers universal. In that way the State would free itself from the reproach which the murderers of FRANK have brought upon it. With the process of investigation set on foot to discover the identity of the lynchers the hundreds of thousands of persons outside the State of Georgia who have believed in FRANK'S innocence have nothing to do. Any attempt to interfere with aid or promptings should be opposed and suppressed. That is the exclusive concern of Georgia, whose law-abiding people have the sympathy of their fellow-countrymen in their present efforts to deal with the complex and terribly difficult matter. The calm-minded, reasonable men of Georgia, sensitive to imputations that do harm to the good repute of its people, would deplore the failure of the process. That should be guarded against. The sure bulwark, the certain vindication, would be had through an inquiry that, by bringing conviction of FRANK'S innocence, would at once change the public temper of the people in Georgia. The State would be redeemed and freed from reproach.

By such an investigation the way would be opened to demonstrate the soundness of Governor SLATON'S conclusion that FRANK'S sentence should be commuted. There are men in Atlanta familiar with the details of the case. They know the sources in which evidence should be sought, they know at once the strength and the weakness of the case presented by the prosecution. The work of inquiry would have the aid and co-operation, we are confident, of men of great prominence at the Georgia Bar, of many leading citizens in Atlanta, and it is altogether probable that new and convincing evidence would be discovered. It is a duty to be performed in the interest of justice and of the people of Georgia who have been wronged and outraged by the few among them, participants in the act of lynching, whom nobody would hold to be representative of the public spirit and opinion of the State.