

Chronicle Building 739-741 Broad Street.

The Augusta Chronicle

THE SOUTH'S OLDEST NEWSPAPER

ESTABLISHED 1785

DAILY—SUNDAY

ADDRESS ALL COMMUNICATIONS TO THE CHRONICLE, NOT INDIVIDUALS.

Augusta, Ga., May 13, 1915

To the Honorable Prison Commission,

Atlanta, Ga.

Gentlemen:—

I have been asked by various well known persons to write to you requesting commutation to life imprisonment of the death penalty recently imposed upon Leo M. Frank.

I have consented to do this conditionally--indeed, I conceive it my duty to do so--and I ask your indulgence for stating my position somewhat in detail; which I do, not because of any undue importance that I attach thereto, but because, in the discharge of my duty as an editor, I have, heretofore, publicly discussed this case in a way considered, by some, unfavorable to Frank.

Personally, I have always believed, and I still believe, Frank to be guilty of the murder of Mary Phagan, which crime, however, I think, he committed more as the result of an accident, following an attempted assault, than through pre-meditation.

But I do not know, and no one knows, this to be the fact beyond a doubt; I might even say a reasonable doubt; and I would not send any man, white or black, to his death without the practical certainty that he richly deserved such a fate. Moreover, Frank convicted largely, but not solely, on the unsupported evidence of an admittedly depraved negro; and under conditions of great public excitement--such as are hardly conducive to an entirely fair and proper administration of law and justice.

For these reasons, and these alone, if the question of commutation of Frank's sentence to life imprisonment--between which and capital punishment there can be but little difference, so far as the ends of justice and the interests of society are concerned; and little to him, except for the opportunity it may, or may not, give him to establish his innocence, in time--were put up to me on my oath and conscience, I would, unhesitatingly, stand for commutation; and this is my sincere and candid advice and recommendation to your honorable board.

At the same time, I should insist upon a ringing rebuke to those outside, and altogether too officious and aggressive influences, which have sought to impute to the people of Georgia a spirit of prejudice which does not exist, in the sense sought to be applied, and Georgia and Georgians are

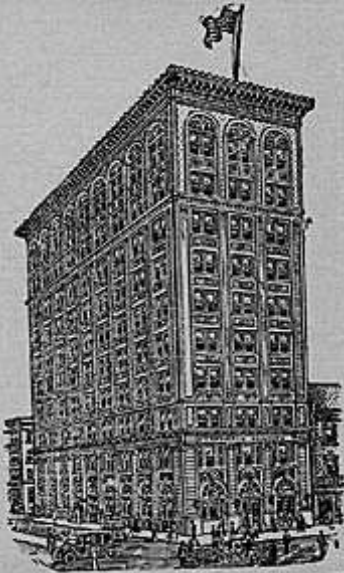
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incapable of administering justice on their own account.

I can but feel that the very best answer we could now make to such unwarranted criticisms and systematic slanders would be to reduce Frank's sentence to life imprisonment of our own accord--and in spite of the "issues" which have been injected into this case from the outside.

In this way, it seems to me, we might best live up to our state's motto--Wisdom, Justice, Moderation--and I am perfectly confident, from the hundreds and hundreds of expressions I have heard from the most representative people of this and other sections of the state, that the intelligence and character of Georgia will strongly approve such a course.

Yours very truly,

Thomas W. Loyless
EDITOR AND MANAGER

THE AUGUSTA CHRONICLE.

L/J.