

Seeking Justice



The Leo Frank Case Revisited

Phagan Trial Will Be Great Legal
 WAITS WITH WIFE IN TOWER
 FOR NEWS FROM COURTROOM;
 FRIENDS TELL HIM VERDICT.
 MOB TAKES FRANK FROM JAIL
 OVER 100,000
 THE ATLANTA GEORGIAN HOME
 FRANK LYNCHED AFTER 100-MILE RIDE,
 HIS FACE MUTILATED BY SECOND MOB;
 GOVERNOR PROMISES PROMPT ACTION
 DECLARES NOTES FOUND
 BESIDE DEAD GIRL WERE
 NOT DICTATED BY FRANK

THE ATLANTA CONSTITUTION
 WOMAN ADMITS SHE
 LIED ABOUT FRANK
 An Innocent Man Was Lynched
 FRANK CONVICTED, ASSERTS INNOCENCE
 The Jeffersonian
 MOB STORMS SLATON
 ACCUSED TWO DETECTIVES

THE ATLANTA CONSTITUTION
 "I'VE TOLD THE WHOLE TRUTH"
 SAYS PRISONER CONCUDING
 DRAMATIC STORY TO THE JURY
 LEO FRANK'S THROAT CUT
 BY STATE FARM PRISONER

CONLEY'S LAWYER
 JUGULAR VEIN SEVERED
 PARTIALLY, HAS SLIGHT
 CHANCE FOR RECOVERY
 GEORGIA PRESS - MOB HAD PLOTTED
 CONDEMN'S ACT CRIME FOR WEEKS
 WILL PROVE FRANK INNOCENT

Friends Tell Frank in Tower
 Of Jury's Verdict of Guilty
 Prisoner Cheers Weeping Wife
 Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

Chronology: Leo Frank Case Timeline

1913

- April 26** – Murder of Mary Phagan
- April 27** – Mary Phagan's body is discovered by Newt Lee, night watchman of the National Pencil Company
- April 28** – A reward is offered for information leading to the arrest of the murderer of Mary Phagan. Newspapers in Atlanta compete to print each new development in the case.
- April 29** – Leo Frank is taken into police custody and identified as a suspect in Mary Phagan's murder.
- April 30** – The official investigation begins.
- May 1** – Jim Conley is taken into police custody and questioned. In his testimony, Conley accuses Leo Frank of the murder.
- May 6** – A grand jury is formed to review evidence in the case.
- May 8** – The investigation by the coroner is completed.
- May 24** – Leo Frank is indicted for the murder of Mary Phagan.
- July 28** – Leo Frank's trial begins.
- August 25** – Leo Frank is found guilty of the murder of Mary Phagan.
- August 28** – Judge Leonard Roan sentences Leo Frank to be executed by hanging.
- October 22** – Leo Frank's lawyers attempt to get him a new trial.
- October 31** – The motion for a new trial is denied by Judge Roan.

Atlanta Constitution, August 26, 1913.
On hearing the verdict Frank stated, "I am as innocent as I was one year ago."

1914

- February 17** – The decision in the trial is affirmed by the Georgia Supreme Court
- February 24** – Jim Conley is found guilty of being an accessory to the murder of Mary Phagan. He is sentenced to a year on a chain gang. Leo Frank's execution is set for April 17 by Judge Ben Hill.
- April 16** – Leo Frank's attorneys again move for a new trial. The execution, set for the next day, is postponed.
- April 17** – Judge Hill denies the motion for a new trial.
- April 25** – Leo Frank is examined and determined to be sane.
- November 18** – The request by Leo Frank's attorneys for a review of the case is rejected by the Georgia Supreme Court.
- December 7** – The U.S. Supreme Court refuses to review the Leo Frank Case.
- December 28** – Joseph Lamar, U.S. Supreme Court Justice, accepts the petition for habeas corpus, a document issued to bring a party before a court or judge, to release the party from illegal imprisonment.

1915

- April 19** – The U.S. Supreme Court rules against Leo Frank. His execution is rescheduled for April 25. Another appeal by Leo Frank's attorneys is turned down by the U.S. Supreme Court.
- June 9** – A request for clemency for Leo Frank is rejected by the Georgia Prison Commission.
- June 21** – Governor John Slaton commutes Leo Frank's death sentence to life imprisonment. The response to the commutation is swift and violent. There are riots in the streets of Atlanta and mobs converge on the governor's residence.
- July 18** – Leo Frank's throat is slashed by a fellow prisoner in Milledgeville, Georgia. It is not certain that Leo Frank will survive the attack on his life.
- August 17** – During the night, vigilantes converge on Milledgeville State Prison Farm. Leo Frank is taken from his bed and driven almost 200 miles to Marietta. He is lynched.



American History Chronology

1911

March 25 – Jewish and Italian immigrant women are killed in a fire at New York’s Triangle Shirtwaist Company.

October – The National Urban League is organized to help African-Americans secure equal employment.

Lynchings: Sixty black Americans are known to have been lynched.

1912

January – 25,000 textile workers go on strike against the American Woolen Co. of Lawrence, Mass.

April 14-15 – The Titanic sinks. About 1,500 of 2,200 passengers and crew members drown.

October 14 – Theodore Roosevelt is shot during a campaign tour. Roosevelt delivers a speech before going to the hospital.

Lynchings: Sixty-one black Americans are known to have been lynched.

1913

February 25 – The 16th Amendment permits the government to levy an income tax.

March 10 – Harriet Tubman, former slave, abolitionist and freedom fighter dies.

April 11 – The Wilson administration begins government-wide segregation of work places, restrooms and lunchrooms.

Summer – Henry Ford introduces the assembly line, producing a thousand Model T’s daily. Ford also establishes a \$5 work day.

December 23 – The Federal Reserve System is established, providing central control over the nation’s currency and credit.

The fiftieth anniversary of the Emancipation Proclamation is celebrated throughout the year.

Lynchings: Fifty-one black Americans are known to have been lynched.

1914

April 20 – Company guards and National Guard troops attack striking coal miners at John D. Rockefeller’s Colorado Fuel & Iron Company. When the strike ends, 74 people have died, including eleven children.

June 28 – Archduke Franz Ferdinand, heir to the Austro-Hungarian throne, is assassinated by a Serbian nationalist. The events that follow result in World War I.

August 15 – The Panama Canal officially opens.

September 26 – The Federal Trade Commission is established to prevent monopolies and unfair business practices.

September – World War I combatants participate in the Battle of the Marne

Lynchings: Fifty-one black Americans are known to have been lynched.

1915

February 8 – D.W. Griffith’s film, *Birth of a Nation*, depicts the Ku Klux Klan in a positive light.

May 7 – The British ship, the *Lusitania*, is torpedoed by the Germans and sinks in the Atlantic; 1,198 passengers drown, including 114 Americans.

August 17 – Leo Frank, a Jew, is lynched in Atlanta, for allegedly murdering an employee at the National Pencil Company.

November 14 – Booker T. Washington, well known African American spokesman, dies.

Persecution of Armenians by Turks begins; this is the prelude to the Armenian Genocide.

Germans use poison gas as a weapon in World War I.

Lynchings: Fifty-six black Americans are known to have been lynched.



Souvenir postcard of the lynching, 1915. Postcards such as these were easily available into the 1940s.

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Museum of Modern Art

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The Prologue

By SANDRA BERMAN and JANE LEAVEY

*“Southern trees
bear strange fruit,
Blood on the leaves
and blood on the root,
Black bodies swinging
in the southern breeze,
Strange fruit hanging
from the poplar trees...”*

Abel Meeropol, 1937

Seeking Justice: The Leo Frank Case Revisited is a special exhibition created by The Breman Jewish Heritage Museum. The exhibition recounts the racially charged and tragic events surrounding the murder of Mary Phagan in 1913 and lynching of Leo Frank two years later. As a Jewish heritage museum, The Breman examines issues and events through the lens of the Jewish experience; yet, these concepts and values are universal in nature. In revisiting the case of Leo Frank, we are confronted with questions of individual and moral responsibility, respect for individual difference, the fragility of the democratic process, responsible citizenship and the importance of community. This workbook, *Seeking Justice: The Leo Frank Case Revisited*, broadens the issues raised by the exhibition to place them in the context of the history of the time and examine how these same issues affect our lives today.

Strange Fruit, originally written as a poem, was later set to music and made famous by jazz great Billie Holiday. By the time Holiday first performed the song that would come to be identified with her, there had been more than 3,724 documented lynchings in the United States. Decades earlier in the far West and Midwest, extra-legal justice in the form of lynching claimed victims who were white, Mexican, American Indian, Asian and African American. In the South, the victims were largely black. Most of these lynchings were

spontaneous events fueled by an angry mob intent on taking the law into its own hands. The victims were never tried in a court of law. The lynchings were public spectacles; the faces of the members of the lynch party and the crowd were captured in photographs.

Yet it is not these lynchings that have accounted for dozens of books, four movies and a Broadway play; rather, it is the lynching of one young Jewish white man that has captured so much attention. The lynching of Leo Frank was an anomaly. Frank was not kidnapped and lynched by a frenzied mob. He was the victim of a state-sponsored conspiracy organized by well-known and prominent individuals who, in the wake of a sensational trial and multiple appeals, felt betrayed by the justice system.

While articles covering the lynchings of African Americans were relegated to the back pages, if reported at all, the lynching of Leo Frank made national news. The Leo Frank case still garners more attention than the murders of countless others who met his same fate. Frank's race, his religion and his northern upbringing preordained that he would not be another anonymous victim of lynch law.

Phagan Trial Will Be Great Legal Debates Notes Found

Wails with wife in tower for news from courtroom; Friends tell him verdict; Frank lynched after 100-mile ride; His face mutilated by second mob; Governor promises prompt action

MOB TAKES FRANK FROM JAIL

OVER 100,000 THE ATLANTA GEORGIAN. HOME EDITION
Prisoner Rushed

SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused
MARY PHAGAN MURDERED WITHIN HOUR AFTER BORN
FRANK AND LEE ORDERED HELD BY CORONER'S JURY FOR MARY PHAGAN MURDER

EXTRA THE NEW YORK TIMES

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION
An Innocent Man Was Lynched

WOMAN ADMITS SHE LIED ABOUT FRANK
FRANK CONVICTED, ASSERTS INNOCENCE
The Jeffersonian

FRANK MOB STORMS SLATON

THE ATLANTA CONSTITUTION
"I'VE TOLD THE WHOLE TRUTH"
SAYS PRISONER CONSIDERING DRAMATIC STORY TO THE JURY

CONLEY'S LAWYER
Jugular Vein Severed Partially, Has Slight Chance For Recovery

"PROVE FRANK INNOCENT"

Friends Tell Frank in Tower of Jury's Verdict of Guilty; Prisoner Cheers Weeping Wife
Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

Phagan Trial Will Be Great Legal Battle

WAITS WITH WIFE IN TOWER FOR NEWS FROM COURTROOM; FRIENDS TELL HIM VERDICT

FRANK LYNCHED AFTER 100-MILE RIDE; HIS FACE MUTILATED BY SECOND MOB; GOVERNOR PROMISES PROMPT ACTION

DECLARES NOTES FOUND BESIDE DEAD GIRL WERE NOT DICTATED BY FRANK

MOB TAKES FRANK FROM JAIL

OVER 100,000 Circulation

THE ATLANTA GEORGIAN.

HOME EDITION

The Sunday American

Read for Profit--GEORGIAN WANT ADS--Use for Results

Prisoner Rushed

The Leo Frank Case.

ATLANTA, GA., FRIDAY, OCTOBER 3, 1915.

SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused

MARY PHAGAN MURDERED WITHIN HOUR AFTER DINNER

FRANK AND LEE ORDERED HELD BY CORONER'S JURY FOR MARY PHAGAN MURDER

EXTRA THE SAN FRANCISCO CALL

The New York Times.

WATSON NEWS

SAYS FRANK MURDERED FIRST GREAT DAILY--TELEPHONE 43556

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION

An Innocent Man Was Lynched

ATLANTA, GA., THURSDAY MORNING, JULY 10, 1915--SIXTY-SEVEN PAGES

FRANK CONVICTED, ASSERTS INNOCENCE

The Jeffersonian

LEO FRANK MOB STORMS SLATON

THE ATLANTA CONSTITUTION

ATLANTA, GA., SUNDAY MORNING, JULY 12, 1915--FORTY-EIGHT PAGES

LEO FRANK'S THROAT CUT

BY STATE FARM PRISONER

THE ATLANTA GEORGIAN

Read for Profit--GEORGIAN WANT ADS--Use for Results

ATLANTA, GA., SUNDAY MORNING, JULY 12, 1915--FORTY-EIGHT PAGES

Regular Vein Severed Partially, Has Slight Chance For Recovery

GEORGIA PRESS

MOB HAD PLOTTED CONDEMNING ACT CRIME FOR WEEKS

CONLEY'S LAWYER SAYS

"I'LL PROVE FRANK INNOCENT"

Friends Tell Frank in Tower of Jury's Verdict of Guilty; Prisoner Cheers Weeping Wife

Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

Developing a Working Vocabulary

People and Organizations

Adolph Ochs
Alonzo Mann
Andrew Johnson
Black Elite
Booker T. Washington
Carpetbaggers
Clark Howell
Confederacy
Fannie Phagan Coleman
Freedmen
Georgia Board of Pardons and Paroles
Georgia Supreme Court
Henry Grady
Hugh Dorsey
Immigrants
Jim Conley
John Slaton
John W. Coleman
Knights of the Ku Klux Klan
Leo Frank
Leonard Roan
Luther Rosser
Mary Phagan
National Guard
Newt Lee
Oliver Wendell Holmes
Papist
Rabbi David Marx
Radical Republicans
Reuben Arnold
Sam Hose
Scalawags
Tom Watson
U.S. Supreme Court
Union
W.E.B. Dubois
William J. Burns
William Smith

Places

Atlanta, Georgia
Brooklyn, New York
Cobb County
Cotton States and
International Exposition
Cuero, Texas
Frey's Gin
Fulton Bag and Cotton Mills
Fulton County
Marietta
Milledgeville
National Pencil Company
New South
Tenement
Triangle Shirtwaist Factory

Things/Concepts

Affidavit
Agrarian economy
Anti Defamation League
Antisemitism
Appeal
Atlanta Constitution
Atlanta Georgian
Atlanta Journal
Atonement
Bias
B'nai Brith
Child labor
Citizenship
Clemency
Commutation
Compulsory attendance
Conspiracy
De Facto segregation

De Jure segregation
Demographic
Disenfranchised
Effigy
Evidence
Fourteenth Amendment
Fundamental cause
Immediate cause
Industrial economy
Infrastructure
Intolerance
Jeffersonian
Judaism
Labor union
Lynching
Nativism
Nineteenth Amendment
Posthumous pardon
Prejudice
Reconstruction
Riots
Scapegoat
Strikes
Suffrage
Tennessean
Watson's Magazine
White supremacy
Yellow journalism

Developing a Working Vocabulary

Definitions

People and Organizations

Adolph Ochs – publisher of the *New York Times*

Alonzo Mann – office boy at the National Pencil Company

Andrew Johnson – President of the United States during Reconstruction

Black Elite – economically and socially successful African Americans

Booker T. Washington – African American educator; founder of Tuskegee Institute in Alabama

Carpetbaggers – Northerners who came to the post Civil War South to take advantage of the economic, political and social turmoil

Clark Howell – managing editor of the Constitution, member of Georgia House of Representatives

Confederacy - The Confederate States of America was the government formed by eleven southern states of the United States of America between 1861 and 1865

Fannie Phagan Coleman – mother of Mary Phagan

Freedmen - former slaves emancipated before or during the American Civil War

Georgia Board of Pardons and Paroles - The Board is a part of the executive branch of Georgia's government, authorized to grant paroles, pardons, reprieves, remissions, commutations, and to restore civil and political rights.

Georgia Supreme Court – the highest court in the state of Georgia; reviews cases already heard in lower courts in the state

Henry Grady – a Georgia journalist, newspaper publisher and spokesman for the New South

Hoke Smith – former Georgia governor, publisher of the *Atlanta Journal*; considered Georgia's leading progressive reformer

Hugh Dorsey – Solicitor General and then Governor of Georgia

Immigrants – people who have moved from one country to another

Jim Conley – janitor at the National Pencil Company; important witness in the Leo Frank Case

John Slaton – Governor of Georgia; commuted the death sentence of Leo Frank

John W. Coleman – second husband of Fannie Phagan; stepfather of Mary Phagan

Knights of the Ku Klux Klan – a secret organization that advocates white, Christian supremacy; uses tactics of terror and violence to achieve its aims

Leo Frank – Northern, Jewish manager of the National Pencil Company

Leonard Roan – judge in the Leo Frank Case

Luther Rosser – defense attorney in the Leo Frank Case; former law partner of John Slaton

Mary Phagan – 13 year old worker at the National Pencil Company; murdered in 1913

National Guard – local military units which may be called up for duty by governors in emergency situations or situations of civil unrest

Newt Lee – night watchman at the National Pencil Company

Oliver Wendell Holmes – served on the United States Supreme Court for 29 years; appointed by President Theodore Roosevelt

Papist – usually negative way to refer to a Roman Catholic

Rabbi David Marx – Rabbi of the Temple in Atlanta, Georgia

Radical Republicans - took control of the federal government during Reconstruction; demanded harsh measures in the South, more protection for Freedmen, and more guarantees that Confederate nationalism was eliminated.

Reuben Arnold – co-counsel on Leo Frank's defense team with Luther Rosser

Sam Hose – African American victim of torture and lynching in Newnan, Georgia in 1899; over 2000 spectators witnessed his murder

Scalawags – Southerners who worked with carpetbaggers to take advantage of the dire conditions in the South after the Civil War

Tom Watson – a populist; a journalist and politician who defended the agrarian South and attacked Jews and Catholics in his newspaper; an editor who wrote scathing pieces about Leo Frank; a U.S. senator from Georgia

U.S. Supreme Court – the highest court in the United States; the last court for an appeal of a verdict

Union - During the American Civil War, the Union was a name used to refer to the United States, the twenty-three states that were not part of the seceding Confederacy

W.E.B. Dubois - prominent intellectual leader and political activist on behalf of African Americans in the first half of the twentieth century

William J. Burns – well known private detective; became leader of the FBI

William Smith – attorney appointed to defend Jim Conley; prepared Conley for the Leo Frank trial

Places

Atlanta, Georgia – location of the National Pencil Company; home of Leo Frank

Brooklyn, New York – location of the childhood home of Leo Frank

Cobb County – location of the home of the Phagan family

Cotton States and International Exposition – temporarily located in Piedmont Park; international fair to display Atlanta's growing industrial economy

Cuero, Texas – birthplace of Leo Frank

Frey's Gin – location of the lynching of Leo Frank

Fulton Bag and Cotton Mills – site of labor unrest; Jewish owned factory in Atlanta

Fulton County – site of Leo Frank's imprisonment and trial

Marietta – home of the Phagan family, site of the lynching, site of Mary Phagan's grave

Milledgeville – location of Leo Frank's imprisonment after the commutation of his sentence

National Pencil Company – location of the murder of Mary Phagan

New South – the developing industrialization of the post Civil War South

Tenement – usually in a city, an apartment building which barely meets standards of safety, cleanliness and comfort

Triangle Shirtwaist Factory – a factory in New York City which employed young immigrant women; a fire in the factory and harsh conditions which prevented the employees from evacuating, led to the deaths of over 100 young women

Things or Concepts

Affidavit – a sworn statement made in writing, usually in the presence of a representative of the court

Agrarian economy – an economy based on agriculture; an economy reliant on farm production

Anti Defamation League – organization founded in 1913 “to stop the defamation of the Jewish people and to secure justice and fair treatment to all.”

Antisemitism - discrimination against or prejudice or hostility toward Jews

Appeal - to apply for review of a case or particular issue to a higher court

Atlanta Constitution - The *Constitution* was founded in 1868 by Carey Wentworth Styles, an Atlanta lawyer and entrepreneur. Early writers included Henry Grady and Joel Chandler Harris.

Atlanta Georgian - The Atlanta Daily Georgian newspaper was founded in 1906. It was struggling when William Randolph Hearst purchased it in the spring of 1912. Using yellow journalism, Hearst was able to boost the newspaper's success within a short time after its purchase.

Atlanta Journal - The *Atlanta Journal*, an afternoon paper was founded by E. F. Hoge early in 1883. Hoke Smith purchased the paper in June, 1887.

Atonement – the act of making amends for a sin or wrongdoing

Bias - a preference or an inclination that prevents impartial judgment

B'nai Brith – an organization of lodges and chapters, founded over 165 years ago, to improve the lives of Jews in America

Child labor - the paid employment of children below an age determined by law or custom

Citizenship – being a member of a state or nation and owing loyalty to its government and being entitled to its protection

Clemency – showing compassion or forgiveness in judging or punishing; leniency; mercy

Commutation - the changing of a prison sentence or other penalty to one less severe

Compulsory attendance – required school attendance of children of a certain age

Conspiracy – an agreement by two or more people to commit a crime or other illegal or immoral act

De Facto segregation – segregation that exists in reality, not enforced by law

De Jure segregation – segregation based on law or actions of the state

Demographics – the characteristics of a particular population (based on age, race or income, for example)

Disenfranchised - to deprive of a privilege, a protection or a right of citizenship

Effigy - a crude image representing a hated person or group

Evidence – information presented to a court or jury to provide proof; the testimony of witnesses, records, documents, or objects

Fourteenth Amendment - amendment to the U.S. Constitution, ratified in 1868, defining national citizenship and forbidding states from denying basic rights to citizens or other persons; primarily concerned with reintegrating southern states after the Civil War and defining rights of freed slaves

Fundamental cause – issues which develop over a long period of time

Immediate cause – issue in the short term which ignites tensions which already exist

Industrial economy – economy based on manufacturing and industry

Infrastructure – the system of public works and resources of a particular geographical area

Intolerance - refusal to recognize and respect differences in opinions or beliefs

Jeffersonian – a publication of Tom Watson's in which he was able to influence the beliefs and attitudes of his readers

Judaism - the religious and cultural attitudes and practices of the Jews

Labor union – an organization of workers formed to improve working conditions, wages, hours, benefits, etc.

Lynching - to execute outside of the law, usually to hang by a mob

Posthumous pardon - to release a person, after death, from responsibility for an offense

Nativism – the policy of rejecting immigrants in favor of native populations

Nineteenth Amendment – amendment to the United States Constitution extending to women the right to vote

Prejudice - unfounded feelings, opinions, or attitudes, often hostile, regarding a racial, religious, or national group.

Reconstruction - time period from 1865 to 1877 when the states that had seceded to join the Confederacy fell under the control of the federal government before being readmitted to the union

Scapegoat – a person or group made to bear the blame and suffer for the sins of others

Strikes – work stoppages to force owners to provide better pay and working conditions

Suffrage – the right to vote; the exercise of the right to vote

Tennessean – A Nashville, Tennessee newspaper which published Alonzo Mann's revelations in 1982

Watson's Magazine – a monthly magazine published by Tom Watson

White supremacy – the belief that the white race is superior to all others and should therefore be in control

Yellow journalism – journalism that relies on sensational, exaggerated reporting to increase its readership

Reconstruction in Georgia

The Civil War Ends and Reconstruction Begins

The Civil War ended in 1865 with the defeat of the Confederacy by the Union. Much of the South, including Georgia, was left in chaos – with a currency which was worthless, railroad tracks destroyed, a significant number of white males killed or injured, severe shortages of food, communities rife with crime and representatives of the federal government who were unethical and corrupt.

In the spring of 1865, the white population of Georgia stood at 550,000. The state now also had a free black population of 460,000, consisting mostly of former slaves. In May of that year, the

Confederate government of Georgia was dissolved, replaced by James Johnson, an appointee of United States President Andrew Johnson. Johnson would remain in this role until Georgians could establish their own new government, one which the federal government would have to approve.

The federal government also required Georgia to repeal the Ordinance of Secession, abolish slavery and recognize that the federal government was sovereign over the states. By December of 1865, Georgia had fulfilled its obligations and a new governor and senators were chosen.

For discussion:

1. How had life changed for white Georgians after the Civil War?
2. How had life changed for black Georgians after the Civil War?
3. What problems in Georgia needed immediate relief?
4. What did the federal government require from the state of Georgia?
5. How might Georgians have felt about the federal government at this time?
6. How might Georgians have felt about Northerners at this time?

Freedmen in Georgia

Former slaves, called freedmen, now roamed the state looking for work. Large plantations which had reaped profits with free slave labor were now producing markedly smaller harvests. Cotton production was reduced almost 85 percent. Food shortages became critical and tensions arose between white landowners and former slaves.

This tension was exacerbated by an order by Union General William Tecumseh Sherman that turned deserted land on the Georgia coast over to former slaves. This situation was short-lived, however, as those who abandoned their property during the war returned home, and the land was restored to them and their families.

There was an assumption on the part of many Georgians that after slaves were freed, they would have limited status in terms of political, economic, educational and social opportunity. Georgians were surprised, then, to find that their state was the only one in the

former Confederacy to not restrict the black population through legislation called the Black Code. In Georgia, blacks were given rights within the court system, were permitted to own property, could marry and register their children as legitimate under state law and would endure the same punishments for crimes that would be exacted from white citizens of the state. They were not, however, given the right to vote or serve on a jury or testify against a white person in a court of law. The Fourteenth Amendment to the U.S. Constitution, which essentially granted full citizenship rights to blacks, was rejected by the government of Georgia.

For discussion:

1. What assumptions had white citizens of Georgia made about the status of freed slaves?
2. What rights were now given to freedmen in Georgia?
3. What rights were denied to freedmen in Georgia?
4. Explain the order from General Sherman and its outcome.
5. Describe the deprivations from which many white Georgians were suffering after the war's end.
6. How might white Georgians have felt after certain rights were granted to freed slaves? Why would they have rejected the Fourteenth Amendment?
7. Who might these white Georgians have blamed for this? Why?

Reconstruction Continues

Citing President Andrew Johnson's failure to reconstruct the South, Congress passed a series of reconstruction laws in the beginning of 1867. Some of those in Congress who supported these new laws were called Radical Republicans. They expected southern states to ratify the Fourteenth Amendment, give black men the privilege to vote and elect new state governments.

Along with the demands of the federal government, things were changing in Georgia too. No longer was Savannah the center of Georgia politics. By the end of 1867, a state constitutional convention was convened in Atlanta and delegates came from all parts of the state and walks of life. Black delegates were also in attendance. This convention agreed to the reforms set forth by the Radical Republicans and then added some of its own innovations. It called for a free public school system, requirements for black voters, property rights for women, a 4-year gubernatorial term and a state capitol in Atlanta.

For discussion:

1. Why did Congress consider President Johnson's reconstruction plan a failure?
2. What does the word radical mean? Why were those in Congress who proposed the new reconstruction plan called Radical Republicans?
3. How did the constitutional convention in Atlanta respond to the demands of Congress?
4. How did the constitutional convention in Atlanta exceed the demands of Congress?
5. Why had the political power in Georgia's past come from Savannah and coastal Georgia?
6. Why might the new seat of power in Georgia have been relocated to Atlanta? Why was Atlanta an up and coming city at this time?

Carpetbaggers, Scalawags and the Knights of the Ku Klux Klan

By 1868, the Republican Party in Georgia was comprised of white and black politicians. The derogatory term for Southern-born white Republicans or those who lived in the South before the Civil War, and who allied themselves with black Republicans was *scalawag*. Northerners who came to the South after the war's end to profit from the South's defeat were called *carpetbaggers*, so named because of the luggage they carried with them as they traveled from the North. After the war, anyone who established residency in the South for just one year was entitled to vote and hold political office. During this period of change, Jews moved to Atlanta in significant numbers. The Jewish population of Atlanta rose from 26 in 1850 to 600 by 1880.

It was also in 1868 that the Knights of the Ku Klux Klan established itself as a reaction to the actions of the Radical Republicans and the perceived growth of black political power in the South. Violence and terror were the tools the Klan used to deter southerners from taking positions counter to their

conservative views. By September of that year, a campaign to remove black legislators from the Georgia General Assembly proved successful. A black Republican rally held just a week later in Camilla, Georgia ended in violence and death. These developments led to a return of military control of Georgia by 1869.

For discussion:

1. Which was the political party of former Confederates and conservatives?
2. Which was the political party of Reconstruction and integration?
3. To which party did President Lincoln belong?
4. Besides political gain, how else could carpetbaggers profit from post-war conditions in the South?
5. Why was the organization, Knights of the Ku Klux Klan, established at this time? How did it promote its views and beliefs?

Governor Bullock and the End of Reconstruction

In March of 1868, Rufus Bullock, of Augusta, Georgia, was elected Governor. Bullock was a Republican. Under his administration, Democrats, who controlled the legislature, would not permit elected black Republicans to participate in the state government. They interpreted the state constitution as not clearly giving blacks the right to hold public office. To further erode his power, Democrats accused Bullock's administration of corruption and fraud. From 1869 to 1871, the Supreme Court of Georgia issued a number of rulings which essentially confirmed the right of blacks to hold office. By July of 1870, Georgia was readmitted to the Union. By the next election in December of that same year, the Georgia legislature was populated by a majority of white Democrats. Fearing impeachment and forced restitution for his "crimes", Bullock left Georgia in 1871. In January of 1872, James Smith was elected governor and Reconstruction ended in Georgia.

For discussion:

1. Explain the difficulties that may occur when a chief executive belongs to one political party and the majority of legislators to another.
2. What are the three branches of government? What is the role of each of the branches?
3. What is the system of "checks and balances"? How did this system work in Georgia?
4. Why did Bullock flee from Georgia?
5. What was the legacy of Reconstruction in Georgia? What attitudes and resentments may have resulted from this history?

The Cotton States Fairs and International Exposition

Background

Prior to the Civil War, cotton was not the most important crop in Georgia. By war's end, in 1865, cotton began asserting itself as the dominant crop in Georgia's agrarian economy. At the same time, the popularity of fairs and expositions began to grow. These events were opportunities for cities to bring in tourists and display their economic and cultural assets. They could provide new avenues for business and technology. For Atlanta, hosting such events could put the city back on the map as the capital of the New South, and the center of the recovering economy of the region. An ardent supporter of these expositions was Henry Grady, who used his role as editor of the newspaper, the *Atlanta Constitution*, as a way to promote his concept of the New South. These expositions, then, were like a "coming out party" for the South.

The 1881 International Cotton Exposition

The first of the expositions held in Atlanta took place in Oglethorpe Park in 1881. The goal was to promote Atlanta's important role in textile production. When the construction was complete, the fair boasted over 1000 exhibits from 33 states and 6 foreign countries. On display was Eli Whitney's original cotton gin. People, including former Union General William Tecumseh Sherman, came from all over the country to see the Exposition. The success of this event was evident in that it brought the different sections of the country together and highlighted the growth of the city of Atlanta.



Ticket from Atlanta Day at the Exposition, 1895.

The 1887 Piedmont Exposition

Another exposition, held six years later, did not attempt to draw in visitors from far and wide. Instead, it was a showcase for the South. Its importance, however, was demonstrated by a visit by then President Grover Cleveland to the exposition. The success of this event was its continued identification of Atlanta as a place to visit and conduct business.

The 1895 Cotton States and International Exposition

Of the three expositions, the 1895 Cotton States and International Exposition had the boldest of ambitions: to encourage trade between the South and Europe and South America as well as to display to America and the rest of the world the assets of Atlanta and the rest of the South. The exposition included exhibits showing the contributions of blacks and women to the New South. There were also entertainments offered to attract visitors. The exposition remained open for over three months and attracted almost 800,000 visitors. It, too, was a success for the region. When it was all over, most of the structures were dismantled. The city of Atlanta purchased the property and later developed it as Piedmont Park.

Student Activities

1. Write an editorial for an Atlanta newspaper in which you promote or denounce the concept of an International Cotton Exposition in your city. Be sure to include the reasons for your position.
2. Create a political cartoon for an Atlanta newspaper in which you support or reject the concept of an International Cotton Exposition in your city. Be sure to include the reasons for your position.
3. Design an advertising poster for one of the expositions held in Atlanta. Be sure to include the goals of the event in your design.
4. Write a speech that Grover Cleveland might have delivered at the 1887 Piedmont Exposition. Do some research about President Cleveland so you may include some information in the speech about him and his presidency.

Henry Grady

“The Spokesman of the New South”

Henry Grady was born in Athens, Georgia in 1850, ten years before the beginning of the Civil War. The sectional tensions that would ultimately lead to secession and war were already evident at the time of his birth. By the time the war began, Henry Grady’s father, who had been a wealthy businessman in peacetime, joined the Confederate army. Before war’s end, he was killed in battle.

After the war Henry Grady pursued his education at the University of Georgia and the University of Virginia. In each of these venues it quickly became apparent that he had a talent for public speaking. After he finished school, in 1869, he moved to Rome, Georgia, where he entered the field of journalism. It was during this time that he mastered the subtleties of Georgia politics.

By 1874 Henry Grady was writing editorials in the *Atlanta Herald* newspaper. One of his most famous pieces was titled, *The New South*. In his writing, Henry Grady attempted to promote a move from an agrarian to an industrial economy in the South as the route by which the South’s economy, ravaged by the Civil War, could be rebuilt. Two years later, Henry Grady became a one-fourth owner of the *Atlanta Constitution*, became its managing editor, and used the newspaper to convey his views to the public. He wrote about the South’s rise in stature and economic prosperity and consistently advocated for the growth of industry in the South.

Henry Grady was only 39 years old when he died at the end of 1889, but he left his mark on Atlanta and the South.

Questions & Activities

1. Explain how Henry Grady was a “man of his time.” Which historical events and conditions influenced the choices he made?
2. Explain how Henry Grady was a “man of the New South.” What did he advocate to improve life in his region of the country?
3. Write an editorial advocating a change from an agrarian to an industrial economy in the New South.
4. What are some of the reasons Southerners might reject Henry Grady’s views on the economy?
5. Write an obituary and epitaph for Henry Grady, highlighting his accomplishments.
6. Do some research to find out how Henry Grady has been honored since his death.

Henry Grady to the Bay State Club of Boston, 1889

You want to know about the South. My friends, we representative men will tell you about it. I just want to say that we have had a hard time down there. . . .

I attended a funeral once in Pickens County in my State. . . . This funeral was peculiarly sad. It was a poor fellow, whose breeches struck him under the armpits and hit him at the other end about the knee. They buried him in the midst of a marble quarry: they cut through solid marble to make his grave; and yet a little tombstone they put above him was from Vermont. They buried him in the heart of a pine forest, and yet the pine coffin was imported from Cincinnati. They buried him within touch of an iron mine, and yet the nails in his coffin and the iron in the shovel that dug his grave were imported from Pittsburgh. They buried him by the side of the best sheep-grazing country on the earth, and yet the wool in the coffin bands and the coffin bands themselves were brought from the North. The South didn’t furnish a thing on earth for that funeral but the corpse and the hole in the ground. There they put him away and the clods rattled down on his coffin, and they buried him in a New York coat and a Boston pair of shoes and a pair of breeches from Chicago and a shirt from Cincinnati, leaving him nothing to carry into the next world with him to remind him of the country in which he lived, and for which he fought for four years, but the chill of blood in his veins and the marrow in his bones.

Now we have improved on that. We have got the biggest marble-cutting establishment on earth within a hundred yards of that grave. We have got a half-dozen woolen mills right around it, and iron mines, and iron furnaces, and iron factories. We are coming to meet you. We are going to take a noble revenge, as my friend, Mr. Carnegie, said last night, by invading every inch of your territory with iron, as you invaded ours twenty-nine years ago.

The Atlanta Race Riot of 1906

Overview

On September 22, 1906, the city of Atlanta became the focus of the problems which accrued with the changes in the New South. Over a period of days, white citizens took to the streets, killing and wounding their black neighbors and destroying property. Although accounts conflict regarding the numbers of dead and injured, by the riot's end, it became clear that this event was a benchmark which altered the ways that black and white residents of Atlanta viewed themselves and their relationships.

Fundamental Causes of the Riot

As with most historical events, there were many fundamental causes for the Atlanta Race Riot of 1906. Fundamental causes are problems which develop and fester for a long period of time.

The loss of the Civil War and the conflicts which resulted from the period of Reconstruction created ongoing tensions between the black and white communities. Whites had the perception that black southerners were being given preferential treatment. They were granted voting rights, rights to participate politically, access to support programs and educational programs. For a white population still reeling from the human and financial losses of the war, this perceived preference provoked deep-seated resentment.

Growth of the city of Atlanta also created difficulties. Poor whites and blacks moved to the city for greater opportunities. This led to competition for jobs, housing and public services. The huge influx of population made it difficult for cities like Atlanta to maintain public order and safety. An increase in crime, a problem in many growing cities at this time, created a sense of fear amongst the citizenry.

The emergence of a black elite, a group growing in social, economic and political power, also fueled the tensions in Atlanta. This group distanced itself from the black working class. They had spent years making political and social connections in the city. They built their own communities and businesses and looked down on the poor, unemployed blacks who were coming to Atlanta to find their fortune.

Tensions were further exacerbated by the existence of many Jewish-owned saloons on Decatur Street in Atlanta which were frequented primarily by black patrons. It was believed that the activities which took place in these establishments were immoral and dangerous. Both white citizens and members of the black elite disapproved of these businesses. There emerged from this perception the sense that white women in Atlanta might be in potential danger from these black saloon patrons.

The governor's race in Georgia in 1906 also stoked the flames of racial hatred. Hoke Smith, former publisher of the *Atlanta Journal*, was one of the candidates. He had the support of Tom Watson. Both expressed publicly their belief that blacks should not have the right to vote and should be kept away from the polls. They also believed it was incumbent upon the whites to keep social order so that blacks would be kept in "their place." Clark Howell was Hoke Smith's opponent. He was the editor of the *Atlanta Constitution*. He, too, felt that blacks should be disenfranchised, but that the poll tax and restricted white Democratic primary were already an effective means to that end. Howell accused Smith of cooperation with black leaders in the past and a lack of commitment to the concept of white supremacy. These angry debates were covered closely in the local newspapers. Hoke Smith ultimately prevailed to win the governorship of Georgia.

Newspapers in Atlanta increased their readership by resorting to sensationalism and yellow journalism. They built fear and resentment in their readers through stories of increased violent crime, threats of attack by black men on white women, the immorality of black saloon life and the efforts by the black elite to achieve equality with whites.

The Immediate Cause of the Riot

An immediate cause is the spark which sets the situation ablaze. In and of itself, it might not be adequate to cause an event to occur, but with the underlying fundamental issues in place, it is the occurrence which sets events in motion.

In the case of the Atlanta race riot of 1906, many believe that the actions of the local newspapers were the immediate cause of the violence. It was on the afternoon of September 22, 1906, that the newspapers referred to four unsubstantiated attacks by black men on white women. The accounts of the attacks and the language which described them inflamed the local populace. These articles provoked actions by the local white citizens which resulted in violence.

The Riot

To increase their circulation, Atlanta newspapers published extra editions to publicize these attacks on white women. Newsboys took to the streets, holding aloft the inflammatory headlines. It did not take long for white men and boys to converge on downtown Atlanta carrying guns, knives and any other objects which could be used as weapons. The size of the white mob was estimated in the thousands. The mayor of Atlanta, James Woodward,

tried unsuccessfully to discourage the crowds. By nightfall, these crowds moved into the business district.

Black businesses were vandalized and destroyed. Business owners were victimized, often beaten and sometimes killed. Black citizens were dragged off conveyances of public transport and beaten, some to death. A rainstorm which began around 2 a.m. finally caused the white mob to disperse. The state militia was brought into Atlanta to restore order.

On September 23rd, the state militia continued to patrol the streets of Atlanta. Newspapers reported that calm had been restored and that the threat of black violence no longer existed as blacks no longer felt safe to be on the streets. Some blacks met secretly, stockpiling weapons and pledging to defend their homes, businesses and families. At one such meeting in Brownsville, two miles from downtown Atlanta, local police got a tip and conducted a raid. A shootout resulted in one dead officer. State militia arrived, confiscated the weapons and arrested over 250 black men.

By early the next week, community leaders and the press sought to end the violence. The riot was not consistent with the perception they wished to promulgate, that Atlanta was, indeed, the centerpiece of the New South. Both national and international press coverage of the riot was damaging for the city.

The Aftermath

The Atlanta race riots of 1906, although now over, created concern about new outbreaks of violence in the city. As a response, some white leaders of the community sought to create interracial cooperation by setting up a meeting with some of the black elite. White participants in the dialogue made sure to establish the fact that the black leaders were not on equal ground with the whites, but that the conversation was necessary for the good of the city. This was an effort to show that Atlanta did not need outside influences to deal with its problems. Ultimately, these meetings led to relationships which grew to become part of the



Le Petit Journal, October 7, 1906. The race riot was widely reported in the national and international press, such as this daily newspaper published in Paris, France.

civil rights movement years later. Interracial dialogue in Atlanta remains an important aspect of the city's success today. Another result of these meetings, however, was the increased tensions between the black elite and the black working class in the city. By the end of the riots, economic and racial divisions in the city were even more marked.

The number of dead and wounded as a result of the riots varies from account to account. Although ten death certificates were issued at the time, some sources mention at least 25 African Americans dead while others assert that the number may be closer to 100. What is clear, however, was that the underlying racial tensions in the city, compounded by the problems associated with a

growing city and the provocations of the press, led to an outbreak of violence that changed the way many saw their place in the city. Black communities and business leaders retreated to their own geographical areas of the city. Georgia passed prohibition laws to restrict and abolish the sale of alcoholic beverages. Georgia adopted statewide prohibition in 1908, beginning before national prohibition, passed into law in 1920. Laws were also passed in Georgia, further restricting the right of blacks to vote. Attitudes about blacks succeeding in a white society began to change. Although this riot would take an insignificant place in Georgia history for years after it occurred, it changed the texture of the city for a considerable time.

The Atlanta Race Riot of 1906

Activities

1. Write an editorial for one of the newspapers about whether or not the city should allow the saloons to stay open.
2. Write a speech for Hoke Smith or Clark Howell in which you explain his views on the role of blacks in Georgia society and politics.
3. Draw a map of Atlanta from 1906. Locate the areas in which events from the riots took place.
4. Read about Booker T. Washington. How did he think black people should make their way in white society? How were his views received after the riot?
5. Read about W.E.B. Dubois. Contrast his views with those of Booker T. Washington. How were his views received after the riot?

Questions

1. As cities grew in the late 1800's and early 1900's, what kinds of problems developed? How did cities try to deal with these problems?
2. Explain the difference between a fundamental and an immediate cause.
3. List the fundamental causes of the Atlanta Race Riot of 1906.
4. Describe the immediate cause of the Atlanta Race Riot. If the fundamental causes had not been festering over time, do you think this riot would have occurred? Explain your answer.
5. Describe the role of the press in the riot.
6. What are three things the state and city did to try to stop the riot?
7. What is the legacy of the riot?

Phagan Trial Will Be Great Legal Debates Notes Found

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FRANK LYNCHED AFTER 100-MILE RIDE; HIS FACE MUTILATED BY SECOND MOB; GOVERNOR PROMISES PROMPT ACTION

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New Frank Inc. is First Great P. O. Book 1916

LEO FRANK LYNCHED BY MOB

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WOMAN ADMITS SHE LIED ABOUT FRANK

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ACCUSED TWO DETECTIVES

Allegation that she was fitted with

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Jugular Vein Severed Partially, Has Slight Chance For Recovery
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ATLANTA, GA., FRIDAY, OCTOBER 3, 1915.

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WATSON NEWS

Says Frank Innocent

First Great Daily--Telephone 43556

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Profiles of the Protagonists

Mary Phagan

Mary Phagan was born in Florence, Alabama in 1899. Mary Phagan was the daughter of Fannie Phagan and William Joshua Phagan who had died three months before she was born. Shortly after Mary Phagan's birth, Fannie Phagan moved with her children to her family residence in Marietta, Georgia.

In 1912, Fannie Phagan married John W. Coleman and moved with him and her children to Bellwood, a community near downtown Atlanta. Mary Phagan planned to wait until the following fall to enroll in school and so, like many other girls her age, she took a job at the National Pencil Company. For 12 cents an hour, she secured erasers to pencils. Her brothers and sisters who worked in the cotton mill made only 5 cents per hour. On the morning of Confederate Memorial Day, Saturday, April 26, 1913, she dressed up and headed to



Mary Phagan in a photo taken in 1913.

the factory to pick up her pay. She was found dead early the next morning in the factory basement. At the time of her death, Mary Phagan was almost 14 years old.

For discussion:

1. Why did rural families want to move to the city at this time?
2. What were factory working conditions like at this time?
3. Why did poor, white families send their children to work?
4. What happened at the Triangle Shirtwaist Factory at around this time?
5. What are the pros and cons of child labor – For poor families? For children? For factory owners?

Leo M. Frank

Leo Frank, the son of Rudolph and Rachel Frank, was born in Cuero, Texas on April 17, 1884. The family moved to Brooklyn, New York shortly thereafter. His family was Jewish. Leo Frank completed his public school education and in 1906 got a degree in mechanical engineering from Cornell University. He held jobs in Massachusetts and New York, but then moved to Atlanta at the request of his uncle, to help run the National Pencil Company. In 1910 Leo Frank married Lucille Selig and the newly married couple moved in with Lucille's family.

On April 29, 1913, three days after Mary Phagan's death at the factory where he worked, Leo Frank was brought in by police for questioning. He was held over for trial, where he was found guilty of her murder and sentenced to hang. After all appeals were exhausted, Governor John Slaton of Georgia



Leo Frank and Lucille Selig Frank at the trial.

commuted Leo Frank's sentence to life imprisonment. Shortly thereafter, Leo Frank was abducted from the prison farm in Milledgeville, driven to Marietta and lynched by a group of prominent Marietta citizens.

For discussion:

1. Compare Leo Frank's and Mary Phagan's education.
2. Where did Leo Frank grow up and where was he educated? How might poor, Southern working families feel about him? Why?
3. How was the lynching of Leo Frank different from other lynchings of the period? Consider what you know about the victim and the perpetrators. In what way was this lynching similar to lynchings of the period?



Luther Rosser, defense attorney.

Luther Z. Rosser

Attorneys Luther Rosser and Reuben Arnold had the task of defending Leo Frank. Rosser had an outstanding reputation and was considered very effective at cross-examining witnesses. These skills, however, did not help in the Leo Frank trial. Rosser had to contend with mobs in the street, antisemitism directed toward his client and him for defending a Jew, and the fierce political ambition of Hugh Dorsey, the prosecutor in the case. The defense could not prevail against these obstacles and the riveting testimony of Jim Conley.

For discussion:

1. What could Luther Rosser and Reuben Arnold have done to deal with the antisemitism stirred up by this case?
2. What were the requirements for an individual to serve on a jury in Georgia at this time?
3. What is evidence? What kind of evidence did the prosecution have against Leo Frank?
4. What is a “presumption of innocence”? Was Leo Frank presumed innocent before the trial began? Give facts to support your answer.



Jim Conley in a 1913 photograph.

Jim Conley

At the time of Mary Phagan’s murder, Jim Conley, a janitor at the National Pencil Company, was 27 years old. Prior to the murder, Conley had experienced previous problems with the law, having been found guilty of petty theft and disorderly conduct and drunkenness. He played an instrumental role in the trial of Leo Frank. His testimony, spoken with confidence and consistency, was the evidence that led to Frank’s conviction. It was unique at that time, that the testimony of an African American was used to convict a white man in Georgia. After the Leo Frank trial, Jim Conley was sentenced to a chain gang for being an accessory in Mary Phagan’s murder.

For discussion:

1. What made Jim Conley an unusual witness?
2. What about this case made the jury willing to believe an African-American over a white man? Why might they have overlooked his past?
3. Why might Jim Conley have testified against Leo Frank?



Hugh Dorsey, the prosecutor.

Hugh Dorsey

At the time of the Leo Frank trial, Hugh Dorsey was 42 years old. He was the Solicitor General of Fulton County. Hugh Dorsey was the prosecutor in the Leo Frank trial. He was in charge of the investigation before the trial began. Hugh Dorsey understood that it was his role to find Mary Phagan’s killer, bring him to trial and convict him. He was aware of the emotion this case had provoked in the local citizens and he knew that this case could propel his career forward. In the past, Dorsey’s opponents had misjudged his abilities and this turned out to be an advantage for him in the Leo Frank case. From the start, Hugh Dorsey believed that Leo Frank was guilty of the murder of Mary Phagan.

For discussion:

1. What is the job of a solicitor general?
2. What is the role of a prosecutor?
3. Why would it be an advantage for Hugh Dorsey for his opponents to underestimate him?

Tom Watson

Tom Watson was a politician and newspaper editor. It was in his second role that he wielded great influence in the Leo Frank case. The *Jeffersonian* was Tom Watson's newspaper. In it he included articles criticizing life in the big city and the industrialization of Georgia and used his editorial platform to stir up prejudice against minority groups, including Jews and Catholics. His supporters consisted mostly of Georgians who came from the more rural, agricultural parts of the state.

In the *Jeffersonian*, Tom Watson stirred up virulent feelings of antisemitism amongst his readers. He alleged that Leo Frank was a deviant and that there was a Jewish conspiracy nationwide that was actively trying to free a guilty Leo Frank by paying huge sums of money for his freedom. Tom Watson portrayed the victim, Mary Phagan, as representative of the poor, innocent girls of the South who, for economic reasons, were forced to work in factories in the cities to help support their families. The lynching of Leo Frank, according to Tom Watson, was not a lynching at all, but simply the noble citizens of Georgia carrying out the sentence against Leo Frank which was handed down by the court.

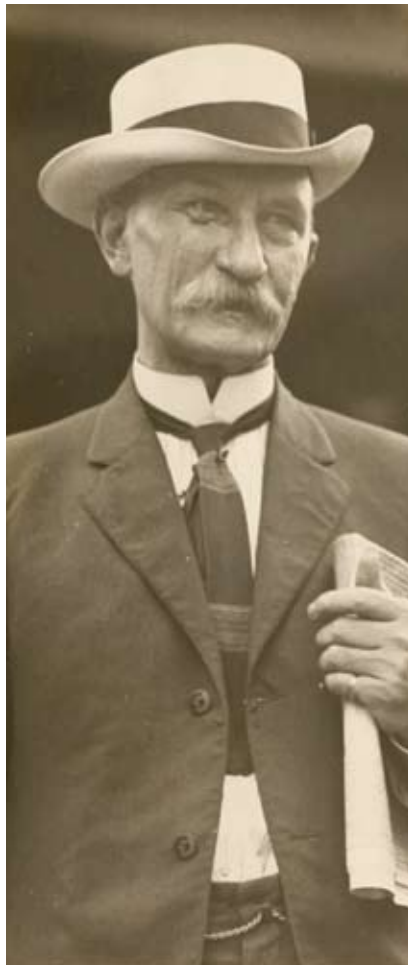
For discussion:

1. How did life after the Civil War affect the lives of rural Georgians?
2. How might these conditions have molded their opinions about industrialization? Factory owners from the North? Minorities?
3. Why did some rural Georgians move to Atlanta?
4. How do you think these Georgians felt about sending their children to work in factories? Why?
5. Describe the laws in Georgia at this time regarding child labor and compulsory schooling.



Tom Watson, newspaper editor and politician.

Judge Leonard Roan



Judge Leonard Roan

At the time of the Leo Frank trial, Judge Leonard Roan was 64 years old. He was in ill health when the trial began. Like other jurists of his time, Roan did not attend law school. He “apprenticed” at a law firm in Griffin, Georgia. Leonard Roan had presided over many murder trials in Atlanta. His colleagues viewed him as fair, competent and well prepared. It is said that Leonard Roan may have presided over more important criminal cases than any other judge in Georgia. Judge Roan did not survive to see Leo Frank's lynching.

After the guilty verdict, Leo Frank's lawyers petitioned Judge Leonard Roan to rehear the case. Among other issues, they cited the content of the murder notes, the attacks on Leo Frank's character during the trial, and the prevailing atmosphere of antisemitism. Judge Roan, in his decision, explained that he was not certain of Leo Frank's guilt but as a result of the jury's certainty, the guilty verdict had to stand. Almost a year later Judge Roan was confined to a facility in Massachusetts as his health had worsened. Knowing that these would be his last comments on the case, Judge Roan requested clemency for Leo Frank, recommending that the sentence be commuted to life in prison.

For discussion:

1. What gave Leonard Roan the qualifications to become a judge in Georgia?
2. What experience did Leonard Roan have with criminal cases? How might that experience have been helpful?
3. What was different about this trial which might have made it more difficult to handle than other criminal cases?
4. Do you think cases like this should be decided by a judge or a jury? What are the advantages of a judge's decision? What are the advantages of a jury's decision?

Governor John Slaton

John Marshall Slaton was born in Meriwether County, Georgia in 1866. After the Civil War his father moved the family to Atlanta. John Slaton attended the University of Georgia and became a lawyer in 1887. He served in the Georgia House of Representatives and the Georgia Senate. Slaton was appointed acting governor of Georgia in 1911. Slaton served from 1911 to 1912. A very popular politician, Slaton was elected governor of Georgia on his own and served from 1913 to 1915.

Slaton was prepared to run for the United States Senate in 1915 when he was asked to review Leo Frank's plea for the commutation of his sentence. It was only a few days before the end of Slaton's term as governor and he had the option of passing this responsibility along to his successor. Instead, Slaton carefully reviewed the case and commuted Frank's death sentence to life imprisonment. He correctly predicted that this act would have a drastic effect



Governor John Slaton

on his career. This decision resulted in angry mobs surrounding the governor's mansion, some shouting, "Slaton, King of the Jews." The Slaton's trip to San Simeon, the home of William Randolph Hearst, came at an opportune time as it provide an escape from the angry Georgia populace.

Governor Slaton had hoped that transferring Leo Frank to Milledgeville would have protected him from vigilante justice.

For discussion:

1. Why do you think Governor Slaton agreed to review Leo Frank's plea? Explain your answer.
2. Why do you think John Slaton commuted Leo Frank's sentence?
3. Do you think Governor Slaton's actions were foolish or courageous? Why?
4. What do you think prompted the mobs to converge on the governor's mansion?
5. For what reason might they have thought the governor commuted the death sentence of Leo Frank?

Alonzo Mann

Alonzo Mann was 14 years old at the time of Mary Phagan's murder. He was an office boy at the National Pencil Company, making eight dollars a week, a considerable sum for that time. He worked five and a half days a week, including Saturday, the day that Mary was killed. He was in the factory on that fateful day. He had seen Jim Conley, alone, carrying the body of Mary Phagan near the door to the basement of the factory.

When Alonzo returned home that day he shared with his mother what he had seen. She told him that he should remain silent and not get involved. Both of Alonzo's parents told him to remain silent, but if asked directly if he saw anything on the day of the murder, he should tell the truth. No one ever asked.

At the trial, when Alonzo Mann was questioned on the stand, he gave brief answers. He admitted to feeling nervous and afraid. During his testimony, he never referred to what he had seen in the factory on Confederate Memorial



Alonzo Mann, witness.

Day. The courtroom was filled with people and he wanted very much to be able to leave as quickly as possible. The Mann family was surprised to learn that Leo Frank was convicted of Mary Phagan's murder.

For discussion:

1. What made Alonzo Mann keep secret what he had seen in the factory on the day of Mary Phagan's murder?
2. Alonzo Mann said that the lawyers never asked him anything specific and so he did not have to lie about what happened on the day of the murder. Did he do the right thing by not speaking out? Explain your answer.
3. Could Alonzo Mann have saved Mary Phagan? Leo Frank? Explain your answer.



Newt Lee on the witness stand.

Newt Lee

Newt Lee was the night watchman for The National Pencil Company. On the afternoon of Saturday, April 26, 1913, he arrived at the factory at 4 p.m., two hours early for his regular shift. He was told by Leo Frank to leave and return at his regular time, 6 p.m. After Newt Lee's return, Leo Frank left the factory.

It was around 3 a.m. on the morning of April 27th when Newt Lee went down to the basement of the factory to use the bathroom earmarked for black workers. On his rounds, he noticed a body which he could not identify. He immediately called the police who arrived at the factory a short while later. Newt Lee was extremely distraught and agitated about his discovery. This behavior, combined with the murder notes found near the body, which referred to "a long tall black negro", led to Newt Lee's arrest. Although he was never charged in the crime, Newt Lee was held for months in jail as a suspect in the murder.

For discussion:

1. What was strange about Newt Lee's arrival at the factory on April 26th?
2. How might this be construed as suspicious?
3. What about Newt Lee's story and behavior made the police suspect him of having something to do with the murder?
4. Why was Newt Lee held in jail for a long period of time? According to present day law, is this acceptable?



William J. Burns, private investigator for the defense.

William J. Burns

William J. Burns was born in Baltimore, Maryland, ca. 1860. After attending school in Columbus, Ohio, he became a Secret Service agent. In that role he developed a reputation for being thorough and having good instincts. These traits helped him create the successful William J. Burns International Detective Agency. He had offices all over the United States and in Montreal, London, Paris and Brussels. He often sought publicity and worked many high profile cases, including the Leo Frank case.

Burns offered his services to Leo Frank's defense team in 1913. It was in 1914, however, that Burns returned to Georgia in an effort to solve the crime and prove Leo Frank's innocence. An important finding of his was the jailhouse letters written by Jim Conley to a female prisoner. The language Conley used in the letters was remarkably similar to the language which had been used in the murder notes. Burns also discovered two witnesses, the prisoner and a minister, who both declared that they had heard Conley admit to Mary Phagan's murder. Although Burns believed he had proved Frank's innocence and good character, his findings did not change the judicial outcome of the case or save Leo Frank's life.

For discussion:

1. How do you think Georgians might have reacted to someone like William Burns? Why?
2. Was the discovery of the notes and witnesses important in light of the fact that it did not change the outcome? Explain your answer.



William Smith, Jim Conley's lawyer.

William Smith

William Smith was paid by a local newspaper to act as the defense attorney for Jim Conley. He was considered a champion of equal rights for African Americans. It was his job to prepare Jim Conley for questioning in the trial of Leo Frank. Throughout the trial, William Smith believed in the innocence of his client.

After Jim Conley was convicted of being an accessory in the murder of Mary Phagan, William Smith no longer was responsible for defending Jim Conley. From that time forward, he investigated the circumstances of the murder, even visiting the scene of the crime. By the end of 1914, he concluded that various statements about the murder, by Jim Conley, could not have been true.

His public statements regarding his beliefs about the case led to the demise of his law practice and necessitated his departure from Atlanta.

For discussion:

1. What was considered remarkable about Jim Conley's testimony in the Leo Frank trial? What role might William Smith have played in the testimony of Jim Conley?
2. Why would William Smith have wanted to defend Jim Conley?
3. In your opinion, why was proving Leo Frank's innocence so important to William Smith?



Atlanta Constitution, August 16, 1913.

TO THE DRUGGIST
 For: Room
 I N A R T I -
 C L E S O F
 D E A T H I
 B E L I E V E I N
 T H E I N N O C E N C E
 O F A N D G O O D
 C H A R A C T E R
 O F L E O M F R A N K
 W

Deathbed statement of William Smith avowing the innocence of Leo M. Frank, 1949

Phagan Trial Will Be Great Legal Debates Notes Found

WAILS WITH WIFE IN TOWER FOR NEWS FROM COURTROOM; FRIENDS TELL HIM VERDICT.

FRANK LYNCHED AFTER 100-MILE RIDE; HIS FACE MUTILATED BY SECOND MOB; GOVERNOR PROMISES PROMPT ACTION

BESIDE DEAD GIRL WERE NOT DICTATED BY FRANK

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Prisoner Rushed

SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused

MARY PHAGAN MURDERED WITHIN HOUR AFTER BORN

EXTRA THE NEW YORK TIMES

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION

WOMAN ADMITS SHE LIED ABOUT FRANK

An Innocent Man Was Lynched

FRANK CONVICTED, ASSERTS INNOCENCE

The Jeffersonian

ACCUSED TWO DETECTIVES

Allegation that she was fitted with...

THE ATLANTA CONSTITUTION

"I'VE TOLD THE WHOLE TRUTH" SAYS PRISONER CONSIDERING DRAMATIC STORY TO THE JURY

LEO FRANK'S THROAT CUT BY STATE FARM PRISONER



CONLEY'S LAWYER

Jugular Vein Severed Partially, Has Slight Chance For Recovery

GEORGIA PRESS - MOB HEAD PLOTTED CONDEMN'S ACT CRIME FOR WEEKS

"I'LL PROVE FRANK INNOCENT"

Friends Tell Frank in Tower of Jury's Verdict of Guilty; Prisoner Cheers Weeping Wife

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Prisoner Rushed

The Leo Frank Case.

ATLANTA, GA., FRIDAY, OCTOBER 3, 1915.

SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused

MARY PHAGAN MURDERED WITHIN HOUR AFTER DINNER

FRANK AND LEE ORDERED HELD BY CORONER'S JURY FOR MARY PHAGAN MURDER

EXTRA THE SAN FRANCISCO CALL

The New York Times.

WATSON NEWS

Says Frank Innocent

First Great Daily--Telephone 43556

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION

An Innocent Man Was Lynched

ATLANTA, GA., THURSDAY MORNING, JULY 10, 1915--SIXTY-SEVEN PAGES.

FRANK CONVICTED, ASSERTS INNOCENCE

The Jeffersonian

LEO FRANK MOB STORMS' SLATON

THE ATLANTA CONSTITUTION

ATLANTA, GA., SUNDAY MORNING, JULY 12, 1915--FORTY-EIGHT PAGES.

LEO FRANK'S THROAT CUT

BY STATE FARM PRISONER

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Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

The Crime and the Arrest

Saturday, April 26, 1913, was Confederate Memorial Day. At approximately 11:50 that morning, Mary Phagan took a streetcar from her home in Bellwood to the pencil company. She worked on the second floor of the building in the metal room attaching metal tips to hold erasers on the pencils. She was among one hundred or so other young girls and women employed at the factory. Unable to work for several days earlier that week because the shipment of metal was late in arriving, Mary wanted to stop by the factory on her way to the Confederate Memorial Day parade in order to pick up her pay from the superintendent, Leo Frank.

In the early morning hours of Sunday, April 27, the body of Mary Phagan was discovered by night watchman Newt Lee in the basement of the National Pencil Company. Lee notified the police and led them into the pencil factory's basement. They observed a young girl's body so covered with soot that they at first had trouble ascertaining that the victim was white. Two handwritten notes lay near the body and referred to "a long tall black negro." Night watchman Lee, who fit the description, was arrested for the crime.

Police officers drove Leo Frank from his house to the funeral home to identify the body and then to the scene of the crime. Over the next several days, police questioned two factory employees said to have been enamored with Mary. By Tuesday, April 29, both men had been cleared. Police then turned their attention to Leo Frank, the last man to admit seeing Mary alive. Frank was arrested later that day and held in a cell at the police station.

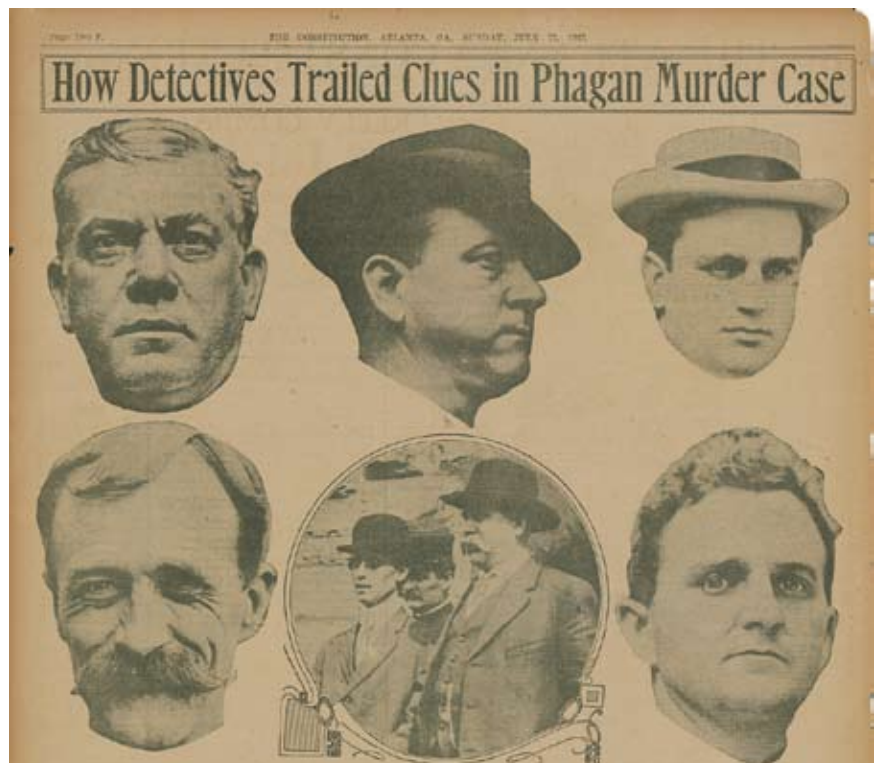
On May 23, the Grand Jury convened to decide whether to charge Leo Frank with murder. Fulton County Solicitor General Hugh Manson Dorsey presented little physical evidence and relied solely on the testimony of a few key witnesses to buttress his case. He contended that Frank had raped and murdered Mary Phagan and had then

tried to hide her body in the basement of the pencil factory. The next day, after deliberating only five minutes, the Grand Jury indicted Leo Frank for the murder of Mary Phagan. Frank was transferred from the police station to the Fulton County Jail. Newt Lee remained in jail under suspicion as a material witness.

Days after Frank's indictment, a tip caused police to return their attention to another man who had come under suspicion earlier, Jim Conley, the pencil company's black janitor. When initially questioned and suspected of writing the "murder notes" found near the body, Conley had claimed he could not read or write. That claim was disputed by Frank, who knew that Conley was lying and was in fact literate. Under more intense questioning by police, Conley admitted that he could read and write. Comparisons of his signature to the murder notes confirmed that Conley had penned them.

Activities

1. Create a timeline of the events which are covered in this overview, from the morning of the murder, to the discovery of new evidence.
2. Do some research about the murder notes. What text did they contain? What unusual references were made in these notes? From where are these references derived? Could Leo Frank have made these references? Explain.



Atlanta Constitution, July 27, 1913.

The Crime and the Arrest

Questions

1. On what day did the events of the case begin?

What holiday was commemorated on that day?

What kinds of emotions may have been stirred among the population on that particular day?

2. Why was Mary coming to the factory on a Saturday?

Would there have been many other girls at the factory on that day?

3. What was found during the early morning hours of Sunday, April 27, 1913?

Who made the grisly discovery?

What did police see when led to the crime scene?

Why was Newt Lee arrested at that time?

4. Who did police identify as other possible suspects right after the murder?

Why did these individuals arouse suspicion?

5. When the case came to the Grand Jury, what evidence was proffered by Hugh Dorsey, the Fulton County Solicitor General?

What did Dorsey allege had happened at the factory the day of the murder?

Based on the evidence, what decision was made by the Grand Jury?

How long did it take the Grand Jury to make this decision?

What might that indicate?

6. After Leo Frank was indicted, what information became available to the police?

Who was the new suspect?

Why was this new information important to the case?

What did handwriting analysis confirm?

7. If you were a member of the Grand Jury, what would you have wanted to know about the case before you would have made a decision about whether or not to indict Leo Frank?

The Trial

On July 28, 1913, a hot Atlanta morning, the trial of Leo Frank began in a courtroom crowded with spectators. The presiding judge was Leonard Roan. Hugh Dorsey was the prosecuting attorney. Frank's legal team was led by Luther Rosser and co-counsel Reuben Arnold. By early afternoon, jury selection had been completed and the confrontation between the prosecution and the defense—one that would occupy the all-male white jury, the entire city of Atlanta and, ultimately, the nation—commenced.

The prosecution's theory was that Conley's last affidavit was true: Frank was the murderer, and the murder notes had been dictated by Frank in an effort to pin the crime on Newt Lee. To prove this, Dorsey planned to present a timeline for the murder, to establish that Frank had often used Conley in concealing his pursuit of young women in his employ, and especially, to show that Frank intended to have his way with Mary Phagan in the metal room of the factory.

The defense's theory was that Conley was the murderer. The team of Rosser and Arnold hoped to prove that Frank's schedule on the day of the murder made it impossible for him to have committed the crime. They expected to show that there was no preexisting relationship between their client and the murder victim and to challenge Solicitor Dorsey's portrayal of Frank as a sexual deviant. Most importantly, the defense sought to discredit Jim Conley.

However, voicing general public opinion regarding Conley's affidavit, the Atlanta newspaper the *Georgian* editorialized, "Many people are arguing to themselves that the negro, no matter how hard he tried or how generously he was coached, still never could have framed up a story like the one he told unless there was some foundation in fact."

Three weeks into the trial, Frank took the stand in his own defense. Ending his testimony with a description of how

he saw the crime, Frank explained his nervousness when the police first arrived at his home, "Gentlemen, I was nervous. I was completely unstrung. Imagine yourself called from a sound slumber in the early hours of the morning...To see that little girl on the dawn of womanhood so cruelly murdered...it was a scene that would have melted stone."

In its closing statements, the defense further exposed the racial dimensions of the case by asserting that Frank would never have been prosecuted had he not been a Jew, and by portraying Conley as a drunk and a liar. The prosecution charged Frank with murdering Mary Phagan to keep her from accusing him of rape.

The longer the trial wore on, the more public sentiment turned against Frank. Charging that the jurors were

intimidated by the rising and heated public outcry for Frank's conviction, the defense requested a mistrial. The motion was denied. Fearing that an acquittal would endanger the safety of Frank and his attorneys, Judge Roan brokered a deal in which neither the defendant nor his lawyers would be present in the courtroom when the verdict was read. Frank and his wife, Lucille, waited together in his cell.

On August 25, it took the jury an hour and forty-five minutes to reach a decision. Frank was convicted of murder. As the guilty verdict was announced, the crowd outside the courtroom erupted with shouts of celebration. One day following the conviction, Judge Roan sentenced Frank to death by hanging. The sentence was scheduled to be carried out on October 10, 1913.



Atlanta Constitution, August 19, 1913.

The Trial

Activities

1. Create an editorial cartoon in which you illustrate the guilt or innocence of Leo Frank.
2. Write an editorial in which you praise or criticize the prosecution or defense in this case.
3. Write an essay in which you explain why Leo Frank was not a sympathetic character to the white Christian Southerners in Georgia. Consider issues such as the era of Reconstruction, views of the New South, racial and religious prejudices, class tensions, regional tensions, and child labor.

Questions

1. Describe the weather conditions when the trial began.
How might the weather have contributed to the intense emotions surrounding this case?
2. Describe the jury which was chosen on July 28, 1913.
Could such a jury have been chosen for a case tried in today's courts?
3. What information in the last written statement of Jim Conley was the basis for the prosecutor's case?
Who was Jim Conley?
Why did people believe Jim Conley would have known the details of the murder?
What two important assertions had Conley made in his affidavit?
What motive did the prosecution put forth for the murder?
4. What theory was the basis for the case of the defense?
What were three things the defense hoped to prove in their case?
5. In its efforts to reflect the views of the local populace, how did the newspaper, the *Georgian*, appraise Jim Conley's affidavit?
How did this editorial opinion reflect the prejudices of the local population?
6. Why do you think Leo Frank took the stand in his own defense?
What might the jury have thought if he chose not to testify?
What impression did Leo Frank hope to leave with the jury?
Do you think Leo Frank's attorneys made a positive choice in having Leo Frank testify in his own defense?
7. How did the defense use the race card in their closing arguments?
To what stereotypes and prejudices did the defense attorneys refer?
Do you think these references were helpful to their case? Explain.
8. In closing arguments, how did the prosecutor explain Leo Frank's motive for the murder?
How did this reflect local attitudes about child labor?
How did this reflect local attitudes about Southerners protecting their women?
9. In order to protect the safety of Leo Frank and his defense team, what deal was struck between Judge Roan and the defense?
10. How long did it take for the jury to reach a verdict?
What might this signify?
What decision did the jury reach?
What was the reaction of the crowd outside the courtroom?
What sentence did Judge Roan hand down the next day?

The Appeals

Following the guilty verdict, Frank's attorneys submitted an Amended Motion for a New Trial, arguing that public opinion had intimidated the jurors and that testimony attacking Frank's character should have been inadmissible. Judge Roan denied the motion, stating, "I am not certain of this man's guilt...But I don't have to be convinced. The jury was convinced."

When a subsequent direct defense appeal to the Georgia Supreme Court was denied, several well-known national Jewish leaders became more proactive in Frank's defense. They believed that an open campaign to present his case to the public was necessary to save him. By February 1914, even Adolph Ochs, publisher of the *New York Times*, who had long been known for keeping his paper out of "Jewish issues," brought the power of his paper to Frank's defense.

The local Atlanta press began moving towards Frank's defense when the *Atlanta Journal* revealed that prosecutor Hugh Dorsey had suppressed medical evidence vital to disproving the timeline of the crime. Unfortunately for Frank, the *Journal's* call for the support of Frank stirred the wrath of Tom Watson, a former Populist politician and journalist, who wrote in his *Jeffersonian* newspaper, "If Frank's rich connections keep on lying about this case, SOMETHING BAD WILL HAPPEN."

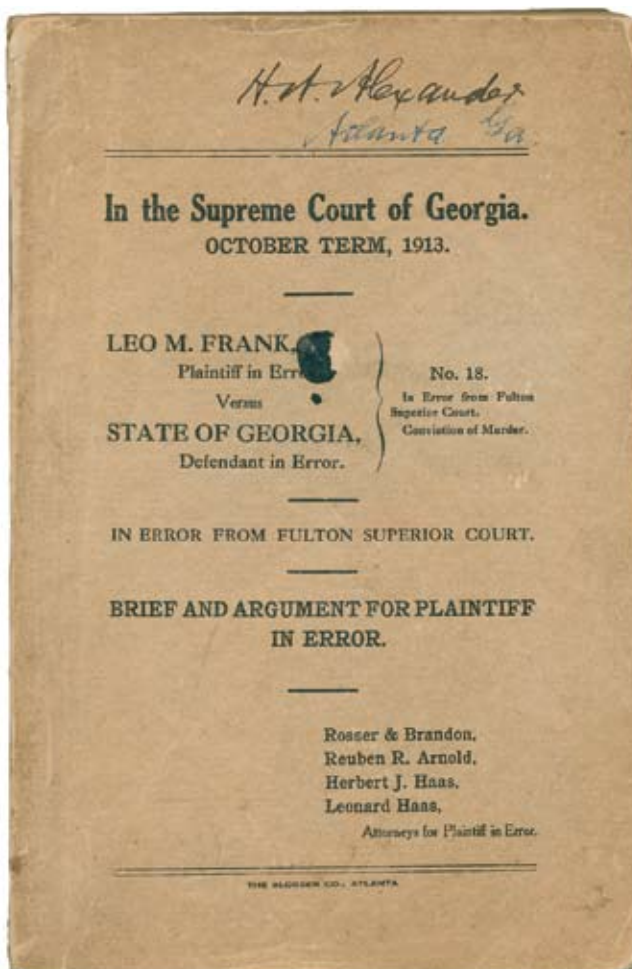
In April 1915, the defense team was discouraged by successive defeats in the Georgia courts, yet encouraged by national support. The team, now led by Louis Marshall, made a final effort in an appeal to the United States Supreme Court for a writ of habeas corpus, a legal instrument used to bring someone who has been imprisoned before the court for a decision on whether that detention is lawful. The Court agreed to hear the case, and on April 19, Frank's appeal was denied by a 7-2 vote. At this point, Frank had spent nearly two years in jail. Justice Oliver Wendell Holmes and Justice Charles Evans Hughes dissented. Holmes wrote, "Mob law

does not become due process of law by securing the assent of a terrorized jury." Holmes continued, "I very seriously doubt if the petitioner... has had due process of law... because of the trial taking place in the presence of a hostile demonstration and seemingly dangerous crowd, thought by the presiding Judge to be ready for violence unless a verdict of guilty was rendered."

In 1923, Holmes restated that argument in the case of five African Americans in Arkansas who "...were hurried to conviction under the pressure of a mob, without any regard for their rights, and without according to them due process of law." Holmes' opinion is now accepted legal precedent.

For research and discussion:

1. What changes in "due process law" resulted from this case?
2. In this case, the press stirred up and manipulated public opinion. What are some of the results of the power of the press in the Leo Frank case?



Brief and Argument for Plaintiff in Error presented to the Georgia Supreme Court, October term 1913.

The Remaining Option

With no avenues left in the courts, the defense had but one remaining option: to ask the Pardons and Paroles Board of the Georgia Prison Commission to recommend clemency for Frank to departing Georgia Governor John M. Slaton. After listening to presentations both for and against Frank, the Commission recommended that the death sentence stand.

On June 12, 1915, several days after receiving the recommendation of the Prison Commission, the final hearing on the case was held before the governor. Following newly presented evidence incriminating Jim Conley, Slaton heard from former governor Joseph Brown, who expressed the sentiments of the vast majority of Georgians when he warned, "Now in all frankness, if your Excellency wishes to ensure lynch law in Georgia, if you wish to hopelessly weaken trial by jury in Georgia, you can strike this dangerous blow at our institutions and our civilization by retrying this case..."

At the hearing, evidence pertaining to the feces that were found on the morning of the murder at the bottom of the elevator shaft was presented. In Conley's earlier affidavit, he testified that he had defecated at the bottom of the shaft on Saturday morning. Early Sunday morning when the first officers arrived at the factory, they found the excrement intact. When the detectives arrived, they ran the elevator down to the basement smashing the feces.

If, as Conley had testified, he and Frank had transported the body Saturday afternoon via the elevator, the excrement would have already been destroyed. This key inconsistency in Conley's testimony was never emphasized by Frank's defense team during the trial.

Slaton poured over more than 10,000 pages of documents and carefully examined the new evidence. In a twenty-nine page document, the governor set forth the troublesome points, affirmed the strength of the new evidence,

acknowledged that he would incur the wrath of the people, found in favor of Frank. Slaton commuted Leo Frank's death sentence to life in prison. Fearing for Frank's safety, Slaton had Frank transferred to the state prison farm in Milledgeville before publicly announcing his decision.

Tom Watson's rhetoric urged the lynchings of both Frank and Slaton: "Our grand old Empire State HAS BEEN RAPED! ... Jew money has debased us, bought us, and sold us – and laughs at us... Hereafter let no man reproach the South with Lynch law... let him say whether lynch law is not better than no law at all."

Once beloved, Governor Slaton became the first governor in history to call out the National Guard to protect himself, as more than 4,000 citizens hung him in effigy outside the governor's mansion.

For discussion:

1. Governor John Slaton was the law partner of Luther Rosser. Was this a conflict of interest? Explain your answer.
2. Why was Governor John Slaton's commutation of Leo Frank's sentence hailed as heroic by some and ridiculed as traitorous by others?
3. How did the defense's failure to highlight key evidence affect the outcome of Leo Frank's trial?

Jeffersonian, April 9, 1914.



The State Prison Farm, Milledgeville, Georgia, and Lynching

Soon after Frank was spirited away to the state prison farm at Milledgeville, a small group of leading citizens from Mary's former hometown near Marietta in Cobb County met to formulate a plan to deliver the justice they felt had been denied Mary Phagan and the State of Georgia.

The group included Eugene Herbert Clay, solicitor general of the Blue Ridge Circuit; John Tucker Dorsey, state legislator and chairman of the House Penitentiary Committee; Joseph M. Brown, ex-governor of the State of Georgia; Bolan Glover Brumby, businessman; Newton Augustus Morris, judge; and Fred Morris, Confederate veteran and attorney.

Members of the lynch party were all politically well-connected, financially secure, and socially prominent.

On August 17, 1915, these men put into motion a highly organized plan. They stormed the state prison with guns at their sides, and meeting no resistance from the prison staff, drove Frank four hours to a large oak tree at Frey's Gin, two miles from Marietta. They granted Frank's only requests: that he be allowed to write a note to his wife, that they return his wedding ring to her, and that they cover his lower body before hanging him, as he was wearing nothing but a nightshirt.

Leo Frank was hanged at 7:05 a.m. Within ninety minutes, a crowd of 1,000 onlookers had gathered: men, women, children, and even mothers carrying their babies. Souvenir seekers cut pieces from the sleeves of Frank's nightshirt and from the rope that bound his feet.

Ironically, Judge Newt Morris, the man who had kicked the table out from under Frank's feet at the lynching and whose involvement would remain a secret outside Marietta for more than eighty years, was credited with bringing calm to the scene as the undertaker took the body away.



Male Building, State Prison Farm, Milledgeville, GA

The Conspiracy: The Abduction and Lynching of Leo Frank

Questions for discussion

1. What sentence had Judge Roan handed down to Leo Frank in the summer of 1913?
2. How had the Georgia Courts of Appeal responded to Leo Frank's attorneys' requests to have the guilty verdict overturned?
3. How did the United States Supreme Court respond to these same requests?
 - What was the argument of the two dissenting justices?
 - How did that argument get restated in 1923?
 - What does it mean that Justice Holmes' dissenting argument is now legal precedent?
4. What decision was made by Governor John M. Slaton regarding clemency for Leo Frank?
 - On what did Governor Slaton base his decision?
 - How did Governor Slaton view his role?
 - Why did Leo Frank's attorneys choose to bring their request to Governor Slaton rather than the governor who was about to take office?
 - Why did some people perceive Governor Slaton's involvement as a conflict of interest?
 - What risk was Governor Slaton taking by making such a decision?
 - Why did Governor Slaton believe that he was doing the right thing?
5. Why did some of Marietta's most prominent citizens believe they were justified in lynching Leo Frank?
6. Describe some of the members of the lynch mob.
 - Does a group such as this one conform to your view of lynch mobs? Explain.
7. With what resistance was the mob met as they carried out their own form of what they viewed as justice?
 - What does this tell you about the people in the lynch mob?
 - What does this tell you about the prison staff and others whom they encountered on the way to Frey's Gin?
8. What were the three requests made by Leo Frank prior to his lynching?
 - Do you find these requests unusual? Why or why not?
 - What might you have expected that he would request?
9. Describe the crowd which gathered to observe the lynching.
 - Do you find the members of the crowd to be unusual? Why?
10. Who was the individual who eventually was able to stop those who were vandalizing the scene and the body after the lynching?
11. Why is it strange that he was the person responsible for bringing order to the chaotic scene?

Phagan Trial Will Be Great Legal Debates Notes Found

WAILS WITH WIFE IN TOWER FOR NEWS FROM COURTROOM; FRIENDS TELL HIM VERDICT. FRANK LYNCHED AFTER 100-MILE RIDE, HIS FACE MUTILATED BY SECOND MOB; GOVERNOR PROMISES PROMPT ACTION. BESIDE DEAD GIRL WERE NOT DICTATED BY FRANK

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OVER 100,000 THE ATLANTA GEORGIAN. HOME EDITION. Prisoner Rushed

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THE ATLANTA CONSTITUTION. An Innocent Man Was Lynched

WOMAN ADMITS SHE LIED ABOUT FRANK. FRANK CONVICTED, ASSERTS INNOCENCE. The Jeffersonian

FRANK MOB STORMS SLATON

THE ATLANTA CONSTITUTION. 43,000

LEO FRANK'S THROAT CUT BY STATE FARM PRISONER

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CONLEY'S LAWYER

ALL PROVE FRANK INNOCENT

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ACCUSES TWO DETECTIVES

Alleges That She Was Piled with Liquor and Trapped into Untruthful Statements

ATLANTA, GA., SUNDAY MORNING, JULY 18, 1915--FORTY-EIGHT PAGES.

LEO FRANK'S THROAT CUT

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ATLANTA, GA., FRIDAY, OCTOBER 3, 1915.

Regular Vein Severed Partially, Has Slight Chance For Recovery

GEORGIA PRESS

MOB HAD PLOTTED CONDEMNNS AGT CRIME FOR WEEKS

CONLEY'S LAWYER SAYS

"I'LL PROVE FRANK INNOCENT"

Friends Tell Frank in Tower of Jury's Verdict of Guilty; Prisoner Cheers Weeping Wife

Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

The Aftermath

Atlanta newspapers and those throughout Georgia condemned the lynching. The national press lamented Frank's fate, but in doing so also denounced Georgia and the entire South. The *Chicago Tribune* captured the sentiment of much of the country by concluding that, "The South is a region of illiteracy, blatant self-righteousness, cruelty and violence. Until it is improved by the infusion of better blood and better ideas it will remain a reproach and a danger to the American republic."

As coverage in mainstream papers in Atlanta and throughout the nation moved on to other stories, Tom Watson's *Jeffersonian* stepped up its inflammatory rhetoric about Frank, Slaton, local and national Jewish leaders and Jews in general. On the front page of the September 2, 1915 edition of the *Jeffersonian*, Watson called for a revival of the Ku Klux Klan, a hooded fraternity of horsemen that had disbanded in 1869 and whose midnight rides, crossburnings, and ferocious attacks against African Americans had brought terror across the South.

Watson's call was answered on November 13, 1915, at the top of Stone Mountain outside of Atlanta. On a site that could be seen for miles, a small group of men lit a giant pitch-and-kerosene soaked wooden cross, signaling the return of the organization that had first been established by Confederate veterans to protect "the southern way of life" in the aftermath of the Civil War.

Some national Jewish community leaders took on the Frank case as a rallying cry. The Anti-Defamation League of B'nai B'rith, founded in Chicago in 1913 to "... stop, by appeals to reason and conscience, and if necessary, by appeals to law, the defamation of the Jewish people," was galvanized by the injustice it felt had been perpetrated, and grew in both membership and significance.

An eerie silence regarding Leo Frank settled over Marietta. Members of the lynching party were temporarily sent out of town; organizers worked quietly behind



Postcard depicting the newly reorganized Knights of the Ku Klux Klan at Stone Mountain Park, Atlanta, Georgia, 1915

the scenes to quell any attempts at an investigation. In a closed door session, the prison commission absolved Milledgeville prison officials of any culpability. Seven members of the lynching party found seats on the coroner's inquest that convened one week after the hanging to further investigate the crime.

No one was ever connected to or charged with the murder of Leo Frank.

The Frank trial sensationalized the perils of factory life for women and children and advanced antisemitic sentiment among the working poor. Both courtroom testimony and the pages of the *Jeffersonian* contained stereotypes about Jews. Vitriolic attacks on the power of Jewish money, later espoused in the radio sermons of Father Charles Edward Coughlin and in the antisemitic writings of Henry Ford in his *Dearborn Independent*, were already being expressed in Atlanta in 1913.

Similarly, the trial exacerbated preexisting racial prejudices. The defense hoped that the jury would concur with its theory that, "...every southern man knows that Negroes can make up gruesome stories." The prosecution played upon the notion that any black man who could withstand being grilled in court by a white attorney without changing his story must surely be telling the truth. These prejudices, biases and misconceptions were at the core of the racial divide throughout the South.

The lynching of Leo Frank undermined the stability and security felt by Atlanta's

Jewish community since the first Jews settled in the city in 1845. Fear permeated the community. Discussion of the case became taboo and Jews stepped out of the limelight of public office and public affairs. For many, it was not until 1958, encouraged by the outpouring of support from the general populace in the wake of the bombing of The Temple, Atlanta's oldest Jewish congregation, that Jews once again began to feel a part of the community.

In 1982, the Frank case was back in the news with a startling revelation. A Nashville newspaper, the *Tennessean*, published a story quoting eighty-three year-old Alonzo Mann, Frank's former office boy, as having seen Jim Conley carrying the body of Mary Phagan into the lobby of the National Pencil Company. Mann, who was fourteen at the time, said Conley threatened to kill him if he revealed what he saw. Terrified, Mann had kept the secret for sixty-nine years.

The publication of this new information encouraged members of Atlanta's Jewish community to petition for a posthumous pardon for Frank. Attorneys Charles Wittenstein of the Anti-Defamation League and Dale Schwartz initiated the process, which finally ended in a diluted victory in 1986. The Board of Pardons and Paroles did not address the question of guilt or innocence; rather, a pardon was issued based on the State's failure to protect Frank from the hands of his lynchers.

Atlanta and the Leo Frank Case

Questions

1. What view of the South was drawn from the national press coverage of the Leo Frank Case?
2. How did Tom Watson continue to inflame racial and religious prejudices in Atlanta in the aftermath of the case?
3. How did the national Jewish community respond to such attacks on their co-religionists?
4. Who were Father Coughlin and Henry Ford?

How did they each become well known?

What kinds of ideas did they espouse?

Do some research to find out how they disseminated their ideas to the public.

5. How did this case affect the Jewish community in Atlanta?

What happened to some store owners in Marietta during the time of the trial?

What did some Jewish fathers do at the time of the trial and lynching to protect their wives and children?

Why did Jewish families who stayed in Atlanta often refuse to talk about the Leo Frank case?

At what point did Jews in Atlanta begin to feel as if they were part of the community again?

6. What happened in 1982 to bring the details of this case back into the journalistic limelight?

Summarize the story published in 1982 in the *Tennessean*.

How did Atlanta's Jewish community respond to this news?

What was the outcome of their efforts?

Activities

1. Interview Atlantans and ask them about any experiences they may have had with racial and religious prejudice.

How did they respond?

Did they look for support from others?

Were they successful?

Do they feel that Atlanta is different today? Explain.

2. What was the purpose of applying for a posthumous pardon for Leo Frank? Write an editorial in which you support or oppose the efforts to obtain such a pardon. Explain your position.
3. Write an essay in which you explain the role that Tom Watson played in the Leo Frank case.
4. Do some research to find out about other contributions Tom Watson made to the state and people of Georgia.
5. Do you think it is right to have Tom Watson's statue on display in front of the Georgia State Capitol? Explain your answer.

Profiles of the Protagonists after the Case

Jim Conley

During the Leo Frank trial, it was the testimony of the janitor, Jim Conley, which led to the conviction of Leo Frank. After the trial, he was sentenced to one year on a chain gang for his role as an accessory to the murder, specifically for carrying Mary's body to the basement.

After his release from the chain gang, little is known about the life of Conley, aside from his ongoing prison record. During a robbery attempt in 1919, Conley was shot and arrested. In this case, he was sentenced to serve in the state penitentiary for twenty years. Conley's brushes with the law continued upon his release from prison. He was arrested for gambling in 1941. Just six



Jim Conley in a 1913 photograph.

years later, in 1947, he was arrested for drunkenness. Jim Conley died in 1962. Between the end of the trial and Conley's death, no records of any comments about the case or the murder by Conley were ever disclosed.

For discussion:

1. Compare and contrast the character of Jim Conley as a witness in the Leo Frank trial and as a scofflaw in the years following the trial.
2. How would you describe the "real" Jim Conley?

Governor John Slaton

After his commutation of Leo Frank's sentence, from death by hanging to life imprisonment, John Slaton and his wife headed to California. His commutation resulted in the end of his political career. After a number of years, he returned to Atlanta and went back into the practice of law. He was honored by the Georgia Bar Association in 1928 by being elected unanimously as its president.

Unlike Jim Conley, records exist of Governor Slaton's retrospective view of the trial of Leo Frank. In an interview in 1953, Slaton revealed that Judge Roan had told him that if Hugh Dorsey had not been the prosecutor, and if the prosecutor who held office before him had still been in office at the time of the case, he would have determined that there was not enough evidence to bring Leo Frank to trial. Slaton also admitted that he had been told that Jim Conley's lawyers had believed that he, Conley, was guilty of Mary Phagan's murder. Governor Slaton asserted that information which had



Governor John Slaton

come to light since the trial proved that Leo Frank was innocent of the murder of Mary Phagan.

When Governor John Slaton died in 1955, he was honored by the State of Georgia, which ordered flags to be flown

at half staff. His eulogy in the *Atlanta Constitution* reflected on the injustice of John Slaton having to relinquish his political career to do what he believed was right.

For discussion:

1. How did John Slaton's training as an attorney contribute to the decisions he made as governor?
2. How did his legal colleagues treat Governor Slaton upon his return to Atlanta?
3. Did Governor Slaton's actions change the outcome of the case?
4. Were his actions worth the price he had to pay? Explain your answer.

Hugh Dorsey

Hugh Dorsey's legal success in the prosecution of Leo Frank afforded him great notoriety and public affection. He was viewed by the populace as a local hero. The publicity and good will provided the means for Dorsey to recognize his political ambitions. By 1916 the public was clamoring for Dorsey to enter the race for Georgia governor. Dorsey won the office by an overwhelming majority and used this mandate to keep the office until 1921.

Shortly before he left the governor's office, Dorsey entered a primary to become a United States Senator from Georgia. Ironically, he was defeated for that position by Tom Watson. Dorsey re-entered political life in later years, serving as Judge of Atlanta's City Court and later as Judge of Fulton County Superior Court. Hugh Dorsey died in 1949.



Hugh Dorsey, the prosecutor.

For discussion:

1. Why was Hugh Dorsey viewed by Georgians as a hero?
2. Explain how the Leo Frank trial helped Hugh Dorsey attain his political goals.

Tom Watson

Tom Watson used his political and editorial influence to affect the outcome of the Leo Frank case. His words stirred up the local population. His influence could also be seen in the political sphere. Tom Watson supported the candidacy of Hugh Dorsey in 1916, as well as the candidacies of a number of other individuals. All of them were victorious. During the First World War, Watson had used his paper, the *Jeffersonian*, to attack the policies of President Woodrow Wilson and his decision to enter the war. For a time, Watson had to suspend printing of the paper when the federal government determined that articles printed in the *Jeffersonian* had violated the Espionage Act.

In 1918 Watson attempted to achieve his personal political aspirations. He ran for Congress in that year but went down to defeat by a small number of votes. His opponent was Carl Vinson, who had supported Wilson and the participation of the United States in the war. State officials rejected Watson's pleas for a review of the election results.

Watson continued to criticize the administration in Washington. By war's end, the tide of public opinion in Georgia

was changing. His criticisms were now welcomed by Georgians. Watson was hopeful that this change in attitudes would help him attain political office. He entered the presidential primary race in 1920 and won the popular vote but could not control the votes of the delegates to the national convention where the nomination went to A. Mitchell Palmer. Undeterred, Watson next entered the race for the U.S. Senate and this time was victorious. Tom Watson's political career ended abruptly, shortly after he took office, with his death on September 26, 1922. At his funeral, it is reported that an eight foot cross of flowers, sent by the Ku Klux Klan, was on display.



Tom Watson, newspaper editor and politician.

For discussion:

1. How did Tom Watson use the press to influence public opinion?
2. Discuss World War I and how Watson's political critiques and efforts reflect that time in history.
3. What is the Ku Klux Klan? Why would they have sent a floral arrangement to the funeral of Tom Watson?

William Smith

When Leo Frank's attorneys filed their motion for a new trial in April 1914, William Smith submitted an affidavit in support of the motion. In his affidavit, he declared that he had overheard a conversation between Hugh Dorsey and the doctor who had examined the hair found in the metal room of the National Pencil Company. The doctor told Hugh Dorsey that the hair did not belong to Mary Phagan. This information was never disclosed at the trial.

Then, for three months in 1914 William Smith conducted his own detailed investigation of the murder, visiting the scene of the crime and analyzing the contents of the notes found near Mary Phagan's body. William Smith concluded that Leo Frank could not have committed the crime. Based on his investigation, he concluded that Jim Conley was, in fact, the real murderer. When William Smith made his beliefs

known, the public was so outraged that he had to close down his legal practice and move his family out of Atlanta.

At the age of 79, on the verge of death, William Smith wrote and signed the following statement: "I believe in the innocence and good character of Leo M. Frank."

For discussion:

1. Why, by 1914, might William Smith have been willing to come forward with the information about the hair found near the metal room?
2. Why do you think William Smith was willing to take the risk of making his beliefs public?
3. Why do people put a great deal of credence into deathbed statements? How do you respond to the statement of William Smith?



William Smith, Jim Conley's lawyer.

William J. Burns

Through his work on the Leo Frank Case as well as other high profile cases, William J. Burns developed a reputation throughout the country. Burns often sought publicity for his work and was written about in newspapers and gossip columns. He wrote stories about the cases on which he worked and had them published in detective magazines.

Burns was appointed as Director of the Federal Bureau of Investigation on August 22, 1921. He had both the qualifications and public stature for this position. His friendship with President Warren Harding's Attorney General was also a factor in his selection for this appointment. During the three year tenure of William Burns as head of the agency, the staff of the FBI was reduced by almost half. Burns resigned from his position at the agency in 1924 at the request of the new Attorney General, Harlan Fiske Stone, because of his involvement in the Teapot Dome Scandal, an illegal operation in which federal oil reserve lands were leased to private businesses.



William J. Burns, private investigator for the defense.

After his departure from the FBI, William Burns retired in Sarasota, Florida. He continued to write stories about his past exploits and detective work. He died in Sarasota in April of 1932.

For discussion:

1. How did his work on the Leo Frank case contribute to the career of William J. Burns?
2. Do you think William Burns was helped or hurt by the publicity he sought? Explain your answer.

Phagan Trial Will Be Great Legal Debates Notes Found

Wails with wife in tower for news from courtroom; Friends tell him verdict; Frank lynched after 100-mile ride; His face mutilated by second mob; Governor promises prompt action; Beside dead girl were not dictated by Frank

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Jugular Vein Severed Partially, Has Slight Chance For Recovery

"I'VE TOLD THE WHOLE TRUTH" SAYS PRISONER CONSIDERING DRAMATIC STORY TO THE JURY

Friends Tell Frank in Tower of Jury's Verdict of Guilty; Prisoner Cheers Weeping Wife
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Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

The Ballad of Leo Frank

Adapted from *Us and Them*, published by *Teaching Tolerance*, A project of the Southern Poverty Law Center

Early on the Sunday morning of April 27, 1913, the night watchman at the National Pencil Company discovered the soot covered body of a teenage girl in the basement coal bin. Her body was so blackened by coal that the police did not at first identify her as white. Prior to her murder, Mary Phagan worked at the factory for 10 hours a day. For 12 cents an hour she attached erasers to pencils. She worked at a time when factory working conditions were dangerous and crime was running rampant in America's growing cities. Resentment grew on the part of working families, who had been uprooted from Georgia's farms. Economic hardships forced many families to send women and children to work. Many factory owners and supervisors were outsiders, typically from the North. Leo Frank, Mary's boss at the National Pencil Company, was both a Yankee and a Jew. Northerners and Jews were perceived as engaged in economically exploiting white southern Protestants.

The police quickly arrested several suspects in the murder: Newt Lee, the African American nightwatchman, Jim Conley, a sweeper at the factory, also African American, and Leo Frank, the white, Jewish factory superintendent. Police said that they had found bloodstains and hair near Frank's office. As questioning of these three suspects proceeded, this sensational murder story evoked gossip and mistruths, false claims and sensationalism in the press.

A conviction in this case was important to both the police and Atlanta's prosecuting attorney, Hugh Dorsey. Dorsey was politically ambitious and had recently lost two important cases. This was an opportunity for him to redeem himself. The police needed to restore public trust after the Atlanta Race Riot of 1906 and accusations of police brutality and horrible prison conditions.

As questioning continued, the police began to focus on Leo Frank and Jim Conley. A witness had reported seeing Conley laundering a bloody shirt shortly after the murder, but the police never tested Conley's shirt. And then the focus narrowed to Leo Frank. An explanation for this focus on Frank might be evident in a statement by the minister of Mary Phagan's Baptist church. He commented, "*This one old Negro would be poor atonement for the life of this innocent girl.*" Leo Frank would be viewed as a more worthy subject to be found guilty of the murder.

At pre-trial hearings, no one contradicted Leo Frank's account of his actions on the day of the murder. But, the prosecution brought forth witness after witness to cast doubt on Leo Frank's good character. Frank was accused of being a sexual deviant and even a Catholic. Also before the trial, the prosecution released three sworn statements by Jim Conley. Each of Conley's stories was different from the others. By the third statement, however, Conley settled in on a story which described Leo Frank requesting his help with a girl who had fallen in the workroom. Conley stated that the girl was dead and that Frank helped him carry the body to the basement of the factory using the elevator. Conley accompanied Dorsey to the factory to reenact the events he had recounted. Hugh Dorsey was able to convince the Grand Jury to indict Leo Frank.

The trial of Leo Frank began on July 28, 1913 and lasted four weeks. The summer weather was exceedingly hot and tensions grew both in the courtroom and among the crowds who had gathered outside to follow the proceedings. The case against Leo Frank was dependent primarily on the testimony of Jim Conley. Conley arrived in court dressed in a new suit, clean shaven and with a fresh haircut. He told numerous stories of Frank's

sex life and how his exploits led to the murder of Mary Phagan. His testimony was consistent and compelling and no matter how hard they tried, the defense team could not get Conley's accounts to erode. Regarding Frank's character, they called mostly Northern and in some cases, Jewish, witnesses to attest to Frank's good name. These witnesses were not looked upon favorably by the southern jury. At the end of the trial, Leo Frank took the stand in his own defense. Some of the local press found his statements convincing and supported a verdict of not guilty. Hugh Dorsey used his final argument to create a different outcome.

In his closing argument on Saturday, August 23rd, Dorsey attempted to show his open mindedness by praising well known Jews. But then he listed a litany of Jewish criminals. He said that the Jews, "*rise to the heights of the sublime, but they also sink to the lowest depths of degradation.*" Dorsey's speech went on for hours. As it got later and later and amidst concerns about violence on the street, Judge Roan halted Dorsey in mid-argument and scheduled court to resume on Monday morning. On August 25th, 1914, Dorsey spent an additional three hours on his closing argument, ending with the statement that the jury must find Leo Frank "*guilty!*" One hour and forty five minutes later the jury returned with just such a verdict.

The next day, Judge Roan ordered Leo Frank to hang for his crime. Crowds celebrated in the streets of Atlanta. Press around the country called for a retrial and Frank's defense team began a series of appeals, all of which would prove unsuccessful.

Tom Watson, in his two journals, *Watson's Magazine* and the *Jeffersonian*, used this case to rile up intense feelings of antisemitism, racism and class rivalries. The majority of Atlanta's citizens felt the verdict was justified.

Watson asserted that it was Jewish money which was being used to try to override the justice system. Watson even intimidated that if Frank's sentence were commuted, citizens might be driven to lynch him to carry out the sentence.

Pressure mounted, however, for Governor John Slaton to commute Frank's death sentence. Jim Conley's lawyer announced that his client was, in fact, the murderer. Letters from governors demanding commutation arrived from around the country. Six state legislatures passed resolutions on behalf of Leo Frank. Letters poured in, mass meetings were held across the country and support for Leo Frank was demonstrated in numerous venues.

John Slaton, one of the most popular governors of Georgia, had the opportunity to pass along the request for commutation to his successor. Slaton chose, instead, to take upon himself the responsibility for what would be a choice which would affect his future as well as the future of Leo Frank. Slaton commuted Frank's sentence and ordered the sheriff to transfer Leo Frank to the state prison farm in Milledgeville. Slaton's decision evoked death threats, scathing newspaper editorials and an end to a promising political career. A mob stormed the governor's mansion, throwing rocks and bottles. Slaton left the state on an extended trip. In Marietta, Georgia, Jewish business owners were threatened if they did not leave.

In Milledgeville, a prisoner slashed Leo Frank's throat. Frank survived the attack, but just a month later was roused by 25 prominent Marietta citizens, abducted and driven to an oak tree in Frey's Gin in Marietta. The lynch mob told Frank that it was their task to carry out the sentence against him. They placed the noose around his neck and hanged him. That morning, crowds gathered to witness Frank's body swinging from the rope. Photographs were taken to commemorate the occasion and pieces of the rope and Leo Frank's nightshirt were cut and taken as souvenirs of the event.

DISCUSSION QUESTIONS: THE BALLAD OF LEO FRANK

1. What conditions contributed to a general mood of intolerance toward Jews in Atlanta at the time of Leo Frank's arrest? (*Drought and the boll weevil had crippled Georgia's cotton crop, causing depressed economic conditions. Low wages and the high cost of living in the city made it necessary for women and children to work long hours in bad conditions in factories. Many families in Atlanta lived in overcrowded and unsanitary slum apartments. Jews were viewed as wealthy outsiders who controlled the economy.*)
2. How did personal ambitions influence the way the prosecuting attorney and the Atlanta Police Department handled the murder of Mary Phagan? (*District Attorney Hugh Dorsey had recently lost two murder cases. He wanted to use his position as District Attorney as a stepping stone to a national political career. Convicting a wealthy Jewish man could win him great popularity. The Atlanta Police faced social unrest and needed a quick conviction in order to preserve the public trust.*)
3. What do you think the minister at Mary's church meant when he said, "This one old Negro would be poor atonement for the life of this innocent girl?" (*Possible responses: He felt the life of a black person was not equal to the life of a white person; also, blaming Leo Frank was a way of making Jewish people pay for what was perceived as their economic exploitation of other groups.*)
4. How did newspapers affect the outcome of Leo Frank's trial? How does media coverage of the Frank trial compare with coverage of sensational murder cases today? (*Sensational news stories whetted the public's appetite for vengeance and put strong pressure on the jury to convict Frank. Answers to the second questions will vary.*)
5. Why was Leo Frank lynched after his guilt in the murder of Mary Phagan became questionable and the governor had granted him clemency? (*Neither the evidence in the case nor the governor's pardon could subdue the community's hatred of Leo Frank.*)
6. Why do we often look for scapegoats when something goes wrong? How does prejudice contribute to scapegoating? (*Laying blame gives us the illusion of putting our world back in order. Also, it can relieve our guilt, explain the unexplainable and provide an outlet for our anger. Our prejudices help us rationalize our choice of victims.*)

WRITING ASSIGNMENTS: THE BALLAD OF LEO FRANK

1. You are an editor of the *Atlanta Journal* or the *Atlanta Constitution* in 1915, when Leo Frank is lynched. Write an editorial explaining how intolerance led to the murder of an innocent man. How do you explain the behavior of the people who cut off pieces of the rope and Frank's nightshirt as souvenirs?
2. A ballad is a song or poem in which a tragic narrative is graphically recounted. Write a "Ballad of Leo Frank" in which you retell this story in verse form with a refrain (repeating chorus). Choose an existing ballad melody or compose your own tune.
3. Have you ever been singled out as a scapegoat? Have you ever participated in scapegoating someone else? Write a short paper describing either situation. How did you feel at the time of the incident? How did you feel later?

At Issue: SCAPEGOATS

In an old Jewish ritual, the high priest chose one goat each year – the scapegoat – to represent the sins of the whole nation. After a confession ceremony, the priest let the goat escape to carry the sins away.

Whenever something goes wrong around us, it is part of our human nature to look for someone to blame – to find a scapegoat. Sometimes we point at others to keep from being blamed ourselves. Usually, though, we just choose an easy target – someone we don't like much anyway, or someone it's easy to imagine doing wrong. If the wrong is big enough, we might look for a scapegoat big enough to properly pay for it.

For the white, Christian majority of Atlanta in 1913, the murder of Mary Phagan confirmed the worst fears about a rapidly changing world. In Leo Frank, a northern Jew, the community found a symbol for the factory system that was draining the life out of young girls. To many people, it didn't matter that Frank might be innocent. What mattered were his position and his background and what they stood for in the public mind.

Laying blame gives us the illusion of putting our world back in order. It can also relieve our own guilt, explain the inexplicable and provide an outlet for anger. But each time we lay blame mistakenly, we only demean ourselves and put off addressing the real problem.

The Ballad of Mary Phagan

by FIDDLIN' JOHN CARSON

Little Mary Phagan went to town one day,
And went to the pencil factory to see the big parade.
She left home at eleven,
And kissed her mother goodbye,
Not one time did the poor child think that she was going to die.

Leo Frank met her, with a brutal heart we know,
He smiled and said,
"Little Mary, Now you will go home no more."
He sneaked along behind her,
Till she reached the metal room,
He laughed and said,
"Little Mary, you have met your fatal doom."

She fell upon her knees, and to Leo Frank she pled,
He took this stick from the trash pile
And hit her across the head.
The tears rolled down her rosy cheeks,
While the blood flowed down her back,
But still she remembered telling her mother
What time she would be back.

He killed little Mary Phagan-- --it was on a holiday--
And he called on Jim Conley to take her body away.
He took her to the basement,
She was bound hand and feet,
And down in the basement little Mary lay asleep.

Newt Lee was the watchman-- when he went to wind his key,
Down in the basement, little Mary could he see.
He called for the officers-- their names I do not know.
They came to the pencil factory
Says, "Newt Lee, you must go."

They took him to the jailhouse,
They locked him in a cell,
But the poor innocent Negro
Knew nothing for to tell.

I have a notion in my head that when Frank comes to die,
And stands the examination in the courthouse in the skies,
He will be astonished at the questions
The angels are going to say
Of how he killed little Mary on one holiday.

Come all you good people wherever you may be,
And supposing little Mary belonged to you or me.
Her mother sat a weeping--she weeps and mourns all day--
She prays to meet her darling in a better world some day.

Little Mary is in Heaven, while Leo Frank is in jail,
Waiting for the day to come when he can tell his tale.
Judge Roan passed the sentence
And you bet he passed it well;
Solicitor Hugh M. Dorsey sent Leo Frank to hell.
Now, God Bless her mother.

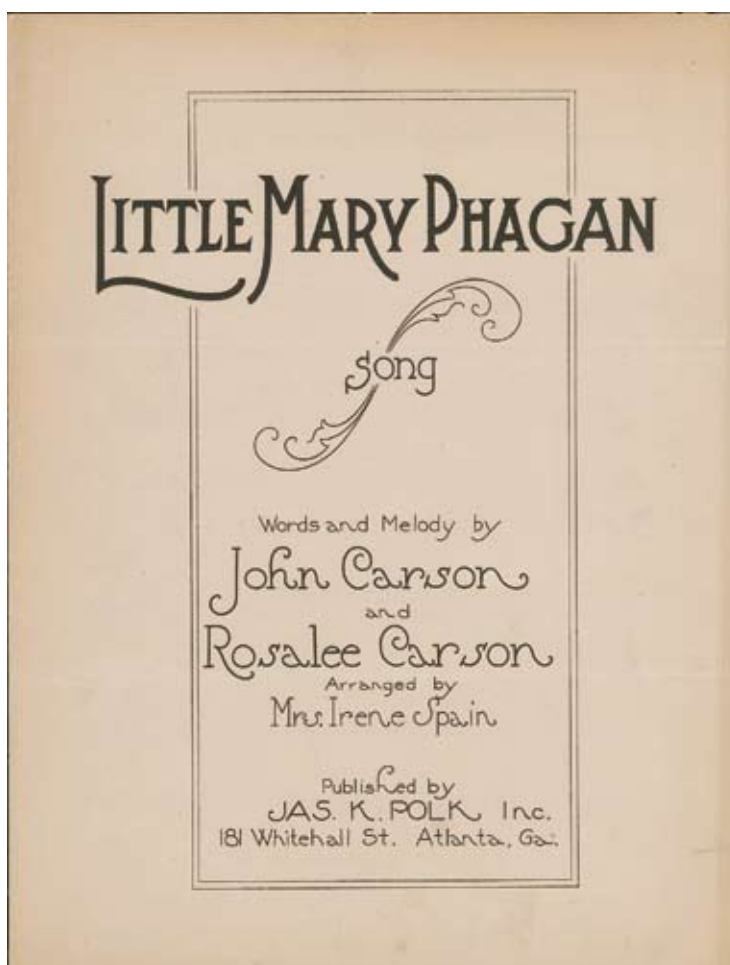
Fiddlin' John Carson

The story of the birth of Fiddlin' John Carson is the beginning of the myth of the man and his times. Stories told by the musician recount his date of birth as March 23, 1868 in a rural section of North Georgia, Blue Ridge. The facts set his actual date of birth in March of 1874 in Smyrna, Georgia, a suburb of Atlanta. It is believed that Carson changed the real story to create a sense that he was like his followers – rural, older and forced from his agrarian life into the difficult life of the city.

As a young man, John Carson moved to Marietta, Georgia, where he pursued a number of occupations. He worked on a farm, for the railroad, at a still where he manufactured moonshine, as a house painter and a horse jockey. By 1913, he began to display his musical talent and competed in various conventions for fiddlers as well as at political meetings and other public events. Carson was a savvy self promoter and understood that his image was as important as his musical talent. He developed a patter which included stories of his economic travails as a farmer, his experiences making moonshine and the time he allegedly spent as a prisoner in jail. To further his image, he sometimes brought his hound dog to his concerts, encouraging it to howl along with his musical accompaniment.

Fiddlin' John Carson became a household name during the trial of Leo Frank in 1913. His ballad, "*Little Mary Phagan*" could be heard on the streets of Atlanta during and after the trial. In the lyrics, Carson portrayed Mary Phagan as an innocent young girl, devoted to her mother, defiled and murdered by the cruel, vicious Leo Frank. The song reflected the views of much of the populace of Atlanta and became the vehicle through which Carson would become famous.

From that point on, Carson's musical career blossomed. He lobbied the local radio station, WSB, for an opportunity to play his music on the radio. He



Sheet music and player piano reel of the Ballad of Mary Phagan, c.1925.

succeeded in becoming a regular performer on the station and developed a following in Atlanta and other cities where his broadcast could be heard. This led to a recording contract for Carson. Sales of his records far exceeded the expectations of the recording company and led to a successful musical career for Carson.

Carson's daughter, Rosa Lee, took the opportunity to perform with her father. She used the stage name, Moonshine Kate, and was one of the first female country music performers. In 1925 she made a recording of "*Little Mary Phagan*." In the same year, her father,

Fiddlin' John Carson, recorded another song about the Leo Frank case, "*The Grave of Little Mary Phagan*." Public sentiment about Leo Frank and the murder of the young, innocent factory girl provided the fodder for Carson to further his career.

Before Carson's death in December of 1949, he worked as an elevator operator at the State Capitol of Georgia. This job was a reward for the many political events at which he had performed. Fiddlin' John Carson was inducted into the Georgia Music Hall of Fame in 1984.

The Ballad of Mary Phagan

Questions and Activities

1. What is a ballad?

What is its purpose?

How does *The Ballad of Mary Phagan* fit the definition of a ballad?

2. Why do you suppose the song became so popular among the population of Atlanta? How did the ballad provide an alternative to the written word?

Why might this have been an important way to tell the story of the Leo Frank case?

3. Identify words of bias in the lyrics of the ballad.

What adjectives are used to describe Mary Phagan?

What response is the writer hoping to evoke from the use of these words?

What adjectives are used to describe Leo Frank?

What response is the writer hoping to evoke from these words?

4. Create a timeline of the case from the words of the ballad. How does the progression of events in the song compare with the actual timeline of the case?

5. What events in the song are imagined by the writer?

Why do you think he includes these events in his song?

6. Why do you think Fiddlin' John Carson wrote this song?

What did he know about his potential audience before he wrote the lyrics?

7. Using information from your research, write a ballad about one of the other characters in the case. Use facts as well as imagined events to tell the story. Remember to abide by the characteristics of ballads.

8. List the events recounted in the ballad and based on your research, mark whether they are based in fact, hearsay or are completely imagined by the writer.

9. Using the accompanying biography, give other examples of how Fiddlin' John Carson understood his audience and how he appealed to their beliefs, concerns and experiences.

Phagan Trial Will Be Great Legal Debates Notes Found

Wails with wife in tower for news from courtroom; Friends tell him verdict; Frank lynched after 100-mile ride; His face mutilated by second mob; Governor promises prompt action; Beside dead girl were not dictated by Frank

MOB TAKES FRANK FROM JAIL

OVER 100,000 THE ATLANTA GEORGIAN. HOME EDITION. Prisoner Rushed

SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused; MARY PHAGAN MURDERED WITHIN HOUR AFTER BORN; FRANK AND LEE ORDERED HELD BY CORONER'S JURY FOR MARY PHAGAN MURDER

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION; WOMAN ADMITS SHE LIED ABOUT FRANK; FRANK CONVICTED, ASSERTS INNOCENCE; MOB STORMS SLATON

LEO FRANK'S THROAT CUT BY STATE FARM PRISONER

CONLEY'S LAWYER; ALL PROVE FRANK INNOCENT; JUGULAR VEIN SEVERED PARTIALLY, HAS SLIGHT CHANCE FOR RECOVERY

ALL PROVE FRANK INNOCENT

Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

Friends Tell Frank in Tower of Jury's Verdict of Guilty; Prisoner Cheers Weeping Wife

Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

The study of the Leo Frank Case can be successfully integrated into existing history courses in the Georgia social studies curriculum. This section of the teacher guide presents topics and methodological approaches for incorporating the study of the Leo Frank Case into courses in American History. A thorough study of the events of the case and its aftermath is a prerequisite to the students' ability to apply these facts to the themes listed in this section.

Segregation

Segregation is defined as *the policy or practice of separating people of different races, classes, or ethnic groups, as in schools, housing, and public or commercial facilities, especially as a form of discrimination*. Segregation, as well as slavery, was an integral part of the antebellum South. By the end of the Civil War, on December 6, 1865, the Thirteenth Amendment to the U.S. Constitution was passed, effectively abolishing slavery in the United States. Segregation, however, was still legal.

In an effort to continue to keep the races apart and prevent African Americans from achieving equal status with white Americans, the Jim Crow laws were created. These laws, directly or indirectly, led to strict separation of the races. Jim Crow laws were enacted by local and state governments beginning in 1876, after Reconstruction. After the Civil War, segregation continued in much of the United States either as *de jure* segregation, segregation mandated by law, or *de facto* segregation, segregation existing in practice.

The first major test of the legality of segregation in the United States came



Ticket to segregated theatre

with the case of *Plessy v. Ferguson*. This landmark case, brought to the United States Supreme Court in 1896, affirmed the constitutionality of segregation under the doctrine of “separate but equal”. In the South, in particular, one could find separate facilities for the races in settings like schools, railroads, bus waiting areas and restrooms. In reality, many of these facilities, although separate, were not equal. The doctrine of separate but equal was finally struck down in the 1954 Supreme Court decision, *Brown v. Board of Education*. By the 1960s, with the passage of the Civil Rights Laws, *de jure* segregation was eliminated from American life.



Rich's Department Store, Atlanta, 1925

For research and discussion:

1. How did segregation of bathroom facilities at the National Pencil Company play a role in determining the veracity of Jim Conley's testimony regarding where in the factory the murder was committed and what he said he did with Mary Phagan's body?

2. Using the website listed below, research the history of Rich's Department Store, which opened for business in Atlanta in 1864. <http://www.newgeorgiaencyclopedia.org/nge/Article.jsp?id=h-1888>

Who were the founders of the store and where were they from?

How did the owners of Rich's deal with their customers who were suffering from the dramatic drop in cotton prices in 1914?

What role did Rich's later play in the desegregation of Atlanta?

3. Describe the composition of the jury in the Leo Frank Case. How did the composition of the jury reflect the demographics of the city of Atlanta?

4. Read on the following page about the motion for a new trial and the accusations against two members of the jury in the Leo Frank Case.

In the early fall of 1913, Leo Frank's lawyers requested a hearing and set forth 115 arguments as to why Leo Frank should be granted a new trial. Among those 115 arguments was the allegation that the jury, and in particular, two members of the jury, were biased against Leo Frank before the court case actually began. The motion, written by Leo Frank's lawyers, stated, "Johanning had a fixed opinion that the defendant was guilty prior to, and at the time he was taken on the jury and was not an impartial juror." Regarding Henslee they wrote, "Henslee was prejudiced against the defendant when he was selected as a juror, had previously thereto formed and expressed a decided opinion as to the guilt of the defendant and in favor of the state." These allegations were reflected in the headline of the Atlanta newspaper, the *Journal*: "Jurors Johanning and Henslee Both Attacked, They Are Alleged to Have Gone on the Jury Prejudiced."

To prove the bias of the jurors, the lawyers had collected numerous affidavits from people all over Georgia who swore that they had heard comments regarding Leo Frank's guilt from each of the jurors prior to the trial. Johanning had visited a co-worker and his family in May. They quoted Johanning as saying, "I know that he's guilty." Witnesses at the Elks Club in Atlanta remembered Henslee saying, "I am glad they indicted the God damn Jew. They ought to take him out and lynch him, and if I get on that jury I'll hang that Jew, sure." Farther away, in Albany, Georgia, a witness stated that before the trial, he heard Henslee say, "I believe Frank is guilty."

The newspaper, the *Georgian*, quoted Leo Frank's lawyer, Reuben Arnold, declaring, "Henslee's prejudice and that of Johanning alone constitute a situation that is sufficient to form a basis for a new trial. It is unthinkable that a man should be sentenced to death when two of the men were violently biased against him before a word of evidence was heard." Arnold also told the newspaper that he and Leo Frank's other lawyers had obtained affidavits from other witnesses who also heard Henslee express his certainty of Leo Frank's guilt before the start of the trial. In addition, they had



View of the all-male and all-white jury, reprinted in the Motion for a New Trial, 1913.

collected evidence of threats against the jurors if they would have found Leo Frank not guilty.

In response to the charges of bias against members of the jury, Hugh Dorsey, the Solicitor General, rejected the claims of Leo Frank's lawyers. He asserted that even if what the witnesses had said about Henslee were true, Henslee was merely expressing his personal opinion about the case and like any other citizen, had a right to do just that.

After much deliberation, Judge Roan denied the request for a new trial. He said, "Gentlemen, I have thought about this case more than any other I have ever tried. I am not certain of this man's guilt. With all the thought I have put on this case, I am not thoroughly convinced that Frank is guilty or innocent." But Judge Roan did not think that his own uncertainty was the issue here. "But I do not have to be convinced. The jury was convinced. There is no room to doubt that. I feel it is my duty to order that the motion for a new trial be overruled."

For discussion:

1. Do you believe the jurors were prejudiced by the pre-trial publicity? Explain.
2. Did the jurors have a right to have an opinion about the case before they heard the evidence?
3. Do you believe Judge Roan ruled correctly on the motion for a new trial? Why or why not?

Child Labor

The Industrial Revolution produced many changes in American life. Where work done by hand had been the norm, now machines manufactured the same goods more quickly and cheaply. Factories were built to mass produce these items. Workers did not need specialized skills or significant strength to operate the machines in these factories. A child labor force could do the same work as adults, for less pay. By the middle of the 19th century, child labor was commonplace in the industrialized cities of America.

Before the growth of factories, children in America had toiled on farms with their families. As rural families moved to the cities, children from these poor families now found work in factories. The working conditions there were particularly terrible. Many children, some as young as 7 or 8, worked for 12 to 18 hours per day, six days per week. Pay was meager. Factories were often dark, dirty and dangerous. The long hours made it impossible for working children to attend school.

Child labor in the United States continued throughout the 19th century. Some efforts were made to outlaw child labor. In 1813, Connecticut passed a law requiring working children to have some schooling. By the close of the 19th century, in 1899, 28 states had passed laws to regulate child labor. Georgia was not one of those states. In 1910, less than one half of white school age children in Atlanta were enrolled in the city's public schools.

In an effort to regulate child labor in America, Congress passed laws in 1918 and 1922. Both laws were struck down by the Supreme Court, which ruled both laws unconstitutional. Finally the Fair Labor Standards Act was passed in 1938. This law set a minimum age of 16 for workers employed during regular school hours and 14 for some after school

jobs. Workers had to be at least 18 to be employed in certain jobs considered dangerous. These protections still apply to most American children but do not apply to children of non-citizens or to children in other countries. There are still cases of abuses of child labor in the world today.



Force working in West Point (Miss.) Cotton Mills, May, 1911: Lewis Wickes Hine, 1874-1940, photographer. Library of Congress Prints and Photographs Division, Washington, D.C. 20540

Child Labor

Questions

1. School attendance in Georgia did not become compulsory until 1916, three years after the murder of Mary Phagan. Laws enacted at that time required children ages 6 to 16 to attend school. When was Mary Phagan murdered?

How did lack of compulsory school attendance at the time of the Leo Frank Case have an effect on the type of workers employed by The National Pencil Company?

2. At the time of the Leo Frank Case, Georgia did not require school attendance although other states had already enacted laws regarding compulsory school attendance.

How did the antebellum agricultural economy of the South play a role in delaying Georgia's adoption of these laws?

How did the slow industrialization of the South and the collapse of the price of cotton contribute to the growth of the child labor force in Georgia?

Why did some Georgia families send their young daughters to work?

How might Georgia parents have felt about sending their daughters to work? Towards whom might they have directed these feelings? Why?

Activities

1. Create an editorial cartoon in which you condemn the abuses of child labor.
2. Write an editorial in which you give reasons for extending compulsory schooling in Georgia to the age of 16.
3. Research the use and abuse of child labor today using the following website: <http://www.hrw.org/children/labor.htm> Write a report in which you give examples of types of child labor found in the world today. In conclusion, read about the foundation principles of the universal rights of children from the Convention on the Rights of the Child: http://www.unicef.org/why/why_rights.html List and explain the fundamental rights of children as identified in this document.

Religious Bias and Incendiary Language

James Oglethorpe founded the colony of Georgia in 1733. His objective was to establish a place for British debtors and in doing so, create a buffer between British Carolina to the north and Catholic Spanish Florida to the south. The colony also was to provide a sanctuary for the religiously oppressed in Europe. Groups such as the Lutheran Salzburgers and Jews were invited to immigrate to the colony. From its inception in 1733, however, the colony of Georgia was not open to “Papists”, Catholics. King George made specific reference to the exclusion of Catholics in the charter for the Georgia colony: “...All such persons except Papists [Catholics] shall have a free exercise of their religion so [long as] they be contented with the quiet and peaceable enjoyment of the same not giving offense or scandal to the government.” In the 1750s, when Georgia became a royal colony, Catholics were still banned. It was not until after the American Revolution that Catholics were free to come to Georgia.

Anti Catholic sentiments emerged again in Georgia in the late 1800s with the involvement of some Georgia Catholic politicians in the corrupt practices of the state Democratic Party. The American Protective Association, an anti Catholic group from the Midwest, came to Georgia to publicize what it identified as the dangers of Catholic influence. This group ultimately caused the demise of the Catholic public school systems in Macon and Augusta. The American Protective Association also stirred up anti-Catholic prejudice and resentment among Georgians.

In 1908, Tom Watson used his publication, the *Jeffersonian Magazine* to print his bitter anti-Catholic writings. His negative references to all Catholics, and descriptions of Catholic priests as “foreign foes” tapped into the religious prejudices of Atlantans. Over time, his allegations against Catholics grew increasingly obscene, so much so that the federal government accused



Gen. James E. Oglethorpe, founder of the colony of Georgia

Watson of publishing pornographic material. In spite of the accusations, Watson had achieved his goal, to stir up anti -Catholic prejudices amongst his constituency.

Tom Watson also used his publications to express his opinions regarding the murder of Mary Phagan. His journalistic criticisms of Leo Frank and the power of Jewish and northern influences in Georgia had a huge impact on public sentiment, turning it against Frank, who was ultimately lynched by a mob of prominent Georgia citizens in 1915. Tom Watson’s attacks on Jews became more frequent and virulent during the trial and its aftermath. They served to further inflame the local population. “Let the war begin,” was how Watson initiated his attacks on Leo Frank individually, and Northern Jews, collectively. Watson wrote, “Frank belonged to the Jewish aristocracy, and it was determined by the rich Jews that no aristocrat of their race should die for the death of a working-class gentile.” During the trial and appeals of Leo Frank, the readership of the *Jeffersonian* grew from 25,000 to almost 90,000.



Tom Watson, ca. 1900

By the time Governor John Slaton of Georgia commuted the sentence of Leo Frank to life in prison, Tom Watson had made his intentions clear. His articles hinted about the possibility of local Georgians taking “justice” into their own hands. “The next Jew who does what Frank did, is going to get exactly the same thing that we give to Negro rapists,” he wrote. “The next Leo Frank case in Georgia will never reach the courthouse.” “Now let outsiders attend to their own business, AND LEAVE OURS ALONE.”

In 1915, Leo Frank was lynched and the Ku Klux Klan was reactivated in Georgia. The primary targets of this newly reorganized Klan were African Americans, Jews, and Catholics. Tom Watson had successfully used the power of words to encourage religious, racial and sectional biases in the people of Atlanta.

Religious Bias and Incendiary Language

Questions

1. What does it mean to be a “Papist”?

What fears did non-Catholic citizens have about Catholics?

Explain how those fears might have played a role in the political campaigns of Al Smith and John F. Kennedy.

How have religious biases played a role in the War on Terror?

2. What recourse did victims of religious bias have in 1915?

When were the civil rights laws passed in this country?

How do the civil rights laws protect all of America’s citizens?

3. What were the goals of the Ku Klux Klan?

Which religious and ethnic groups did it target?

Describe the rebirth of the KKK after the Leo Frank Case.

How did the Klan use terror to achieve its goals?

Are there limits on our freedoms of speech and assembly?

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Barretts Bald Mountain House brochure, Old Forge, NY, ca.1930. Courtesy of The Adirondack Museum, Blue Mountain Lake, New York, ca. 1930



The Jeffersonian, April 9, 1914

Women's Suffrage

Suffrage is defined as the right or chance to express an opinion or participate in a decision. In 1913, American women did not have the right of suffrage, the right to vote. Many believed that it was the role of men to represent the political views of the family. But others believed that women had a right to vote. In the mid 1800s, before the Civil War, the American Women's Suffrage Movement had already begun. Leaders like Elizabeth Cady Stanton and Susan B. Anthony risked arrest and imprisonment to bring their case for the right of women to vote to the public. Their battle for equal political rights for women in America lasted almost 70 years. By the beginning of the 1900s, a number of states gave women the right to vote. It was the 19th Amendment, ratified by Congress in 1920, that finally granted suffrage to all American women.

By the late 1800s, the economy of the South shifted from the farm to manufacturing, from rural to city life. And as the post Civil War economy of the South became more reliant on industry, the balance of power between men and women began to shift. Southern white women and young girls, who had customarily worked alongside men on farms, now had to find employment in the new factories being established in the cities. Fathers and husbands who had viewed their roles as breadwinners and protectors of the family were now in a situation where they no longer had complete control over their wives and daughters. They saw the factory as a place where the innocence of women was at risk. Supervisors and those in authority in the factories, especially those from the North, were considered a particular danger. The press used the Leo Frank case as an opportunity to dramatize the dangers faced by women and girls in the workforce.

It was in this context that Leo Frank became, in the words of historian John Higham, "a symbol of the northern capitalist exploiting southern



Elizabeth Cady Stanton



Susan B. Anthony

womanhood." Mary Phagan's murder in the factory, where she was easy prey for a male perpetrator, naturally became a prime example of the evil to which southern women were vulnerable when not under the care and protection of southern men. A friend of Mary's, 15 year old George Epps, testified that Mary had requested that he come to the National Pencil Company at the end of the day to escort her home. He viewed his role as being there to "protect" Mary from her deceitful supervisor, Leo Frank.

Legal, social and economic inequality for women supported views of women as weak and in need of protection. Economic factors propelled women into the workforce, however, so that many were no longer sheltered in the protected environment of the home. Factory bosses, particularly if they were northern or "foreign," were viewed as dangerous and even predatory. The presence of women and young girls in the workforce reinforced this idea of women's vulnerability. The murder of Mary Phagan, then, clearly demonstrated what could happen to a young woman in a dangerous situation, unprotected by her husband or father.

Women's Suffrage

Activities

1. Research the Women's Suffrage Movement. Write a report about Susan B. Anthony or Elizabeth Cady Stanton.

What motivated these women to become suffragettes?

What kind of support, if any, did they receive from their families?

What risks did they take to fight for women's right to vote?

What successes and failures did they experience in their lifetimes?

How did they go about publicizing and promoting women's suffrage?

Which states gave women the right to vote before the Nineteenth Amendment was passed?

2. In Henry E. Barber's article "The Association of Southern Women for the Prevention of Lynching, 1930-1942," he notes that according to the Tuskegee Institute, 4,761 lynchings were recorded between 1882 and 1930. Of these, 71% of them were lynchings of African Americans, and 3,810 of them took place in the Confederate States, Kentucky, and Oklahoma. The most commonly used excuse to justify lynching in the South was "in defense of southern white women." Use the website below to read about other lynchings in the United States:
http://www.argo217.k12.il.us/departs/english/blettiere/lynching_newspaper_articles.pdf

Of what kinds of offenses were the victims often accused?

How do you think the members of the lynch mobs justified their actions?

3. Create a poster in which you promote giving women the right to vote. In the poster, give at least 2 reasons why women should be given the right to vote.

Growth of the Cities at the Turn of the Century

After Reconstruction, widespread changes took place, not just in the South, but in cities all over the United States. These changes included the arrival of waves of immigrants from Western Europe, Central and Eastern Europe, and Asia. These immigrants contributed to significant changes in the populations of America's cities. Their needs dictated changes in housing, the job market, transportation and social and community services. New inventions, meant to improve the everyday lives of Americans, also contributed to these changes. Indoor plumbing, the telephone, the electric light and the automobile reshaped jobs, homes and cities. By the early 1900s Americans struggled to keep up with these changes and demands.

The diversity of these new Americans put a burden on the infrastructure of American cities. New and inexpensive types of housing – tenements – became the trend in city residences for immigrants. These buildings were often poorly and hastily constructed, providing little in the way of space, sanitary facilities, privacy and safety. Epidemics plagued these densely populated spaces. Fires could break out at any time and residents had little opportunity to escape the blazes. Density of population also led to an increase in crime in tenement communities. Although electric lights had recently been invented, not all city streets had been updated with this crime deterrent. The city police and fire departments and sanitation facilities were stretched beyond their limits. They had neither the manpower nor equipment to adequately protect the expanding populations of the cities. This rapid growth made American cities ripe for disaster.

The job market in America's industrial cities often welcomed the new immigrants with low paying jobs and dangerous working conditions. Young and old, many of whom could not speak English, toiled in sweatshops for meager salaries. Factory owners were motivated to increase profits by offering low pay for long hours. New innovations in industry continued to increase the need for unskilled labor and these new Americans became an integral part of this labor pool.

Community activists attempted to address the problems of the immigrants and the cities in which they lived. They wrote scathing editorials and articles about conditions in the tenements and factories. Settlement houses were neighborhood welfare institutions, generally in poor areas of the city, where employees tried to improve social conditions by providing community services and cooperation. They provided language lessons and opportunities for new Americans to learn about their new country. Activists lobbied for increased and improved public services. Through the written word and photography, they revealed the abuses of child labor. Labor organizers tried to improve working conditions, but they understood the power of the factory owners. They realized that the only way they could stand up for workers was to organize them into labor unions. Through the power of their numbers they attempted to make their voices heard.

The early 20th century was a time of sweeping change and the changes in America's cities created significant improvements and hardships to which Americans would take decades to adapt.



The Triangle Shirtwaist Factory was a building which was considered to be fireproof. Courtesy of the International Ladies Garment Workers Union Archives, Kheel Center, Cornell University

The Triangle Shirtwaist Factory was a building which was considered to be fireproof. In fact, there had been other fires in the building before the tragedy.

Fire department equipment was not adequate to reach the higher floors of the building.

Growth of the Cities at the Turn of the Century

Activities

1. Research some of the new inventions which were created from 1865 to 1920. You may use your own sources or the following website: <http://www.trivia-library.com/a/a-list-of-famous-inventions-and-inventors.htm>

List at least 10 inventions, the inventors, the year they were invented, and explain how they improved the quality of life of Americans living during that period.

2. Using the website: <http://www.ilr.cornell.edu/trianglefire/> write a report about the Triangle Shirtwaist Factory Fire.

When did the fire occur?

Why couldn't the workers escape from the building?

How many died in the fire?

How many were female?

Can you tell how many were immigrants?

How old were most of the victims?

What was the public reaction to the fire?

What changes were demanded after the tragedy?

What changes were actually implemented after the tragedy?

3. Research the Nativist movement in America using the following website:

http://www.tenement.org/encyclopedia/nativism_discrim.htm .

What was the Nativist Movement?

To what was this movement a response?

To what kinds of prejudices were immigrants subjected?

Compare and contrast the Nativist Movement and how Americans today are reacting to immigration into the United States.

Research how countries like Great Britain and France are dealing with immigration issues today.

4. Write an article about the deteriorating condition of America's cities at the turn of the century. Make at least 3 proposals about what planners and politicians could do to improve life in the city.

Jewish Immigration in Atlanta

Nativism began to permeate Atlanta society in the early twentieth century. German Jews, many of whom were among the city's pioneer families and had fought for the Confederacy, were alarmed by the arrival of large numbers of Russian Jews. Although they were concerned for the welfare of their Russian co-religionists, German Jews were effectively segregated from this group by differences in religious observance and economic circumstances. The German Jews and Russian Jews often lived in separate communities. Many of the Russian newcomers had not yet mastered English, dressed differently from their German Jewish and gentile neighbors and continued traditions they had pursued in their Eastern European homelands. As a consequence, Jewish social and communal organizations in Atlanta were divided. Separate synagogues, cemeteries and country clubs were designated for German or Russian Jews. In spite of these internal divisions in the Jewish community, many non-Jewish Atlantans tended to view the Jewish population as a single entity.

Jews of all backgrounds increasingly became associated with the evils of industrialization. Jewish management of a number of saloons and pawn shops on and near Decatur Street, and the Jewish ownership of some of Atlanta's largest mills and factories seemed to reinforce these views. It was in the context of these tensions within and without the Jewish community of Atlanta, and the growth of anti-immigration sentiment in the United States that the case against Leo Frank was made.



Yiddish Progressive Dramatic Club, 1917.

The Russian community was not always willing to relinquish its "Old-World" customs and language.

Jewish Immigration in Atlanta

Activities

1. Using the following website, research the two main waves of Russian Jewish immigration into Atlanta: <http://www.friends-partners.org/partners/beyond-the-pale/english/28.html>

What event in Russia prompted the wave of emigration of Russian Jews beginning in 1881?

What event in Russia in 1906 prompted the second wave of Jewish emigration?

2. Some of Atlanta's oldest synagogues include Ahavath Achim, The Temple and Shearith Israel. Read about the history of each using the following website, and learn about when they were established and for which group of Atlanta's Jews they provided religious services: <http://www.thebreman.org/research/synagogues.htm>
3. Learn about Jacob Elsas and the Fulton Bag and Cotton Mills: http://www.library.gatech.edu/fulton_bag/history.html

Research the work stoppage which occurred in 1913.

What two things prompted the employees to strike at that time?

What interpretation did the employees have for the owner's change in policy?

How did the owners of the mill respond to the striking workers?

What was the response of the workers in 1914?

What had this series of events encouraged the workers to do?

Phagan Trial Will Be Great Legal Debates Notes Found

WAILS WITH WIFE IN TOWER FOR NEWS FROM COURTROOM; FRIENDS TELL HIM VERDICT.

FRANK LYNCHED AFTER 100-MILE RIDE; HIS FACE MUTILATED BY SECOND MOB; GOVERNOR PROMISES PROMPT ACTION

BESIDE DEAD GIRL WERE NOT DICTATED BY FRANK

MOB TAKES FRANK FROM JAIL

OVER 100,000 Circulation

THE ATLANTA GEORGIAN.

HOME EDITION

The Sunday American

Read for Profit--GEORGIAN WANT ADS--Use for Results

Prisoner Rushed

SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused

MARY PHAGAN MURDERED WITHIN HOUR AFTER BORN

EXTRA THE SANITIZED CALL

The New York Times

WALSINGHAM

Says Frank Incapacitated

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION

WOMAN ADMITS SHE LIED ABOUT FRANK

FRANK CONVICTED, ASSERTS INNOCENCE

ACCUSED TWO DETECTIVES

THE ATLANTA CONSTITUTION

"I'VE TOLD THE WHOLE TRUTH" SAYS PRISONER CONSIDERING DRAMATIC STORY TO THE JURY

LEO FRANK'S THROAT CUT BY STATE FARM PRISONER

CONLEY'S LAWYER

Jugular Vein Severed Partially, Has Slight Chance For Recovery

ALL PROVE FRANK INNOCENT

Friends Tell Frank in Tower Of Jury's Verdict of Guilty Prisoner Cheers Weeping Wife Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer



Phagan Trial Will Be Great Legal Battle

WAITS WITH WIFE IN TOWER FOR NEWS FROM COURTROOM; FRIENDS TELL HIM VERDICT

FRANK LYNCHED AFTER 100-MILE RIDE; HIS FACE MUTILATED BY SECOND MOB; GOVERNOR PROMISES PROMPT ACTION

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Prisoner Rushed

The Leo Frank Case.

ATLANTA, GA., FRIDAY, OCTOBER 3, 1915.

SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused

MARY PHAGAN MURDERED WITHIN HOUR AFTER DINNER

EXTRA THE SAN FRANCISCO CALL

The New York Times.

WATSON NEWS

Says Frank Innocent

First Great Daily--Telephone 43556

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION

An Innocent Man Was Lynched

FRANK CONVICTED, ASSERTS INNOCENCE

The Jeffersonian

LEO FRANK MOB STORMS SLATON

THE ATLANTA CONSTITUTION

LEO FRANK'S THROAT CUT

BY STATE FARM PRISONER

THE ATLANTA GEORGIAN

Read for Profit--GEORGIAN WANT ADS--Use for Results

ATLANTA, GA., OCTOBER 3, 1915.

Regular Vein Severed Partially, Has Slight Chance For Recovery

GEORGIA PRESS

MOB HAD PLOTTED CONDEMN'S AGT' CRIME FOR WEEKS

CONLEY'S LAWYER SAYS

"I'LL PROVE FRANK INNOCENT"

Friends Tell Frank in Tower of Jury's Verdict of Guilty; Prisoner Cheers Weeping Wife

Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

The Press and the Frank Case

by STEVE ONEY

On the morning of Sunday, April 27, 1913, Atlantans awakened to an “Extra” edition of the *Constitution* carrying a brief item relating that the body of a young girl had been discovered during the night at the National Pencil Company downtown. A reporter who’d been passed out at police headquarters when the call came in got the scoop. The *Constitution* did not, however, own the exclusive long. The next day the then separately controlled *Journal* jumped into the fray. But it was the *Georgian*, at a circulation of 38,000 the city’s weakest daily, that for all intents and purposes commandeered the story.

Purchased just the year before by William Randolph Hearst, the *Georgian* employed every armament in the controversial press baron’s arsenal. Stripped down the center of the paper’s first front page devoted to the subject was a photo of the victim – 13-year-old child laborer Mary Phagan – snapped at the morgue. A headline emblazoned over the masthead offered a “\$500 Reward” for information leading to her killer’s arrest and conviction. Despite the fact that the weather was dry, a feature piece quoted the child’s grandfather demanding vengeance while standing in a downpour. (“*It wasn’t raining, but it might have been,*” the reporter who wrote the article later confessed.) New editions – all carrying similarly incendiary material and each topped with crimson streamers – rolled off the presses almost hourly. “*Our paper,*” a long-time Hearst writer would subsequently recall, “*was in modern parlance a wow. It burst upon Atlanta like a bomb and upon the Constitution and the Journal like the crack of doom.*”

At first the coverage consisted largely of raw sensation, but as suspicion began to focus on Leo Frank, superintendent of the pencil factory and the last person to admit seeing the Phagan girl alive, biases emerged. On the morning Frank was arrested, the *Georgian* ran a page-one banner that over a picture of the superintendent unequivocally

proclaimed “*Police Have the Strangler.*” A greater lapse in journalistic ethics would be hard to imagine.

Such headlines convinced many of Frank’s guilt before any evidence was presented. Atlanta had never seen the likes of it. “*This is an intelligent woman,*” noted a detective summarizing an interview with a source who said she possessed important clues. “*She reads all the news on the Phagan murder case, and I think she drew these conclusions and thinks of them so much that she does not know whether she read them or whether someone told her. That is, she is well-read to the extent that she is crazy.*”

The disorienting bombardment continued during Frank’s month long trial. Reporters for the *Constitution*, the *Journal*, and the *Georgian* jotted down testimony, which copy boys rushed to their respective newsrooms. There, compositors set the “Q&A” in type, rewrite men pounded out fresh leads, and plates were engraved from sketches produced by courtroom artists. The resulting Extras contained both up-to-the minute developments and lavish illustrations. The *Georgian* excelled at this game. On the day of Frank’s conviction, the paper printed 131,208 copies – more than triple its pre-Hearst circulation.

After Frank was sentenced to death, the coverage took a decidedly different turn. The glandular excitements of yellow journalism gave way to the white heat of advocacy. The view that the superintendent was an innocent victim of an anti-Semitic plot was promulgated by two of America’s most powerful media moguls – Albert D. Lasker, president of the Chicago-based Lord & Thomas Advertising Agency (predecessor to Foote, Cone and Belding), and Adolph Ochs, publisher of the *New York Times*. Lasker, who produced ad campaigns for Sunkist Orange Juice and Budweiser Beer, worked his connections in

journalism and Hollywood. Soon, *Collier’s Weekly* and movie stars leapt to Frank’s aid. In contemporary dollars, Lasker spent nearly \$2 million in the superintendent’s behalf.

Ochs initially resisted overtures to back Frank because, as an assistant put it, he didn’t want the *Times* to be perceived as “a Jewish newspaper.” But by early 1914 he abandoned his qualms, devoting the resources of both his news and editorial staffs to the cause. During the next 18 months the *Times* would publish hundreds of articles and editorials about the case. Sample headlines from December, 1914 give an accurate sense of the *Times’* point of view. Boomed one: “*Lawyers Unite For Frank.*” Roared another: “*Atlanta’s Mob Spirit*” On New Year’s Day Frank wrote Ochs a thank you note: “*I think that a more thorough understanding of the case among the people throughout the United States has been brought about to a great extent by the space you have so kindly given to it.*”

Unfortunately for Frank, the *Times’* entry into the battle prompted a backlash. Not only did most Georgians believe the factory boss was guilty of murdering Mary Phagan, but at a time when the bruises of the Civil War were still fresh they resented a Northern paper dictating to their courts. Future United States Senator Thomas Watson, who published the *Jeffersonian*, an influential weekly based in Thomson, Georgia, articulated this position. Beneath the banner headline “*The Leo Frank Case. Does the State of Georgia Deserve this Nation-wide abuse?*” Watson declared: “*Mr. Adolph Ochs, a most useful servant of the Wall Street interests, runs a Tory paper in New York whose chief end in life seems to be to uphold all the atrocities of special interest and all the monstrous demands of Big Money.*”

The conflict was set. To each article championing Frank in the *Times*, Watson responded with an article asserting, often in anti-Semitic language, Frank’s guilt. The fight raged for a year, with

the *Times* holding sway in the North and the *Jeffersonian*, whose circulation jumped from 25,000 to 87,000, in the South. Following Governor John Slaton's decision to commute Frank's death sentence to life imprisonment, Watson called for a lynching. On August 16, 1915 the call was answered.

All three Atlanta newspapers strongly condemned Frank's lynching. So, too, did the *New York Times*. Then for a combination of reasons the coverage stopped. At the *Constitution* and the *Journal*, the crime struck too close to home – the publishers of both papers had relatives involved in the lynching or in a later attempt to desecrate Frank's body. For the *Georgian*, the vulnerability was financial. Atlantans began boycotting it. (Hearst's paper was never the same. It folded in 1939.)

The *Times* was stilled by a different consideration, one articulated in two powerful pieces of writing. The first was by *Times* reporter Charles Willis Thompson, who in a story filed from Atlanta captured the prevailing feeling. "The bitter resentment over what everybody in Georgia calls outside interference" led to Frank's lynching, he wrote. "Tom Watson has done his level best to make it appear that the *New York newspapers* are attempting to govern the state of Georgia."

The second piece was produced by a Georgian. In the aftermath of the lynching Ochs had ordered a *Times* editorial denouncing the crime to be distributed to the state's papers. His hope had been that they would reprint it, but there were no takers. In fact the editor of The Macon Telegraph was so alarmed that he wired New York. In his diary, an Ochs confidant summarized the Macon editor's thinking. "The message," he wrote, "said that for the sake of the *Times* and Mr. O. [the Telegraph] would not print the editorial as requested to do, and for the sake of the decent people of Georgia and especially the sake of the Jews in Georgia, would Mr. O. not stop this offensive propaganda. It was the outside interference of the Jews, led by the *Times*, that had made it necessary to lynch Frank."

The next morning, the *Telegraph* gave prominent play to a chilling restatement of these sentiments: "As it stands [in Georgia], Israel itself stands indicted and is the object of a great deal of indignant anger, but the individual Israelite is liked and respected."

"Against the race generally, there is, however, a sentiment of anger, a proneness to denunciation ... "If among the outside newspapers generally there is any attempt at sustained denunciation of this state, Thomas Watson ... will answer in kind, more than in kind."

Watson will be answered in kind and so it will go on until the time will come when he will tell the people of the state of Georgia that the rich Jews of the nation have bought up the press of the Republic to vilify and blackguard the state of Georgia in revenge for the killing of Leo Frank. And when that charge is brought it will be passionately and plausibly presented – and Georgia generally will believe it ...

The Ochs ... and other leading Jews of New York and the East now hold the comfort, safety, peace and happiness of the Jews of Georgia in the hollow of their hands."

The *Telegraph's* reaction deeply troubled Ochs, awakening in him the realization that he might share some of the blame for Frank's fate and rekindling the fear that by aligning himself so thoroughly with the poor man he had endangered the *Times*, coming close to making it the one thing he'd never wanted it to be – a Jewish newspaper.

At a subsequent editorial conference at the *Times*, the debate was sobering. Some argued that the *Telegraph's* wire was "but a kind of intimidation," maintaining that if Ochs genuinely believed in Frank's innocence, he should continue to demand that the Georgia authorities prosecute his lynchers. Others advanced the opposite view, arguing that since the *Times* had printed more stories on the matter than any other paper and Ochs was Jewish, the *Telegraph* was right. After listening to the back and forth, the publisher made his decision – the *Times* would drop the case.

The press's abandonment of a topic that had made frontpage headlines for two years was little noticed in the larger scheme of things. World War I had started, and coverage of the fighting and of America's likely participation dominated the news. Yet those who'd been close to Frank understood that they'd been shunned – they just didn't understand why. "Strange to relate, the *N.Y. Times* does not carry anything these days," the dead man's mother, writing from New York, uncomprehendingly observed in a note to Frank's widow.

The caravan had moved on. Unlike today's press that caravan was not composed of satellite trucks, mini-cams, and the obtrusive electronic gadgetry. Still, the Frank case is emblematic. From start to finish, it was a media frenzy, a convergence of journalistic excess and legal tragedy.

Steve Oney lives in California, where he is a senior writer for *Los Angeles* magazine. His *And the Dead Shall Rise*, an examination of the Leo Frank case and winner of the 2004 National Jewish Book Award for history, is now available in paperback from Vintage.

Activities

1. Research the jury members in the Leo Frank case who were accused of bias. How might the press have contributed to their bias? How might an unbiased jury have been selected?
2. Read about a current legal case which is receiving press coverage. Find some of the articles about the case. Analyze these articles for content and language which might bias a jury. How do you feel about the guilt or innocence of the accused based on what you have read? Could you be an unbiased member of the jury in this case? Explain.
3. Create 10 questions and follow up questions which you would have asked the potential jurors in the Leo Frank case in order to seat an unbiased jury. Remember to consider what life was like in Atlanta in 1913, the long lasting effects of the Civil War and Reconstruction and racial and religious prejudices which existed during that time.

The Press and the Frank Case

Questions

1. Name the important newspapers in Atlanta at the time of the Leo Frank case. How did these newspapers compete for readers?
2. What were some of the headlines that appeared in newspapers regarding this case?
3. How did William Randolph Hearst's new newspaper, the *Georgian*, gain readers during this time?
4. Describe how pre-trial publicity affected the local population. How would this publicity affect the ability to find an unbiased jury?
5. Why did the support of the *New York Times* for Leo Frank cause a "backlash" in Georgia? What were the concerns of Adolph Ochs? Explain how Adolph Ochs and other Northern Jews did not understand the views of the Southern audience.
6. How did Tom Watson portray the efforts of the *Times*? To whom was he referring in his articles when he wrote about the "*atrocities of special interest and all the monstrous demands of Big Money*"? How did these comments reflect his anti-Semitic views?
7. Why did both the *Atlanta Journal* and the *Constitution* stop criticizing those responsible for Leo Frank's lynching? Why did the *New York Times* cease its condemnation of the lynching?
8. Give two examples of how journalists explained that it was the outside interference of Jews and Northerners who made it necessary to lynch Leo Frank. What new responsibility did the *Macon Telegraph* ascribe to the Northern press?
9. What decision did Adolph Ochs finally make regarding the *New York Times* coverage of the lynching? What are two issues he considered in making his decision? Do you think he made the right choice? Why or why not?
10. Have you ever been the victim of bias? What are some of your and/or your family members' experiences with bias? How did you or your family members respond?

Bias and The Press

Lesson Plan

Objective: To help students define and identify bias as it applies to their own beliefs, behavior and decisions.

To identify bias in the press.

To identify the language of bias.

Materials: newspapers and news magazines

bias assessment forms

reproductions of newspaper and magazine articles from the Leo Frank case

- Procedure:
1. Define bias. (Bias is defined as: *A preference or an inclination, especially one that inhibits impartial judgment, an unfair act or policy stemming from prejudice.*)
 2. Discuss how bias affects choices we all make in our lives, to the detriment or benefit of others.
 3. Create a bias assessment and have students respond to the groups listed. Review the list of groups with the students. Generate a discussion about how our biases have developed and how certain language can evoke particular responses from various audiences. Have an open discussion about the dangers of bias and using “loaded” words.
 4. Using newspapers and news magazines, find references to some of the terms listed in the assessment as well as “loaded” terms identified by the class. Find instances in which the terms are meant to evoke a particular reaction.
 5. Make a list of terms (groups) that were involved in the Leo Frank case (such as Jews, Christians, young working girls, Negroes, etc.). Using original articles from Atlanta newspapers of the period, find biased references to some of these groups. Identify the type of reactions which might have been elicited from these references.
 6. Explain how the press was used in the Leo Frank case to bias readers.
 7. Using contemporary newspapers, read about well publicized cases. Look for instances of bias and “loaded” language in these reports.

Assessment: Write a report on the responsibilities of having a free press. What are the advantages of a free press? What are the disadvantages? What are the benefits of controlling the press? What are the dangers? Do you think the press should be free or under governmental control under certain circumstances? Explain and support your answer.

Creating a Bias Assessment

Directions: Create a bias assessment to distribute to your class.

Create lists of groups from the categories listed below.

You may add additional groups at your discretion.

Have students rank their views of the following groups using:

1 – negative

2 – ambivalent

3 – positive

Categories

Age

American regions

American states

Businesses

Economic groups

Foreigners

Historical groups

Interest groups

Nationalities

Political beliefs

Political parties

Professions

Religions

Social groups

Phagan Trial Will Be Great Legal Debates Notes Found

Wails With Wife in Tower For News From Courtroom; Friends Tell Him Verdict; Frank Lynched After 100-Mile Ride, His Face Mutilated by Second Mob; Governor Promises Prompt Action Beside Dead Girl Were Not Dictated by Frank

MOB TAKES FRANK FROM JAIL

OVER 100,000 THE ATLANTA GEORGIAN. HOME EDITION. Prisoner Rushed

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EXTRA THE NEW YORK TIMES

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION. An Innocent Man Was Lynched

WOMAN ADMITS SHE LIED ABOUT FRANK. FRANK CONVICTED, ASSERTS INNOCENCE. The Jeffersonian

FRANK MOB STORMS SLATON

THE ATLANTA CONSTITUTION. "I'VE TOLD THE WHOLE TRUTH" SAYS PRISONER CONSIDERING DRAMATIC STORY TO THE JURY. LEO FRANK'S THROAT CUT BY STATE FARM PRISONER

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"I'LL PROVE FRANK INNOCENT" Friends Tell Frank in Tower Of Jury's Verdict of Guilty Prisoner Cheers Weeping Wife Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

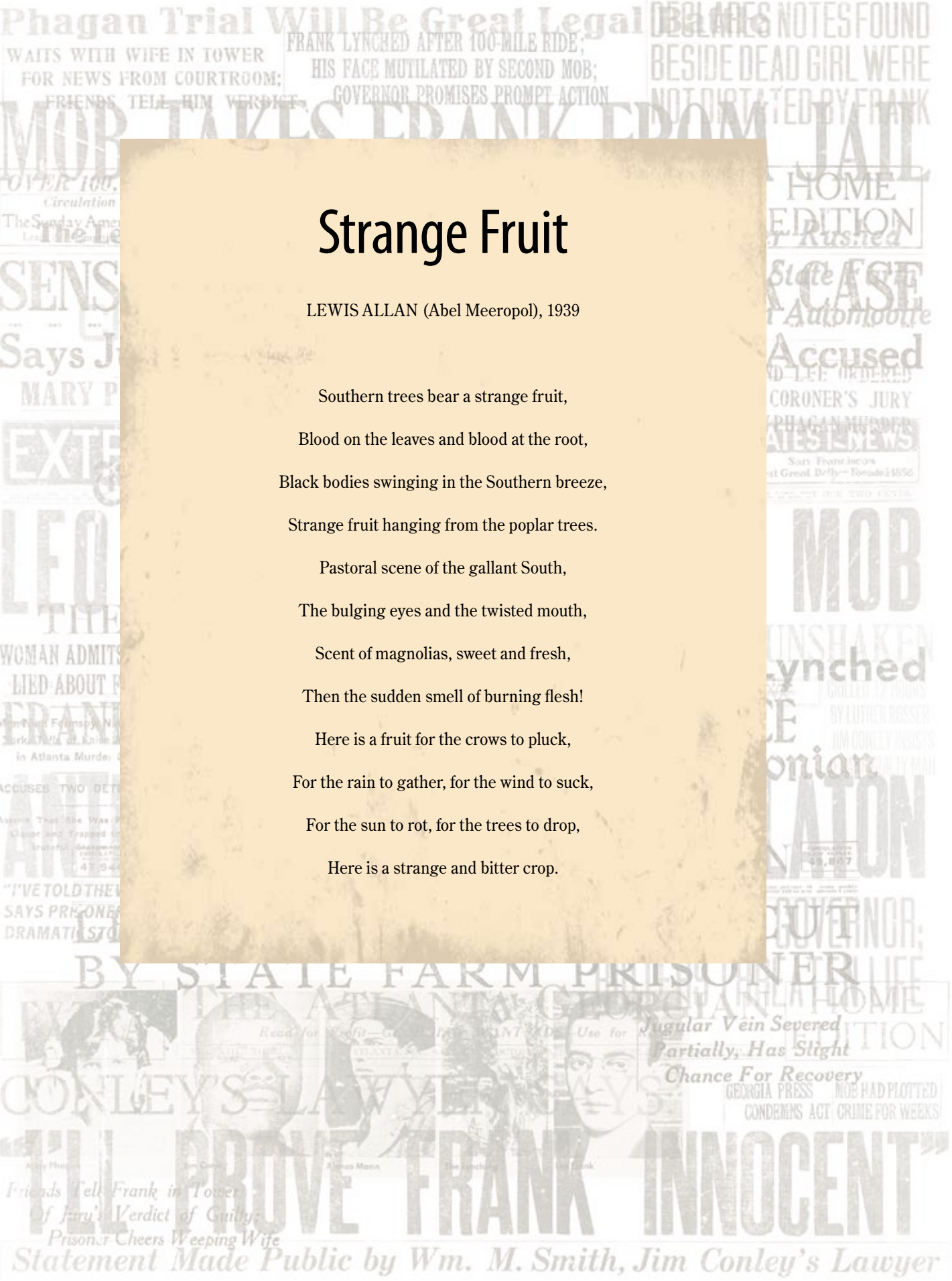
Strange Fruit

LEWIS ALLAN (Abel Meeropol), 1939

Southern trees bear a strange fruit,
Blood on the leaves and blood at the root,
Black bodies swinging in the Southern breeze,
Strange fruit hanging from the poplar trees.

Pastoral scene of the gallant South,
The bulging eyes and the twisted mouth,
Scent of magnolias, sweet and fresh,
Then the sudden smell of burning flesh!

Here is a fruit for the crows to pluck,
For the rain to gather, for the wind to suck,
For the sun to rot, for the trees to drop,
Here is a strange and bitter crop.



Strange Fruit

Questions

1. Research the life of the songwriter.

What was his occupation?

What was his political affiliation?

What motivated him to write this song?

Why do you think he used a pen name, rather than his own name?

2. What message is the songwriter trying to get across?

3. Who is the intended audience for this song?

What is the songwriter trying to do to his audience?

4. Compare and contrast the positive and negative images of the South portrayed by the songwriter.

5. Give examples of how the writer appeals to the different senses in his descriptions.

6. Fruit bearing trees grow throughout the South.

What is the usual purpose of the fruit of these trees?

What is the purpose of the “strange fruit” hanging from the trees described in the lyrics of the song?

7. Why does the songwriter purposely omit the word “lynching” from the lyrics? How does the audience get the message without the use of this word?

8. *Strange Fruit* can be classified as a protest song.

Describe the historical issue to which it refers.

9. Find the lyrics to other protest songs which take a stand on historical issues.

When was this song written?

What historical issue is its topic?

What position on that issue is being expressed by the songwriter?

Speech Commemorating African American History Month

President George W. Bush, Tuesday, February 12, 2008

“The noose is not a symbol of prairie justice, but of gross injustice.”

1. What is ‘prairie justice’?
2. For whom was the noose a symbol of prairie justice?
3. Whose job was it to protect the victims of lynching?

“Displaying one (a noose) is not a harmless prank. And ‘lynching’ is not a word to be mentioned in jest.” “As a civil society, we should be able to agree that noose displays and lynching jokes are deeply offensive. They are wrong. And they have no place in America today.”

1. Why might some people view the noose as a harmless joke?
2. For whom are the noose and lynching references generally offensive?
3. From a legal standpoint, how is the America of today different from the America of years ago, which tolerated lynching?

The use of this symbol shows a lack of sensitivity about “why the sight of a noose causes such a visceral reaction among so many people.”

1. What is a visceral reaction?
2. What kinds of emotions are invoked by this symbol?

President Bush described lynchings being perpetrated by mobs in the dark of night, with the cooperation and participation of law enforcement officials in “many cases.”

1. Explain how this statement accurately describes the lynching of Leo Frank.
2. How did such actions make it virtually impossible to bring the members of lynch mobs to justice?
3. When we think of lynchings, we often think of the victims and perpetrators. Look at the photograph of the lynching of Leo Frank. This photo became a picture post card. Some of the local people in the photo were bystanders. How would you classify the guilt or innocence of the bystanders? Explain.

“For generations of African Americans, the noose was more than a tool of murder. It was a tool of intimidation that conveyed a sense of powerlessness to millions.”

1. In years past, how might the threat of lynching have affected the interactions between whites and African Americans?
2. Why, today, is the noose still a negative symbol to African Americans? In the Jena Six case, who were the perpetrators, the intended “victims”, the bystanders? How did some of these roles change as the case progressed? What could have been done to reduce the tensions on campus before the incident? After the incident?



The lynching of Leo Frank. Note the men posing for the photographer and the man at the far left with his own camera.

Jacob Lawrence:

An Artist's View of the African American Experience



Jacob Lawrence. *The Migration Series*, Panel no. 15: *There were lynchings*. 1940 – 1941. Casein tempera on hardboard, 12 x 18 in; 30.5 x 45.7 cm. Courtesy of The Phillips Collection, Washington, DC.

Jacob Lawrence was born in 1917 in Atlantic City, New Jersey. As a very young child he lived in Pennsylvania, but at the age of three he moved to Harlem in New York City. This was the period of the Harlem Renaissance, a time of explosive growth and development of African American arts and culture. Jacob Lawrence spent his formative years in this rich environment.

Lawrence showed an aptitude for art at an early age. He participated in school and community art programs. At twenty, Lawrence received a scholarship for the American Artists School and became part of the Works Progress Administration's artists in 1938, participating in the Federal Art Project.

Over the years, the artist painted scenes of the people of his community and the events which shaped their lives. Jacob Lawrence's works reflect the history of the African American experience. He did meticulous research on each of the subjects he incorporated into

his paintings. He depicted historical events from the Civil War through the desegregation of the South in the 1960's.

The artist's distinctive style and use of color and shapes presents a unique format for a chronicle of African American history. Jacob Lawrence was recognized in his lifetime for his unique talent in the visual arts. Jacob Lawrence died in 2000.

Questions

1. Why does the artist show just a noose, rather than a victim of the lynching?
2. What does the symbol of the noose represent?
3. Describe the posture of the lone figure in the painting. What are some adjectives you might use to describe his state of mind?
4. How does this painting make you feel? Why?



Jacob Lawrence. *The Migration Series, Panel no. 1: During World War I there was a great migration north by southern African Americans.* 1940 – 1941. Casein tempera on hardboard, 12 x 18 in; 30.4 x 45.7 cm. *Courtesy of The Phillips Collection, Washington, DC.*

Questions

1. This painting was created shortly after the lynching of Leo Frank. What other historical events were taking place around the same time in history?
2. To which cities were these people traveling? What were they hoping to find there? What were they hoping they would not find there?
3. Using senses other than sight, describe what you might be hearing, feeling and smelling in this scene.



Jacob Lawrence. *Although the Negro was used to lynching, he found this an opportune time for him to leave where one had occurred.* 1940-41. Tempera on gesso on composition board, 18 x 12 in.; 45.7 x 30.5 cm. Gift of Mrs. David M. Levy. © 2008 Jacob Lawrence

Questions

1. Why has Jacob Lawrence used a lone figure in this painting?
2. Where is your eye drawn in this painting? Why?
3. Describe the posture of the figure in the painting. What does this posture denote? How does it make you feel about the figure?
4. Where is the figure seated? What has the figure been doing? Why might the artist have chosen such a setting for his figure?

Analyzing Symbols

Using the internet source, adl.org/hate_symbols, choose one or more of the symbols displayed and try to answer these questions:

1. What does the symbol represent? Does it represent the same thing to different groups? Explain.
2. Is this symbol meant to portray something positive or negative? Could this symbol be viewed as having a neutral meaning?
3. When this symbol was designed, what was it meant to portray? Does it have the same meaning today?
4. Which groups of people would identify with this symbol and interpret it as a true reflection of their feelings?
5. Which groups of people would find this symbol offensive or even threatening?
6. Why would someone display or wear this symbol?
7. In a society where we are free to express our opinions, should people be permitted to display or wear symbols which offend others? Threaten others?
8. How do we draw the line in determining which symbols are acceptable and which symbols are not acceptable? How should we deal with people whose intent in wearing or displaying symbols is to intimidate others? How do we know when individuals are unaware of the meaning of these symbols? How should we deal with them?
9. Explain when, in a free society, hate speech or symbols are no longer within our rights of free speech.
10. Research how other nations deal with these issues:

Muslim nations and negative images of Islam

Some European nations and Holocaust denial

Hate Symbols: How Should We Respond?

1. The noose is a hate symbol. Its purpose is to instill fear and terror in its target.

For what groups does the noose represent a hate symbol?

What history does it conjure up in the mind of the viewer?

How does this symbol suggest a violent outcome?

2. For some groups, the Confederate flag and the swastika are considered hate symbols.

For which groups do these symbols represent hate?

What history do these symbols conjure up in the mind of the viewer?

How do these symbols suggest a violent outcome?

3. What is the historical context for each of these three symbols?

Noose

Confederate flag

Swastika

4. How can the use of these symbols be viewed as a form of bullying?

5. When does “fooling around” and “just kidding” move beyond a joke and become a perceived threat?

6. Research other hate symbols.

What is this symbol supposed to represent?

What is the symbol’s historical context?

For what groups does this symbol represent a hate symbol?

Why might someone wear or display this symbol?

What types of people might wear or display this symbol? Why?

What types of people would not wear or display this symbol? Why?

7. Should the wearing or display of hate symbols be banned?

Where should they be allowed?

Where should they be banned?

Who should decide if they should be banned?

Jena Six Timeline

Events of 2006

Background

Jena, LA is about 160 miles southeast of Shreveport and 220 miles northwest of New Orleans in central Louisiana. It was named for a German town; it is about 86 percent white and 12 percent black with per capita income of \$13,761. Population: about 2,500. In 1991, Jena voted overwhelmingly in support of former Ku Klux Klan leader David Duke in his unsuccessful bid for governor.

For background on the Jena Six controversy, see

<http://uspolitics.about.com/b/2007/09/21/being-black-and-male-in-the-american-south.htm>

The cast of characters:

Student, Robert Bailey Jr., 17
Student Justin Barker, 17
Student Mychal Bell, 16
Student Carwin Jones, 18
Student Bryant Purvis, 17

Student Ryan Simmons, 17
Student Theo Shaw, 17
Student Jessie Ray Beard, 14
LaSalle Parish Schools Superintendent Roy D. Breithaupt
LaSalle Parish District Attorney Reed Walters

The Timeline

31 Aug 2006 – A black student, Kenneth Purvis, a junior, asks, at a public assembly, if he can sit under an oak tree in the campus courtyard. The tree had reportedly been planted by white and blacks as a “unity” tree. An administrator tells him he can sit anywhere. He and friends later sit with white friends under the tree.

1 Sept 2006 – Two or three nooses hang from the tree, a reminder of the Jim Crow South and the KKK. (News reports are inconsistent; some Louisiana papers say three, some say two.) No police report was filed. A teacher reportedly cut down the ropes.

7 Sept 2006 – The principal recommends expelling the three white students responsible for hanging the nooses.

8 Sept 2006 – Recommendation for expulsion overruled by the LaSalle Parish School Board according to Schools Superintendent Roy D. Breithaupt.

11 Sept 2006 – The School Board met for 10 minutes; it did not discuss the 1 September noose incident.

18 Sept 2006 – The School Board met took a five-minute complaint from one Jena High School parent but took no action -- and had no discussion -- on the noose incident. The parent complained that the three students were not expelled. “We want our young people to really be equal and not have to be reminded of the wrong things that were done to our race in the past.” (The Town Talk)

Sept/Oct 2006 – The white students are reportedly suspended for three days with a two-week in-school suspension and some Saturday detentions. (Details are not part of the public record.)

Black students organize a sit-in under the tree in protest; reportedly the school was then placed on lockdown for a week.

At a September student assembly, District Attorney Walters told students: “I can

be your best friend or your worst enemy. With a stroke of my pen, I can make your lives disappear.” He reportedly lifted a fountain pen to make his point. (Shreveport Times)

Some reports indicate that in the general assembly the white kids sit on one side and the black kids on the other ... and that the DA was looking at the black kids when he spoke.

The FBI said the noose incident looked like a hate crime. The US Attorney did not “press federal charges because the case didn’t meet federal criteria. The students were under 18 and had no prior records, and no group such as a Ku Klux Klan was found to be behind their actions.” (CNN)

30 Nov 2006 – The main academic building of Jena High School burns to the ground: arson. The crime remains still unresolved.

Later that night, Bailey and some friends try to attend a party at the Fair Barn in Jena.

He was attacked and struck with beer bottles; "one of the students was later charged with simple battery and given probation." (Shreveport Times)

Some reports indicate that Bailey had been invited to the party.

2 Dec 2006 – Bailey goes to the Gotta Go convenience store with some friends. One of the white students who beat him up is at the store. After a confrontation, the white student pulls a shotgun from his truck. Three black students take the shotgun away from him and take it to the police department, reporting the incident. Bailey is later arrested for theft. The white student is not charged.

At least two reports say this was a sawed-off shotgun. This means the barrel has been shortened, usually with a hacksaw, making it easier to conceal the weapon and creating a wider shot pattern. They are legal in Louisiana but must be registered.

4 Dec 2006 – First day of school after the fire. Barker reportedly taunted Bailey about getting beaten up at the party. Reportedly, Barker is confronted by a group of black students and is knocked out with one punch. Barker hit his head on concrete when he fell. Some witnesses say black students kicked him while he was down. Barker was treated and released at the hospital. He attended a social for seniors that evening.

5 Dec 2006 – The School declares a state of emergency. Four students are arrested in conjunction with the 4 Dec fight -- Carwin Jones, 18; Robert Bailey Jr., and Theo Shaw, 17; and Jesse Ray Beard, 14. Ryan Simmons, 17, Bailey and Shaw are also charged in connection with the 2 Dec incident: theft of a firearm, second-degree robbery and disturbing the peace. Also arrested: Justin Sloan, 22, in connection with the November 30 fight.

7 Dec 2006 – Six students are charged with second-degree murder and conspiracy to commit second-degree murder. The other two are Bryant Purvis, 17, and Mychal Bell, 16. All six are expelled from school (date of expulsion unknown).

15 Dec 2006 – The LaSalle Parish District Attorney's Office announces that Bell will be charged as an adult. Bail is set at \$90,000. Bail for the other students ranges from \$70,000 to \$138,000.

Under Louisiana law, anyone who is 15 must be tried as an adult if the charge is attempted murder. However, the charge of battery -- which this was subsequently reduced to -- is not the "adult charge" list.

From: About.com: U.S Politics
http://uspolitics.about.com/od/hotpoliticalissues/1/bl_jena6_timeline.htm

Jena Six Timeline

Activities

1. Read the information about the Jena Six case, as reported in About.com's Jena Six Timeline. Then, as with any analysis of a news article, answer the following questions.
 - a. WHO are the protagonists in the story? Describe what is told about each of them.
 - b. WHAT are the significant events of the case? List these in order. Make sure to list just the facts, not the impressions of those who saw them or were involved.
 - c. WHERE did the story take place? What do we know about the setting of the story?
 - d. WHEN did this story take place? Do some research to find out about what other important events occurred around the same time.
 - e. WHY did events unfold the way they did? In this case, it will be important to understand the impressions of those who were involved in the case or who were closely involved.
 - f. HOW could such a series of events have occurred? What underlying issues (fundamental causes) were in place for these events to have unfolded in this particular way? What specific event (immediate cause) set the case in motion?
2. Of all the events mentioned in the timeline, which do you think was most important? Explain your answer
3. Evaluate the Jena Six case as it relates to the following:
 - a. Was this story one with local, national or international interest?
 - b. Was this story one with local, national or international impact?
 - c. For whom was this timeline intended?
 - d. What do you think was the purpose of this timeline?
4. Some articles and information sources may have a subtle bias. Reread the timeline and answer the following.
 - a. How is the School Board portrayed?
 - b. On 9/1/06, how is the noose incident portrayed? What historical events are invoked? What is the reaction expected from these references?

What quote from the District Attorney is quoted? What kind of reaction from the reader do you think is intended by the author?
 - c. The author repeatedly uses the term "reported" when relating the incidents from the case. What is the meaning of this word in this context?
5. In the Jena Six case, the noose incident was only the precipitating (immediate) cause of the trouble in Jena, Louisiana. Explain how one incident led to another, escalating the tension and violence. Which of the protagonists could have stepped in to defuse the situation? At what point in the timeline could these protagonists have acted to reduce the tension? What could they have done?

Phagan Trial Will Be Great Legal Debates Notes Found

WAILS WITH WIFE IN TOWER FOR NEWS FROM COURTROOM; FRIENDS TELL HIM VERDICT.

FRANK LYNCHED AFTER 100-MILE RIDE; HIS FACE MUTILATED BY SECOND MOB; GOVERNOR PROMISES PROMPT ACTION

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MOB TAKES FRANK FROM JAIL

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SENSATIONAL CHARGE IN FRANK CASE

Says Juror Declared Eagerness to Hang Accused

MARY PHAGAN MURDERED WITHIN HOUR AFTER BORN

EXTRA THE SANITIZED MOB CALL

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FRANK AND LEE ORDERED HELD BY CORONER'S JURY FOR MARY PHAGAN MURDER

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LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION

WOMAN ADMITS SHE LIED ABOUT FRANK

FRANK CONVICTED, ASSERTS INNOCENCE

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FRANK MOB STORMS SLATON

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"I'VE TOLD THE WHOLE TRUTH" SAYS PRISONER CONSIDERING DRAMATIC STORY TO THE JURY

LEO FRANK'S THROAT CUT BY STATE FARM PRISONER

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The New York Times.

WATSON NEWS

Says Frank Innocent

First Great Daily--Telephone 43556

LEO FRANK LYNCHED BY MOB

THE ATLANTA CONSTITUTION

An Innocent Man Was Lynched

WOMAN ADMITS SHE LIED ABOUT FRANK

FRANK CONVICTED, ASSERTS INNOCENCE

ACCUSES TWO DETECTIVES

Alleges That She Was Piled with Liquor and Trapped into Untruthful Statements

ATLANTA, GA., SUNDAY MORNING, JULY 18, 1915--FORTY-EIGHT PAGES.

LEO FRANK'S THROAT CUT

BY STATE FARM PRISONER

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Statement Made Public by Wm. M. Smith, Jim Conley's Lawyer

Quotes on the Leo Frank Case

Judge Leonard Roan:

“Gentlemen, I have thought about this case more than any other I have ever tried. I am not certain of this man’s guilt. With all the thought I have put on this case, I am not thoroughly convinced that Frank is guilty or innocent... But I do not have to be convinced. The jury was convinced. There is no room to doubt that. I feel it is my duty to order that the motion for a new trial be overruled.”

Governor John Slaton:

“I can endure misconstruction, abuse and condemnation,” Slaton said, “but I cannot stand the constant companionship of an accusing conscience which would remind me that I, as governor of Georgia, failed to do what I thought to be right . . . It means that I must live in obscurity the rest of my days, but I would rather be plowing in a field than to feel that I had that blood on my hands.”

“Two thousand years ago another governor, Pontius Pilate, washed his hands of a case and turned a Jew over to a mob. For two thousand years that governor’s name has been accursed. If today another Jew were lying in his grave because I had failed to do my duty, I would all through life find his blood on my hands and would consider myself an assassin through cowardice.”

Tom Watson:

“If Frank’s rich connections keep on lying about this case, SOMETHING BAD WILL HAPPEN.”

“Our grand old Empire State HAS BEEN RAPED! ... Jew money has debased us, bought us, and sold us — and laughs at us ... Hereafter, let no man reproach the South with Lynch law: let him remember the unendurable provocation; and let him say whether lynch law is not better than no law at all.”

Leo Frank:

“Gentlemen, I was nervous. I was completely unstrung. Imagine yourself called from sound slumber in the early hours of the morning ... To see that little girl on the dawn of womanhood so cruelly murdered — it was a scene that would have melted stone.”

Conley, referring to a comment allegedly by Leo Frank:

“Why should I hang? I have wealthy people in Brooklyn.”

Former GA governor Joseph Brown to Governor Slaton:

“Now in all frankness, if your excellency wishes to insure lynch law in Georgia, ... you can strike this dangerous blow at our institutions ... by retrying this case ...”

Leo Frank, at his lynching:

“I think more of my wife and my mother than I do of my own life.”

Oliver Wendell Holmes and Charles Evans Hughes, Supreme Court Justices, in their dissent:

“Mob law does not become due process of law by securing the assent of a terrorized jury...I very seriously doubt if the petitioner (Leo Frank)..has had due process of law... because of the trial taking place in the presence of a hostile demonstration and seemingly dangerous crowd, thought by the presiding judge to be ready for violence unless a verdict of guilty was rendered.”

In 1986 the Georgia State Board of Pardons and Paroles pardoned Frank, stating:

“Without attempting to address the question of guilt or innocence, and in recognition of the State’s failure to protect the person of Leo M. Frank and thereby preserve his opportunity for continued legal appeal of his conviction, and in recognition of the State’s failure to bring his killers to justice, and as an effort to heal old wounds, the State Board of Pardons and Paroles, in compliance with its Constitutional and statutory authority, hereby grants to Leo M. Frank a Pardon.”

Minister at Mary Phagan’s church:

“This one old Negro would be poor atonement for the life of this innocent girl.”

Marietta Vigilance Committee flyer:

“NOTICE: You are hereby notified to close up this business and quit Marietta by Saturday night... or else stand the consequences. We mean to rid Marietta of all Jews by the above date. You can heed this warning or stand the punishment the committee may see fit to deal out to you.”

Ralph McGill (Atlanta Constitution) — John Slaton’s obituary

“A giant of his day, it was one of destiny’s mocking ironies that his great integrity should have cost him his political life...”

Quotes on the Leo Frank Case:

Class Activities

Find quotes that reflect the following:

1. There exists real doubt about Leo Frank's guilt or innocence.
2. It is worth the risk to do what is right.
3. Inflammatory language and language of hate can lead to violence.
4. Leo Frank was innocent.
5. Leo Frank was guilty.
6. Politicians should bend to the will of the people.
7. Politicians should not bend to the will of the people.
8. Threats should be taken seriously.
9. People should do what they think is right in the face of threats.

Choose one of the quotes on the handout. Answer the following questions about the quote:

1. Why did you choose this quote?
2. Do you agree or disagree with the quote? Explain your answer.
3. Who made the statement? What do you know about that person? How does the quote reflect the person who made it?
4. At what point in the case was the statement made? How do you know?
5. What position does the quote take regarding the case and its outcome?
6. What do you suppose was the purpose of this statement? Do you think its author was successful in persuading others to agree? Explain.

Chronology: Post-Case Timeline

1916

Hugh Dorsey is elected governor of Georgia.

1918

Hugh Dorsey is re-elected governor of Georgia.

1920

Tom Watson is elected senator from Georgia.

1957

Lucille Frank, Leo's widow, dies in Atlanta.

1962

(exact date unknown)
Jim Conley dies.

Pardon - 1982

March 4 – Alonzo Mann, in failing health, signs an affidavit in which he professes Leo Frank's innocence and Jim Conley's guilt. He admits he saw Conley carrying the body of Mary Phagan near the door leading to the basement of the National Pencil Company on April 26, 1913. He says that Conley threatened to kill him if he ever told anyone what he had seen. Mann's parents advised him to keep quiet. He was telling the story now to unburden his soul. He took several lie detector tests while telling his story to a group of reporters for the *Tennessean*, a newspaper in Nashville, TN. The tests indicated Mann was telling the truth.

March 7 – *The Tennessean* ran the story of Alonzo Mann's confession.

November 10 – Alonzo Mann repeated his story in a videotaped statement in Atlanta.

1983

January 4 – Based largely on Alonzo Mann's testimony, the Anti-Defamation League submits an application for a posthumous pardon for Leo Frank to the Georgia Board of Pardons and Paroles.

December 22 – the Georgia Board of Pardons and Paroles denies the motion for a pardon, the reason being that while Alonzo Mann's testimony might incriminate Jim Conley, it did not conclusively prove the innocence of Leo Frank.

1986

March 11 – the Georgia Board of Pardons and Paroles finally issues a posthumous pardon to Leo Frank, based on the state's failure to protect him while in custody; it does not officially absolve him of the crime.

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