

FRANK, LEO, 1884-1915.
Leo Frank collection, 1915-1986

Emory University
Stuart A. Rose Manuscript, Archives, and Rare Book Library
Atlanta, GA 30322
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Descriptive Summary

Creator: Frank, Leo, 1884-1915.
Title: Leo Frank collection, 1915-1986
Call Number: Manuscript Collection No. 674
Extent: 1 linear foot (3 boxes), 1 oversized papers box (OP), and 2 microfilm reels (MF)
Abstract: Collection of material relating to the trial of Atlanta Jewish businessman Leo Frank and his subsequent lynching by an Atlanta mob.
Language: Materials entirely in English.

Administrative Information

Restrictions on Access

Special restrictions apply: Due to preservation concerns, researchers are required to use photocopies of some of the originals.

Terms Governing Use and Reproduction

Special restrictions apply: Reproductions will normally be made from photocopies of originals held by this department. Reproduction of thesis by Clark Freshman is prohibited. Requests for reproduction must be referred to Harvard University.

Additional Physical Form

The Sentence Commutation Hearing Transcript is also available on microfilm.

Source

Gift and purchases, 1981-1988.

Citation

[after identification of item(s)], Leo Frank collection, Stuart A. Rose Manuscript, Archives, and Rare Book Library, Emory University.

Processing

Processed by Barbara J. Mann, July 1990.

Collection Description

Biographical Note

Leo Max Frank (1884-1915), son of Rudolph and Rhea Frank, was born April 17, 1884 in Paris, Texas. The Franks, a Jewish family, moved to Brooklyn, New York, during Leo Frank's infancy. He attended Pratt Institute and Cornell University, graduating from Cornell in 1906 with a degree in mechanical engineering. After working as a draftsman and testing engineer for companies in New York and studying pencil manufacturing in Europe he came to Atlanta, Georgia, to work with his uncle, Moses Frank, to establish the National Pencil Company factory. In 1908 he became Superintendent and Vice President.

On April 26, 1913, Confederate Memorial Day, thirteen-year-old Mary Phagan, daughter of John and Fanny Phagan, went to the National Pencil Company factory to pick up her pay. She received her pay from Leo Frank. That was the last time she was seen alive. Early the next morning her body was discovered by the night watchman in the basement of the factory. She had been beaten and strangled. Leo Frank was arrested as one of the suspects and was subsequently indicted on May 24, 1913.

Leo Frank's trial began on July 28, 1913 in the Fulton Superior Court with Judge Leonard S. Roan, presiding. Solicitor General Hugh M. Dorsey was the chief prosecutor and Luther Z. Rosser, Sr, the chief defense counsel. On August 25, 1913 Frank was found guilty and on October 10, 1913 he was sentenced to be hanged. The appeal process took two years with the case going all the way to the United States Supreme Court. The verdict remained guilty.

Because of the doubt of Frank's guilt by some of the officials connected with the trial a commutation hearing was held in Atlanta on June 12-16, 1915. Representing Leo Frank were William M. Howard of Augusta, Manning J. Yeomans of Dawson, and Harry A. Alexander and Leonard Haas of Atlanta speaking for the defense. With two days left in his term as Governor of Georgia, John M. Slaton commuted Leo Frank's sentence to life imprisonment on June 20, 1915, the day he was scheduled to be hanged. Thomas E. Watson, publisher of *The Jeffersonian*, wrote scathing articles attacking Governor Slaton's decision. Watson called for the boycotting of Jewish businesses and defended lynch mobs as "guardians of liberty". Anti-Semitic demonstrations broke out with the safety of the Governor and his wife in question.

In order to protect Leo Frank, he was transferred from Fulton Tower in Atlanta to the prison farm outside Milledgeville. A fellow prisoner, William Green, inflicted a near fatal throat wound on Frank, July 23, 1915. On the night of August 16, 1915, a mob descended on the prison farm and forcibly abducted Leo Frank. He was driven to Marietta, Georgia, and was found hanged from a tree the next morning.

Leo Frank was buried in the Mount Carmel Cemetery in Brooklyn, New York. His wife, Lucile, whom he had married in 1910, returned to Atlanta where she opened a dress shop and became active in the work of The Temple. She died on April 23, 1957, still believing her husband innocent.

The murder of Mary Phagan and subsequent lynching of Leo Frank gave rise to two organizations: the birth of the Anti-Defamation League of the B'nai B'rith and the return of the Knights of the Ku Klux Klan. Attorneys for three Jewish organizations petitioned the State (Georgia) Board of Pardons and Paroles to pardon Leo Frank, but the petition was denied on December 22, 1983. On March 11, 1986 the State Board of Pardons and Paroles granted a posthumous pardon to Leo Frank on the grounds that the State failed to adequately protect his life and chance for further appeal.

Scope and Content Note

The Leo Frank collection is an artificially assembled group of transcriptions, notes, photocopies of trial documents, clippings, a scrapbook, and printed material. The collection contains typewritten copy of the transcript from the hearing before Governor John M. Slaton in regard to the request of commutation of Leo Frank's death sentence. Parts of this transcript are fragile and have been photocopied for use by researchers.

The collection also includes a typewritten copy of the notes from Manning Jasper Yeomans, one of the attorneys representing Leo Frank at the commutation hearing. This transcript is also fragile and a photocopy has been made for research use. "Decision in Response to Application for Posthumous Pardon for Leo M. Frank" from the State (Georgia) Board of Pardons and Paroles, December 22, 1983, and photocopies of clippings in regard to the application for and subsequent pardon as are also part of the collection.

Finally, the collection contains material received from a variety of sources. Included is a photocopy of Freshman, Clark. "Beyond Pontius Pilate and Judge Lynch: The Pardoning Power in Theory and in Practice as Illustrated in the Leo Frank Case." Senior thesis, Harvard University, March 1986, as well as a number of other articles and essays. Also included are collected clippings from the *Atlanta Constitution* and *Atlanta Journal* and the Nashville paper, *The Tennessean*, a handwritten copy of a poem entitled "Mary Phagan" written by an unidentified individual, and a scrapbook kept by an unnamed creator that covers the lynching.

Arrangement Note

Arranged by type of record.

Container List

Sentence Commutation Hearing Transcript

| Box | Folder | Content |
|-----|--------|--|
| 1 | 1 | Pages 6-49 |
| 1 | 2 | Pages 50-99 |
| 1 | 3 | Pages 100-149 |
| 1 | 4 | Pages 150-199 |
| 1 | 5 | Pages 200-249 |
| 1 | 6 | Pages 250-306 |
| 1 | 7 | Pages 307, 311, 313, 315-317 |
| MF1 | - | Sentence Commutation Hearing Transcript (copy 1) |
| MF2 | - | Sentence Commutation Hearing Transcript (copy 2) |

Defense Attorney Notes

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|---|---|---|
| 1 | 8 | Yeomans, Manning Jasper: "Some Facts about the Frank Case", [1915?] |
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Leo Frank Pardon, 1983-1986

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| 1 | 9 | Collected clippings, 1983-1986 |
| 1 | 10 | State Board of Pardons and Paroles: "Decision in Response to Application for Posthumous Pardon for Leo M. Frank," December 22, 1983 |

Collected materials

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| 1 | 11 | Clippings: Alonzo Mann testimony, 1982 |
| OP1 | 1 | Clippings: The Tennessean, March 7, 1982 |
| 1 | 12 | Clippings: Jim Conley, 1990 |
| 1 | 13 | Clippings, 1952-1953, 1978, 1982 |
| 1 | 14 | Mary Phagan Kean's list of vigilance committee's members, other trial documents and information (photocopies), 1913, no date |
| 1 | 15 | Printed material, Articles |
| 3 | 1 | Scrapbook, 1900-1920 |
| 1 | 16 | Writings: Freshman, Clark. "Beyond Pontius Pilate and Judge Lynch: The Pardoning Power in Theory and in Practice in the Leo Frank Case." Senior thesis, Harvard University, March 1986. (Note: Reproduction Prohibited: Requests must be referred to Harvard University) |
| 1 | 17 | Writings: Mamches, Richard, "Why the Leo Frank Pardon is Important," 2011 |
| 1 | 18 | Writings: Unknown author, "Mary Phagan" (a poem), no date |
