

automobiles merely figments in the mind of a tired and scared man. Around 5:00, just as day was breaking, the party reached its destination. There, behind a fence, inmates clad in stripes were moving through the faint gray light. "I had begun to think I wouldn't get to see this place," Frank remarked shortly after pulling up to the main building.

Monday morning, Atlanta awakened to the cries of newsboys shouting FRANK'S SENTENCE IS COMMUTED BY SLATON. By 10:00, swarms of people were milling about everywhere, bringing the city to a virtual halt. Though some of these citizens surely approved of the governor's decision, the majority did not. In response to a query regarding the public mood, Mayor Jimmy Woodward wired the *New York World*: "The larger part of the population believes Frank guilty and that the commutation was a mistake."

Around noon, an excited throng burst into Slaton's office, but the governor, exhausted from the weekend's travails, had not come in, and the crowd drifted back onto the capitol lawn. Shortly thereafter, an unidentified man, graying and gaunt, mounted the building's steps and, gazing over the packed mass of humanity, bellowed: "Who will follow me?" To enthusiastic cheers, this latter-day Danton then led the multitude into the senate chamber, which was soon filled to overflowing and where long into the afternoon speakers took turns denouncing the state's chief executive.

Across town at city hall, like-minded orators were whipping up a far more unruly crowd. Among the some 5,000 gathered here, many were spoiling for fights, and as the day progressed, there were numerous arrests, the most dramatic being that of a plainclothesman who had joined in the protest and who, after being rebuked for doing so, slugged Chief James Beavers in the face. The officer was stripped of his gun and badge and promptly carted away in a patrol wagon, but the incident was hardly reassuring.

While it's doubtful anything John Slaton could have said would have placated the populace, at midday he summoned the press to Wingfield. Still in pajamas, eyes dull and swollen from lack of sleep, the governor was nonetheless clearheaded. "All I ask is that the people of Georgia read my statement and consider calmly the reasons I have given for commuting Leo M. Frank's sentence," he urged. "Feeling as I do about this case, I would be a murderer if I allowed that man to hang. I would rather be ploughing in a field than to feel for the rest of my life that I had that man's blood on my hands." Adding that he was convinced Jim Conley had killed Mary Phagan, the governor ended the conference by releasing his commutation order, enabling editors to get the lengthy document into late editions. Boomed the *Journal's* page-one banner: SLATON GIVES REASONS FOR COMMUTING FRANK.

Yet no matter how compelling the governor's rationale, most Atlantans were unmoved. As night fell, the speechifying continued, especially downtown at Five Points, where at 8:30, to cries of "Pay the Governor a Call," a throng of about 4,000 set out on foot toward Slaton's mansion.

The route to Buckhead runs six miles straight up Peachtree Street, but the mob was undeterred by distance or, at first, by the police, bulling through several roadblocks. To hoots and hollers and honking horns, the men stopped only to break into a hardware store in search of guns and to steal bricks and other potential weapons from a couple of construction sites. At the midway point, fifty mounted officers led by Chief Beavers made a stand, turning back hundreds. Still, nearly 2,000 got through, storming on toward their destination.

Wingfield, situated as it was on wooded acreage and set far back from Peachtree near its intersection with Pace's Ferry, made an attractive target. Due to the vehemence of the day's earlier protests, the Fulton County police had done their best to fortify the place, barricading the drive with barbed wire and stationing a squad of officers and deputized citizens around the perimeter. But after receiving word of the crowd's size, the governor, who was waiting up with friends—among them Henry Alexander, counsel to Frank—realized that the preparations were inadequate and declared martial law, mobilizing the state militia's Fifth Regiment.

The mob had been outside Slaton's mansion no more than a few minutes when the troops arrived and with fixed bayonets took up position. Initially, the demonstrators rained stones and bottles on the guardsmen, injuring the major in command and several others. But following this barrage, the militia swung into action, driving the throng back down Peachtree. Though the mob remained defiant, taunting the troops with a pointed version of the ditty "I Didn't Raise My Boy to Be a Soldier," it was shortly in full retreat. By midnight, the threat had been quashed.

The danger, however, had not passed. In fact, as soon as this group had fled there was a report that 200 Mariettans were approaching from the north, necessitating the deployment of troops to the rear of the governor's property. That the Cobb Countians were en route should have surprised no one, as Marietta's sentiments in the matter were well known and if anything, its response to Slaton's decision had been more violent than Atlanta's. The town had hanged the governor in effigy on the courthouse square, emblazoning an attached placard: "John M. Slaton, King of the Jews and Traitor Governor of Georgia." The likeness was then pulled down and torched beneath the community's monument to its late hero, Senator Alexander Stephens Clay. What happened next was apparently even uglier, although the *Marietta Journal* glossed over the details, maintaining: "We feel it best that some incidents not be mentioned." Despite having built up such

a head of steam, the Mariettans thought better of taking on the militia and stopped just shy of Slaton's estate.

While no other sorties were launched against Wingfield this night, it was not for lack of hostility. Georgia fairly throbbed with rage. In the middling city of Columbus, a mob hanged Slaton in effigy, riddling a figure labeled "Governor Slaton, the Traitor" with countless rounds of ammunition. In the rural community of Woodstock, there was a similar display. And in the county-seat town of Newnan, a crowd strung up effigies of both Slaton and Frank, set them afire, then dragged them behind a car through the streets. In only a day, the governor had become the second most reviled man in the state.

For all of Monday's turmoil, Tuesday dawned peacefully in Atlanta. By noon, Governor Slaton was ensconced in his office at the capitol, the halls packed not with protesters but with favor seekers and well-wishers. The atmosphere was at once unabashedly political—with several key patronage positions to fill before stepping down at week's end, Slaton remained a potent figure—and surprisingly buoyant. Save for the *Constitution*, which in keeping with its pro-Dorsey stance had refrained from commenting on the commutation, the city's newspapers had rallied around the governor, praising him for his "manly" decision and predicting that in time, he would be vindicated.

Proclaimed the *Journal*:

Whatever individuals may think as to the guilt or innocence of [Frank], a majority of them recognize in this remarkable case an element of doubt so huge and staggering that the mind recoils from contemplation of the extreme penalty of the law inflicted upon this unfortunate man. It is this irresistible and irrepressible doubt that Governor Slaton has recognized. The governor has shown wisdom and courage in his performance of an act of simple justice.

Declared the *Georgian*:

Had the Governor desired to proceed along the line of least resistance and do the easy thing, he might have resisted his conscience and let this defendant go to his death upon the scaffold, but the Governor could not in good conscience do that. It was not for him to weigh the political consequence of an act of this sort—and be it said to his credit, he did not. It was only for him to do his duty. The *Georgian* believes that Governor John M. Slaton deserves the commendation of the people of Georgia.

Then there were the hosannas from the national press. Now with the *San Francisco Call*, Harold Ross, after noting that there was "strong religious prejudice against Frank," wrote:

Governor Slaton, realizing the large element of existing doubt, was duty bound to save him from the gallows. His act will receive the endorsement of the American people, with a notable exception perhaps in his own state.

Added the *New York Times*:

Governor Slaton feels that because of this act he must live in obscurity the rest of his days. His view is too narrow. He quite misunderstands what awaits him. If he but look beyond the boundaries of the State of Georgia, he can know and feel to how high a place he has raised himself in the esteem and admiration of the whole country. Had Georgia sent Frank to the gallows, the good name of the State would have been blackened and its people would have been under reproach. Governor Slaton has saved Georgia from herself. He has made his name illustrious.

Yet even as editorialists sang Slaton's praise, martial law remained in effect within a half-mile radius of Wingfield, where the Fifth Regiment had pitched tents and thrown up machine gun nests, digging in as if preparing for a siege. The militia's continued presence underscored the fact that no matter what the papers—especially such pro-Frank sheets as the *Journal*, the *Georgian* and the *Times*—might say, their utterances were irrelevant to most Georgians. The only voice to which the people listened belonged to Tom Watson.

The first postcommutation issue of the *Jeffersonian* hit the streets Thursday, and for sheer demagogic genius, it eclipsed everything Watson had heretofore produced. To begin with, he prefaced its page-one fulmination with a verse from that fiercest biblical prophet, Jeremiah, wherein the Lord, decrying "a wonderful and horrible thing committed in the land," asks: "Shall not My soul be avenged on such a nation as this?" Having thus intimated his purposes, Watson then summoned the faithful. And he did it by summoning the ghosts in whom they believed. "Once, there were *men* in Georgia," he roared, "men who were afraid of nothing save to do wrong; men who sprang to arms and went to death on a bare question of *principle*. The sons of those men carried the tattered Stars and Bars farthest up the heights of Gettysburg; met the first shock of battle at Manassas; led the last charge at Appomattox." Inexorably, the Sage was resurrecting the past, rekindling its

buried passions, preparing his congregation to view what had occurred not merely as a miscarriage of justice but as an affront to the South. Only after stoking the fires did he finally thunder:

Our grand old Empire State HAS BEEN RAPED!

Like the Roman wife of old, we feel that something unclean, something unutterably loathsome has crept to bed with us, and befouled us during the night: and that while the morning has come again, it can never, *never* restore our self-respect.

We have been violated, AND WE ARE ASHAMED!

The despoiler, of course, was John Slaton:

After the hue and cry which the Burns Detective Agency and the Prostitute Press has kept up for more than a year, Governor Slaton turns out to be the dead fly in the ointment, the weak joint in our armor, the vulnerable heel that lets the fatality enter our body politic.

Judge Roan could not be moved; our Supreme Court could not be swayed; the United States Supreme Court could not be stormed; the lowly work people, whose evidence perhaps took the bread out of their mouths, could not be bullied or bribed.

Our system stood, like Jackson . . . it was a stone wall.

At last, one partner got before the other—ROSSER BEFORE SLATON—and the one partner gave what the other partner wanted.

If there was ever a time when Slaton should have proved his manhood, it was when he was occupying so ambiguous a position.

Either his firm should have withdrawn from the case, or he should have withdrawn from the firm.

The governor, though, was not the sole transgressor. As Watson never tired of asserting, there had been "dark places" all along, and for the hundredth time, he took his readers through the litany of offenses, among them "the attempt to get William Smith to fix the crime" on Jim Conley. Yet the commutation decision remained the unforgivable sin, for behind it, Watson saw not just a perfidious alliance between partners but the influence of those well-heeled sons of David who, he charged, controlled Slaton:

Jew money has debased us, bought us, and sold us—and laughs at us.
Bought and sold! Cried off at the auction block, and knocked down to
Big Money!

ONE LAW FOR THE RICH, AND ANOTHER FOR THE POOR!

What Georgians can now deny it?

Mary Phagan, pursued and tempted, and entrapped, and then killed when she would not do what so many other girls had done for this Jewish hunter of Gentile girls.

There she lies at Marietta, unavenged by the Law!

And her pursuer and murderer, spirited out of Atlanta, *unshackled*, and taken in his natty new suit and patent leather shoes, on a *Pullman palace car*, to the State Farm, *FROM WHICH AN ESCAPE WILL BE ARRANGED FOR HIM IN LESS THAN THIRTY DAYS!*

The Haas Finance Committee and its cooperative organizations do not intend that Frank shall be punished at all, for the rape and murder he committed on the Gentile girl.

In their eyes, she was legitimate prey; and with their Unlimited Money and Invisible Power, they have established the precedent *in Georgia* that no Jew shall suffer capital punishment for a crime committed on a Gentile.

In the name of God, what are the people to do?

This, of course, was the question, and Watson's counsel—which he had presaged at the outset by invoking Jeremiah and delivered now as a call to arms—would change history:

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*.

What Rosser and Slaton have together done nullifies the Code, abolishes the courts, and plunges us into administrative anarchy.

Shall my soul not be avenged on a such a nation as this?

A WONDERFUL AND HORRIBLE THING IS COMMITTED IN THE LAND.

A day after Watson's broadside appeared, reports began to circulate that a group of 150 Mariettans known as the Knights of Mary Phagan had met at the child's grave and vowed "to 'get' Slaton and Frank, no matter how long it takes." All three Atlanta papers ignored these rumblings, but the *New York Times* flatly asserted: "There seems to be little doubt that such a body has been formed."

Who faced the greater initial danger from this fraternity was abundantly plain. Getting Frank would require breaking into the Milledgeville state prison farm, which following the arrival of its celebrated new inmate had been reinforced with extra guards and ammunition. Boasted the *Macon Telegraph*: "The prison is too secure to ever brook outside violence, for

approach to the buildings would be fraught with untold danger. Death would be the toll of any man, or set of men, who would defy the defenses." The *Telegraph's* hyperbole aside, few would have disputed its analysis—Frank was beyond the easy reach of those who wished him harm.

Another possibility was that the Knights—or others of their ilk—might seek retribution against Georgia's Jews as a whole. Since the commutation, Atlanta and Marietta had been deluged with red-lettered flyers promoting a boycott of Jewish-owned businesses. "AMERICAN GENTILES," the leaflets advised, "IT IS UP TO YOU." More ominously, an organization calling itself the Marietta Vigilance Committee had posted threatening notices on the doors of the little town's handful of Jewish merchants. They read:

You are hereby notified to close up this business and quit Marietta by Saturday night, June 26, 1915, 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.

Yet unsettling as these developments were, an indiscriminate assault on the state's Jews also appeared unlikely. In fact, upon hearing that such sentiments were abroad, Hugh Dorsey telegraphed his Cobb County counterpart, Herbert Clay, urging him to use his "good offices to pacify the people and prevail upon them to permit these merchants to remain . . . As you and I know, this kind of thing should not be done." In response, Clay not only promised to take the appropriate steps, but the Marietta Board of Trade—in the persons of Josiah Carter, Jr., Moultrie Sessions and garage owner Jim Brumby—agreed to back him up. Though the board members felt compelled to state that "Leo Frank should have been hung" and that the governor had "outraged justice," they endorsed restraint: "We beg our citizens to still stand for law and order, and not punish innocent people for the wrongs of others."

The choice, then, was clear. If vengeance was to be meted out, it would almost surely be meted out against John Slaton, most likely on Saturday amid the pageantry attendant to Nat Harris's inauguration as Georgia's new governor. As the *New York Times* reported:

Preparations have been made for a great anti-Slaton demonstration at the capitol. Railroad men report that unusually large crowds are coming to the inauguration from the country towns and rural districts, and the prophets assert that the crowds will be here for the purpose of showing their disapproval of Governor Slaton's action. If the inauguration pass[es] without incident, a bountiful crop of rumors will have come to naught.

John Slaton's last day in office began just after 2 A.M. when a mob of 200 well-armed men launched the week's second assault on his estate by firing on a sentry. What followed more nearly resembled a brawl than a battle, as elements of the Fifth Regiment, after raking the woods with an admonitory return volley, plunged into the darkness, knocking heads and rattling teeth. Wisely, the raiders soon turned tail, most of them escaping. But 26 were placed in custody (among them Mary Phagan's uncle D. R. Benton, of Cobb County), and in a search of the immediate area, guardsmen found a potentially lethal cache of dynamite caps and fuses.

Around dawn, Slaton emerged from his mansion to look over the prisoners, who were being temporarily detained in his stables. The sight of these men—whose ages ranged from 16 to 46 and whose number included butchers, bricklayers and even a couple of realtors—deeply distressed the governor. "He stood still for a moment," guardsmen who were present later recollected, then turned with an expression on his face that suggested "his heart was breaking." Until this moment, Slaton had underestimated the people's outrage. Yet for all that, he hastened downtown to his office at the capitol, where after spending the morning addressing his final correspondence, he and Sallie hosted an informal reception for the leaders of the legislature and assorted salons, among them one of the Mariettans who had so vociferously opposed the commutation of Frank's death sentence, retired governor Joseph Brown.

At the appointed hour of noon, Slaton and his guests made the short walk to the hall of the house of representatives, where the memberships of the joint legislative bodies, along with scores of dignitaries and functionaries, had convened. Observed the *Constitution*: "The gallery was crowded to its utmost standing room capacity, and hundreds crowded about the doors." Outside on the capitol lawn stood hundreds more.

The inauguration ceremony itself, save for an eruption of hisses that greeted Slaton when in accordance with tradition he presented the state seal to Nat Harris, actually proceeded smoothly. But once the transfer of power had been completed and the former governor and his successor emerged arm in arm from the house chamber, the atmosphere degenerated. "I could see people on the stairs and in the vestibules gnashing their teeth, shaking their heads, and exhibiting various evidences of hostility," Harris later wrote, adding that Slaton gripped his arm so tightly it turned blue. Though the two men briefly ducked into a conference room, there was no escaping the inevitable and soon enough, they appeared on the capitol steps, where to angry shouts of "Lynch him," they descended between columns of soldiers toward a waiting car. It was then that the attempted assault occurred. As Harris subsequently remembered:

Governor Slaton entered the automobile first and just as I was preparing to follow him a strong, rough looking man darted from the crowd holding in both his hands a large piece of iron pipe about five feet long and an inch thick. He raised this to strike the ex-Governor over my head and shoulder. He could not have reached him without hitting me. Instantly Major Polhill Wheeler, who was in command of a battalion of the National Guard . . . seized the hands of the man . . . and turned aside the blow, saving Governor Slaton and myself from a terrible injury or perhaps death.

In the wake of this incident, Slaton—who was widely believed headed to New York later in the afternoon—was whisked to Terminal Station, scores of protestors not far behind on foot. Yet while the ex-governor's car did stop at the depot, he didn't get out. Instead, following a brief pause, his driver darted beneath a canopy of viaducts that carried street traffic—and the throng—above the tracks. By the time men shouting "Where's Slaton?" started boarding departing trains, their quarry was sitting down to a luncheon in his successor's honor at the Ansley Hotel several blocks away.

This was, by all rights, Nat Harris's moment, but when the gathering's host asked Slaton to say a few words, he obliged, delivering a statement that few who heard it soon forgot:

Honest people may disagree with me, an honest man, but we realize that we must be measured by our consciences. Two thousand years ago another Governor 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.

Shortly thereafter, armed guards escorted the former governor back to Wingfield.

As it turned out, the reports of John Slaton's departure for New York were merely premature. On Monday—following yet another night during which troops and marauders exchanged gunfire in Buckhead—the ex-governor and his wife left Atlanta on Southern Railways. Upon arriving in Manhattan the next evening, they checked in to the Waldorf-Astoria. There, Slaton—after dropping by the barbershop for a shave and fortifying himself with one of the hotel's renowned and potent Star cocktails—met the press, which accorded the "fine, big, upstanding Southerner" the sort of welcome

usually reserved for war heroes. So solicitous were the questions, so exuberant the camera flashes, that Slaton was soon expounding on every aspect of the case. Regarding his authority to intervene, he vowed: "It was my duty to correct the errors the courts themselves could not correct." Regarding his probe of the murder, he asserted: "I left no stone unturned." But it was Slaton's recounting of a private drama attendant to his moment of decision that attracted the most attention. As the *New York World* reported:

He told an interesting story of how he first let it be known that he was going to save Frank's life. He and Mrs. Slaton were in their library. He had been deliberating for hours. He turned to his wife and said:

"Dear, my conscience and my mind will not allow me to send that man to the gallows. It may mean my own life, and it probably will mean my political life if I commute him, but I'm going to do it. What do you say?"

Mrs. Slaton (Sallie Grant, she was, granddaughter of old Governor James Jackson of Georgia, who fought six or eight duels) didn't hesitate. She replied instantly, putting her arms about him: "All right, Jack, never mind the consequences, let's commute!"

After the news conference, Slaton and his wife stepped out for a night on the town with their most enthusiastic journalistic patron, William Randolph Hearst. The first stop was the New Amsterdam Theater, home of the Ziegfeld Follies. Then it was on to a dinner party at the publisher's West End Avenue apartment.

For the Slatons, this was the start not just of a triumphant New York visit (several mornings later, they generated a flurry of news stories by appearing at the downtown courtroom where Harry K. Thaw, murderer of the architect Stanford White, was attempting to demonstrate that he was sufficiently sane to forgo continued incarceration) but of a summer-long vacation. Following a week in Manhattan, they would repair to the Adirondacks, then travel to Chicago and on to Alaska via the Canadian Rockies. From there, they would journey to San Francisco. After taking in the Pan-Pacific Exhibition, they would hop down the coast to San Simeon, where they would once again be the guests of Hearst. Finally, they would sail to Hawaii. All in all, they would be gone three months, long enough, they hoped, for tensions at home to subside.