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*I hereby recommend that the thesis prepared under my supervision by*

STEPHEN A. BROWN

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WHEN MIDDLE-CLASS AMBITION MET SOUTHERN HONOR: A CULTURAL

HISTORY OF THE LEO FRANK CASE

*be accepted in partial fulfillment of the requirements for the degree of*

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*Thomas A. Gledhill*  
Adviser (Chairperson of Defense Committee)

*I concur with this recommendation*

*David L. ...*  
Department Head/Chair

Recommendation concurred in:

*Robert J. ...*  
*Robert J. ...*  
*David L. ...*  
*Lynn W. ...*

Members of  
Thesis or  
Dissertation  
Defense  
Committee

**UIC** University of Illinois  
at Chicago

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**SAB**

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## SUMMARY

On August 17, 1915, Leo Frank, a Jewish, middle-class factory manager, lost his life to a lynch mob in Marietta, Georgia. The mob, a group of twenty-five men calling themselves the "Knights of Mary Phagan," lynched Frank to avenge Phagan's murder, which all in the mob believed Frank had committed. Almost two years earlier a jury had convicted Frank of the crime and a judge had sentenced him to death by hanging. But on the eve of Frank's execution, Georgia's governor commuted Frank's sentence to life imprisonment. After hearing of the commutation, mobs formed throughout Georgia and exploded in violence -- the end result of which was Frank's lynching. Why did this extralegal event occur?

Leo Frank was lynched for two basic reasons. First, he was killed because he was a Jew. After learning that Frank was Jewish, many white southerners began to draw condemnatory conclusions about the defendant. Many assumed, for example, that because Frank was a Jew, it was likely that he was a sexual predator who craved trysts with gentile girls -- the same girls like Mary Phagan who worked in his factory. Many also believed that as a Jew, Frank held invisible ties to monied interests that mysteriously manipulated individuals and institutions like judges, juries, newspapers, and the governor who eventually commuted his sentence. Second, Frank was also lynched because he was a middle-class factory superintendent whose core values -- the values that comprised a culture of personal and professional ambition -- meshed poorly with those of the dominant culture in the South -- a culture predicated on honor. The tensions that arose from this cultural impasse led the Knights to lynch Frank in order to restore the honor that many felt had been wrested from them.

## **SUMMARY (continued)**

This dissertation examines this cultural impasse -- the moments when middle-class ambition "met" southern honor -- and explores the cultural and social dynamics that affected the Leo Frank case. It is a cultural history of that case, and as such it analyzes the most salient features of the southern social groups that responded to this crisis in an effort to establish the causes and consequences of this dramatic legal event. It seeks to answer certain questions: what was life like for the thirteen year-old, white working girl who was murdered in Atlanta on Confederate Memorial Day in 1913 and what were the values that shaped her life? Why was an unassuming, middle-class Jew prosecuted for the murder and what culture defined his life? And why did many southerners resort to a language of honor to condemn the accused and ease their anxieties? By investigating the ways that these various southerners appreciated, disavowed, or understood concepts like ambition, honor, work, and play, one finds cultural answers to these difficult questions.

## **I. INTRODUCTION**

### **A. When Middle-Class Ambition Met Southern Honor**

From April 26, 1913 to August 17, 1915, a series of sometimes violent and always controversial events shook the people of Atlanta, Georgia and the nation. The vicious murder of Mary Phagan, the trial and eventual lynching of Leo Frank, and the shameful state of racial and ethnic relations in the American South fascinated ordinary Americans. Leo Frank was a diminutive, twenty-nine year-old, northern-bred, college-educated, Jewish factory superintendent; Mary Phagan was an attractive, thirteen year-old, white working girl from Atlanta. In 1913, almost two years before he was lynched, Leo Frank was convicted of Phagan's murder. Mary Phagan had been an employee at the National Pencil Company that Frank managed and her untimely death set the stage for one of the most important legal dramas in southern history. This dissertation explores that legal case from a cultural perspective. It seeks to understand the reasons why Frank was lynched for a crime he did not commit. And it does this by analyzing southern social groups in an attempt to better comprehend the complexity of southern society during the early decades of the twentieth century.

Why, specifically, was Leo Frank lynched after John Marshall Slaton, Georgia's governor in 1915, commuted his death sentence to life imprisonment that year? The answer is twofold. First, Leo Frank was lynched because he was a Jew. After learning that Frank was Jewish, many white southerners began to draw condemnatory conclusions about the defendant. Furthermore, they based many of those conclusions on a series of Judaeophobic and antisemitic myths that had percolated throughout southern society for decades. They assumed, for instance, that because Frank was a Jew, it was likely that he was a lascivious individual who craved trysts with white gentile girls -- the same girls like Mary Phagan who worked in his factory. Many also assumed that as a Jew, Frank held

invisible ties to monied interests that mysteriously manipulated individuals and institutions like judges, juries, newspapers, and even a governor. Second, and arguably more important, Leo Frank was lynched because he was a middle-class factory manager whose core values -- the values that comprised a culture of ambition -- meshed poorly with those of the dominant culture of the South -- a culture predicated on honor. The difficulties and tensions that arose from this cultural impasse led a mob of twenty-five men, members of a vigilante group that called themselves the "Knights of Mary Phagan," to lynch Frank in order to restore the honor that many felt had been wrested from them. Indeed, by lynching Frank, these men reasoned that they had carried out a duty ordained by a higher authority. This dissertation examines this cultural impasse -- the moments when middle-class ambition "met" southern honor -- and explores the cultural and social dynamics that affected the Leo Frank case.

Since the days of Frank's trial and tragic lynching, a great deal has been written about the case and its violent ending. Many contemporary commentators, journalists, legal scholars, and amateur and professional historians alike have written about the famed Leo Frank case. Legal scholars have searched for loopholes, technicalities, and explications of the law, while historians have wondered how and why such a blatantly antisemitic chain of events could have occurred in the early twentieth-century American South. One school of historians, led most notably by Leonard Dinnerstein, Albert Lindemann, and Robert Seitz Frey, suggests that Frank's persecution was a direct manifestation of virulent antisemitism. To them, the Frank case resembled an outpouring of emotional venom similar in its ferocity to France's "Dreyfus Affair" or Russia's Beiliss "ritual murder" case, two turn-of-the-century legal disputes that involved questions of antisemitism and prejudicial prosecution. According to this school of historians, antisemitism, accompanied by

popular outbreaks of hysteria, motivated the violence that marred all three events. Leonard Dinnerstein also suggests that tension created between residents of the rural, provincial countryside and those of the commercially expanding urban center of Atlanta helped cause the antisemitic tirades directed at Frank and the extralegal violence that followed in the wake of Frank's commutation. A number of authors have followed Dinnerstein's lead here and have written both scholarly and popular accounts of the case. Most recently, Nancy MacLean posed questions concerning gender, changing sexual attitudes among southern white working girls, and the rise of what she terms "reactionary populism." MacLean argues that these issues carried much weight throughout the Frank case.<sup>1</sup>

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<sup>1</sup>Contemporary accounts of the Leo Frank case include C.P. Connolly, *The Truth About the Frank Case* (New York: Vail-Ballou Co., 1915); Connolly, *The Frank Case: Inside Story of Georgia's Greatest Murder Mystery* (Atlanta: Atlanta Publishing Co., 1914); W.E. Thompson, *A Short Review of the Frank Case* (Atlanta, n.p., 1914); "Why Was Frank Lynched?" *Forum* 56(December 1916): 677-92; Henry S. Woods, "The Crime at Marietta," *America* 13(September 11, 1915): 535-7. Early twentieth-century legal scholars approached the case in numerous ways. See "Due Process of Law in the Frank Case," *Harvard Law Review* 28(1915): 793-5; "The Last Legal Stage of the Frank Case," *The Outlook* 109(April 28, 1915): 958-9; Harry Schofield, "Federal Courts and Mob Domination of State Courts: Leo Frank's Case," *Illinois Law Review* 10(1916): 479-506. Also see John W. Curran, "The Leo Frank Case Again," *The Journal of Criminal Law and Criminology* 34(1944): 363-4. The most lasting scholarly work on the subject continues to be Leonard Dinnerstein, *The Leo Frank Case* (Athens: University of Georgia Press, 1968). Others include Dinnerstein, "Atlanta in the Progressive Era: A Dreyfus Affair in Georgia," in Frederic Cople Jahar, ed., *The Age of Industrialism in America: Essays in Social Structure and Cultural Values* (New York: Free Press, 1968); Albert Lindemann, *The Jew Accused: Three Anti-Semitic Affairs* (New York: Cambridge University Press, 1991); Steven Hertzberg, *Strangers Within the Gate: The Jews of Atlanta, 1845-1915* (Philadelphia: Jewish Publication Society of America, 1978); Harry Golden, *A Little Girl is Dead* (Cleveland: The World Publishing Company, 1965); Clement Carlton Mosely, "The Case of Leo M. Frank, 1913-1915," *Georgia Historical Quarterly* 51(March 1967): 42-62; Robert Seitz Frey, "Christian Responses to the Trial and Lynching of Leo Frank: Ministers, Theologians, and Laymen," *Georgia Historical Quarterly* 71(Fall 1987): 461-76. Popular accounts of the case include Charles and Louise Samuels, *Night Fell on Georgia* (New York: Dell Publishing Company, 1956); David Schwartz, "The Leo Frank Case," *Congress Weekly* 10(December 24, 1943): 6-7; Robert Seitz Frey and Nancy Thompson-Frey, *The Murder of Mary Phagan and the Lynching of*

The Leo Frank case has been told and retold by historians and journalists for many years. The case against Frank, which was brought to trial in the summer of 1913, ultimately rested on the suspect testimony of Jim Conley, the National Pencil Company's black sweeper. Conley told the jury a sensational tale about his superintendent and laced his story with titillating episodes of sexual impropriety. Surprisingly, a jury of southern whites accepted Conley's testimony without pause or much concern. In the process, the jury disregarded Conley's past history of criminal behavior -- he had a prison record filled with minor incarcerations for public drunkenness and disorderly conduct -- and ignored the color of his skin as well. In addition to Conley's evidence, a wave of antisemitism also influenced Frank's jury. Below the opened windows that led into Frank's courtroom, mobs of Atlantans congregated daily. These mobs often recited Christian hymns or sang folk ballads. Fiddlin' John Carson, the author of the "Ballad of Mary Phagan," frequently led the crowds in soulful renditions of the composition he made famous in Georgia. The lyrics (which included the following stanza: "Leo Frank he met her/ With a brutish heart, we know;/ He smiled, and said, 'Little Mary,/ You won't go home no more.'") were sung with noticeable enthusiasm. Unquestionably, the singing and ranting of Atlanta's mobs affected Frank's trial.<sup>2</sup> And in this frenetic context, Frank's jury deliberated for less than four hours before pronouncing the defendant guilty as charged. The day after the jury read its verdict, Leonard S. Roan, Frank's trial judge, showed little hesitancy and sentenced Frank to death by hanging.

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*Leo Frank* (Lanham, Md.: Madison Books, 1988). The most recent work includes Nancy MacLean, "The Leo Frank Case Reconsidered: Gender and Sexual Politics in the Making of Reactionary Populism," *Journal of American History* 78(December 1991): 917-48.

<sup>2</sup>The "Ballad of Mary Phagan" is reproduced in Dinnerstein, *The Leo Frank Case*, 166.

Until the day when a mob lynched him, Leo Frank and his legal counsel worked tirelessly to overturn his verdict. All told, they spent over a year and a half petitioning Judge Roan, the Georgia State Supreme Court, and the United States Supreme Court. Their appeals for redress, however, proved fruitless. After the Georgia Prison Commission refused to commute Frank's death sentence, Georgia's Governor Slaton took it upon himself to investigate the incident. He convened with those closest to the case and heard appeals from each side. Eventually, on June 22, 1915, Slaton commuted Frank's sentence to life imprisonment. The governor's act led many frustrated Georgians to riot in Atlanta's streets; mobs even threatened to storm Slaton's estate. When things calmed down, the leaders of a vigilante mob decided to seek their own brand of justice. That mob, which called itself the "Knights of Mary Phagan," spent two months planning Frank's execution. And on August 17, 1915, the "Knights" avenged the murder of their namesake and lynched Frank.

It is not coincidental that the Leo Frank case occurred in a southern city like Atlanta. As an emerging metropolis, the city posed a number of serious challenges to traditional forms of southern life. Unlike the typical southern mill village, which was literally a self-enclosed world, the city represented a far more complex environment. Within its borders, Atlanta housed a collection of factories, businesses, and places of leisure. In addition, the city was home to all sorts of people: middle-class urbanites interacted with working-class Atlantans; young boys and girls freely mingled with one another at work and at play; and blacks and whites lived and worked in close proximity to each other. In Atlanta and other southern cities, pre-existing social, cultural, and racial patterns were redefined. As a result, southerners of different backgrounds who had rarely had any social contact with one another were now coming face to face with each other for the first time in their lives. These changes produced a fair amount of anxiety for many southerners, especially for those who had been



raised to appreciate a social hierarchy and separation along social lines. Moreover, cities like Atlanta were also arenas where values based on honor, ambition, or a combination of both collided and reconfigured. And from these collisions, southern social groups formed new cultural bases.

This dissertation explores these social groups and their distinctive cultural features within the context of this particular southern legal drama. I extrapolate larger cultural issues, themes, and ramifications from a relatively specific set of data. For example, a middle-class Jewish superintendent was convicted of murdering a southern white working girl in the factory he managed. An overzealous prosecutor and an important southern political figure relied on a language of honor to stir passions and condemn the accused. And myths of various types, particularly ones that centered around an image of the lustful and monied Jew, affected the thoughts and views of many southerners throughout the two years that Frank was incarcerated.<sup>3</sup> By examining the lives of those who played the most critical roles throughout the Frank case, this work establishes a broad portrait of southern social groups in and around Atlanta during the decades of the early twentieth century. In the most overarching sense, then, this work conceptualizes class. It questions the factors that

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<sup>3</sup>I have chosen to focus this work on white southerners -- rich, poor and middling, male and female -- and their relations with Jews like Leo Frank. It is my contention that race, that is the social and cultural construction of black-white relations, was a peripheral issue throughout the case. Though blacks in Atlanta and throughout the country expressed their opinions about the trial and its aftermath, southern whites often disregarded their views. W. E. B. DuBois, one of the most prominent black spokesmen in the nation, opined that "The Frank case only offers illustration of the truth that in the South all things may be brought about by an appeal to prejudice." Most white southerners, as one might imagine, chose to ignore these writings. In Atlanta, black opinion remained within the black community -- and for good reason. The Atlanta race riot of 1906 was still fresh on the mind of every Atlantan, and the city's blacks did not want to incite another wave of racial violence. Race does play a role in this presentation, but I am more interested in the ways that white southerners constructed Jews as a racial category, than I am in the more traditional black-white constructions of the term. DuBois is quoted in *The Crisis*, August 1915.

motivated, shaped, or mollified southern value systems in an effort to understand their importance to the Frank case. In large part I do this by examining how different cultural groups of southerners either emphasized or disavowed important concepts like ambition, honor, work, and self-control. In the process, this work illuminates hidden nuances related to the Leo Frank case and offers a cultural portrait of southern history in the late nineteenth and early twentieth centuries.

## **B. Southern Honor**

On the day Governor John Marshall Slaton commuted Frank's death sentence to life imprisonment, the public inundated the governor's office with hundreds of letters both congratulating and vilifying Slaton for the action he had taken. Despondent over the recent turn of events, Mrs. Henry L. Ozburn wrote to Slaton hoping to make him understand how she viewed the situation. "When this Frank case rested with our Governor... I felt no uneasiness. One of my neighbors remarked [that] she was afraid. I told her no. [D]on't fear[,] our Gov [*sic*] is the son of a noble man, a friend to the working class. [L]ittle did I think you would betr[a]y the trust of the Georgia people. It was *money* against honor and 'money' weighed heavier." To Ozburn's way of thinking, money and honor created opposing notions. Indeed, according to her, one corrupted the other. In the last line of her letter, Ozburn expressed a fear that she shared with many Georgians when she suggested that "money would keep [Frank] from punishment and it has."<sup>4</sup> Ultimately, Ozburn believed that the pursuit of money and status somehow tarnished one's honor. To understand why ideas like honor and personal ambition meshed so poorly in early twentieth-century

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<sup>4</sup>Mrs. Henry L. Ozburn to John M. Slaton, June 22, 1915, box 4, reel 2, BRAN (emphasis in the original).

southern society, we need to explore how southerners perceived these two themes, especially in relation to the Leo Frank case.

The southern honor culture was a vital part of the early twentieth-century South. And though the culture had been transformed after the Civil War, its influence had declined little since the early nineteenth century. At that time, when plantations, masters and mistresses, and a system of slavery dominated the southern landscape, rituals predicated on honor compelled white southerners to interact in certain predictable ways. Southern society was rigidly hierarchical and different ranks of southern whites responded instinctively to any number of particular situations or circumstances. Rules of etiquette and propriety dictated the rituals surrounding courtship, marriage, and death, and southerners often accepted their place in society without pausing to consider the larger picture or the many meanings of their social standing. This was simply the way of life in the antebellum South.<sup>5</sup>

As the South became the focus of abolitionist ire in the 1830s, southerners became even more unwilling to compromise their system of slavery or the tenets of their honor culture that kept that system firmly entrenched. The values of the honor culture continued to influence developments in the South and southern political leaders began a concerted campaign to thwart the efforts of northern abolitionists. Southerners came to view any challenge to their perceived way of life -- from abolitionist mailings to northern discussions of the slave system -- as a threat, and one which

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<sup>5</sup>On the southern honor culture and its roots in antebellum southern society, see Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982); Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York: Oxford University Press, 1984); Steven Stowe, *Intimacy and Power in the Old South: Ritual in the Lives of the Planters* (Baltimore: Johns Hopkins University Press, 1987); Kenneth S. Greenberg, *Honor and Slavery: Lies, Duels, Masks, Dressing as a Woman, Gifts, Strangers, Humanitarianism, Death, Slave Rebellions, the Proslavery Argument, Baseball, Hunting, and Gambling in the Old South* (Princeton: Princeton University Press, 1996).

required a stern reproach. Prominent southern political leaders, for example, introduced gag laws and other measures to nullify federal intervention and prevent the gradual reduction of their system of labor. Indeed, as abolitionists heightened their appeals to the South, southerners themselves hid behind a language of honor. By the late 1830s and early 1840s, that language totally shaped southern culture and society, and it had made many southerners more unbending than ever.

The South's defeat in the Civil War forced many southerners to re-examine the code of honor that many had used to justify their military involvement. Still, that defeat, which some southerners memorialized as the "Lost Cause," often solidified southern intransigence. In fact, within a few years after its conclusion, the Civil War became the defining moment in southern life. As the "Lost Cause," the war melded southerners and even helped perpetuate sectional feelings. Southerners routinely applauded Confederate veterans for their sacrifices and immortalized those who had perished on the numerous battlefields in an endless number of commemorative exercises (like Confederate Memorial Day). Ironically, by the late 1860s and early 1870s, southerners of all social classes and categories -- not just members of a wealthy planter elite -- clung tightly to the values of their honor culture even as that culture appeared to warrant less and less merit. During this time, almost every white southerner employed a language of honor that was based on a shared conception of character and reputation, and visible in the way many southerners spoke of defending themselves against foreign elements and modern forces. Sadly, even as the South sank economically during the postbellum years, the honor culture continued to dominate the region. These, then, were the conditions that continued to affect southern life on the eve of the Leo Frank case.<sup>6</sup>

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<sup>6</sup>On the transformation of the honor culture after the Civil War and its new meanings in the postbellum South, see Rollin S. Osterweis, *The Myth of the Lost Cause, 1865-1900* (Hamden, CT: Anchor Books, 1973); Charles Reagan Wilson, *Baptized in Blood: The Religion of the Lost*

Why was it that the values of that culture meshed so poorly with those of an ambitious middle class? Many white southerners in the postbellum era, poor and traditional-minded elite alike, argued publicly that exhibiting personal ambition, especially when it related to amassing wealth, was dishonorable. Even the “New South” rhetoric of the late nineteenth century, one that was thoroughly imbued with ambitious sentiments, did not command much attention among most white southerners. Indeed, in spite of the many public statements to the contrary, southerners continued to feel uncomfortable around those who were ambitious or pursued commercial prosperity. “New South” spokesmen like Henry Grady, the editor of the *Atlanta Constitution* in the 1880s, often urged southerners of all social walks of life to stake their rightful claim to new forms of southern wealth. Grady often begged Georgians to aspire to new industrial and commercial heights. By doing so, Grady hoped that the South would prosper and regain its once vaunted economic position. Unfortunately, his commentaries only tended to make many southerners, especially elite individuals in the South, uneasy and anxious. In comparison, rural southerners could sometimes appreciate Grady’s concerns and interests, but most were generally reluctant to follow them as eagerly or willingly as Grady had hoped.<sup>7</sup>

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*Cause* (Athens: University of Georgia Press, 1980); Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South, 1865 to 1913* (New York: Oxford University Press, 1987).

<sup>7</sup>On Henry Grady and the New South spokesmen, see Raymond Nixon, *Henry W. Grady: Spokesman of the New South* (New York: Alfred A. Knopf, 1943); Harold Davis, “Henry W. Grady, Master of the Atlanta Ring, 1880-1886,” *Georgia Historical Quarterly* 69(Spring 1985): 1-38; Alice E. Reagan, *H.I. Kimball: Entrepreneur* (Atlanta: Cherokee Publishing Company, 1983); Royce Shingleton, *Richard Peters: Champion of the New South* (Macon: Mercer University Press, 1985); Charles Garofalo, “The Atlanta Spirit: A Study of Urban Ideology,” *South Atlantic Quarterly* 74(1975): 34-44.

Instead of acceding to Grady's perorations, the ordinary white southerner tried to pattern his culture and values after those of landholding gentlemen, planter elites, and traditional southern leaders. To most, this was a natural way to govern one's life. In particular, the rigidly hierarchical society that had been established in the South during the antebellum era persisted after the Civil War and its influence effectively ensured that honor, deference, and social ranks would remain popular. Consequently, most white southerners preached simplicity and caution in their everyday lives. They did not want to appear too influenced by the economic transformations occurring all around them and most maintained their unpretentious and casual routines. Most also took great pride in describing their humble origins and the quiet state of their lives. "I am just a common poor man," wrote R. E. L. Hammond, "[I] worked hard all my life... [and] have lived a life I am not ashamed of."<sup>8</sup>

Southerners like Hammond often suggested that ambitious individuals were a curse on the South. They assumed that "scalawags" and northeastern investors held inextricable ties to monied interests, had no connection to the much applauded glories of the southern past, and were clearly capable of challenging and transforming traditional southern social institutions and ways of life. Many argued that such a challenge was detrimental to southern society and that such an influence was a cancer on the social and political body of the South. With each passing decade of the last quarter of the nineteenth and first quarter of the twentieth centuries, poor southern whites and many of their elite brethren grew increasingly more despondent over the impact that business interests and

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<sup>8</sup>R.E.L. Hammond to Joseph Mackey Brown, August 24, 1914, box 6, folder 5, Joseph Mackey Brown Papers, Atlanta Historical Society.

commercial institutions were having on their society. Certainly, ambitious middle-class southerners with ties to commercial interests did not share this opinion.<sup>9</sup>

### C. Middle-Class Ambition in the South

An urban middle class in the South grew out of the confusion that accompanied the development of cities in the region. While a minority of antebellum southerners, particularly yeoman farmers, defined themselves as middling sorts, it was not until after the Civil War that a middle class rose to challenge the social and economic supremacy of the planter elite. In fact, until the postbellum period, when southern cities emerged and the South in general was introduced to new institutions, there had been little need for a middle class like that found in the North. The economic changes that helped the northern middle class emerge in the middle of the nineteenth century were virtually absent in the South. After the implementation of a full-scale plan of mill construction and factory production began in the last quarter of the nineteenth century, however, a southern middle class became necessary. Members of the middle class staffed these institutions and ran them according to pre-existing trends. The middle class that formed during this period also continued to exhibit the traditions and values that had been fundamental to northern middle-class life over half a century earlier. Patterns of work and remuneration, notions of a career, the growing importance of family and health issues, along with a desire to ambitiously pursue personal goals largely defined the middle-class culture that developed between 1865 and 1920 in the South.<sup>10</sup>

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<sup>9</sup>On Reconstruction and its influence on rural southern culture, see W.J. Cash, *The Mind of the South* (New York: Vintage Books, 1941), 112-5; and, more generally, Paul M. Gaston, *The New South Creed: A Study in Southern Mythmaking* (New York: Alfred A Knopf, 1970); Richard N. Current, *Those Terrible Carpetbaggers* (New York: Oxford University Press, 1988).

<sup>10</sup>On the development of the nineteenth-century middle class in the North, see Stuart M. Blumin, *The Emergence of the Middle Class: Social Experience in the American City, 1760-1900*

Among all these attributes, personal ambition rose to the forefront to dominate southern middle-class experience. "The world is always in need of young men of ability, endeavor and energy, above all of pluck," wrote a contributor to a book that was meant to guide middle-class careers, "young men who will fight to the last gasp, snatching victory out of the very jaws of defeat." Southerners like Leo Frank, a factory superintendent, exhibited energy and "pluck" in their pursuit of economic security. Many had been raised and taught to be as personally and professionally ambitious as possible. They sacrificed much to ensure that those personal goals were met. One of the most important sacrifices that middle-class southerners made involved their pursuit of formal education. They willingly made this sacrifice because many believed that there existed an intimate connection between an ambitious, goal-oriented outlook toward life and the attainment of advanced formal education. An education gave middle-class professionals a distinct advantage over those who failed to school themselves, especially when we consider that education was a factor that often determined one's future. "His knowledge must be as exact, as broad, and as deep as the scholar's," wrote another author in the middle-class guidebook quoted above, "and, further, it must be in the

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(Cambridge: Cambridge University Press, 1989); Mary P. Ryan, *The Cradle of the Middle Class: The Family in Oneida County, New York, 1770-1865* (Cambridge: Cambridge University Press, 1981); John S. Gilkeson, Jr., *Middle-Class Providence, 1820-1940* (Princeton: Princeton University Press, 1986); Cindy Sondik Aron, *Ladies and Gentlemen of the Civil Service: Middle-Class Workers in Victorian America* (New York: Oxford University Press, 1987). There has been little written specifically about the southern middle class. The emergence of this social group has often been treated as a rather vague development by recent scholars. See Glenda Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill: University of North Carolina Press, 1996); Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Pantheon Books, 1998).



form which permits its employment in the doing of things.”<sup>11</sup> The attainment of an education was a practical matter, and without it one was left to the caprice of a cruel and unpredictable modernizing world. The ambitious middle-class individual thus relied on knowledge and reasoning to achieve his various goals. Unlike most southerners who had little direct access to secondary schooling, members of the middle class assumed control over their environment and determined their destiny in ways never before imagined because of the collegiate and professional education they had attained. Moreover, with advanced education, one could exhibit an ambitious enthusiasm that often secured one’s economic position in the community.<sup>12</sup>

This process of cultural change allowed middle-class professionals to grasp control of the most significant institutions in society. Banks, factories, and distribution outlets, to name just a few, relied heavily on their middle-class proprietors, managers, and clerical workers. Personal ambition fostered much of the drive that determined these changes and motivated career-oriented, middle-class professionals to pursue economic betterment. As prominent, wealthy southerners slowly followed the economic precedents established in the North and began to modernize and transform their regional economy, middle-class professionals like Leo Frank were there to implement and oversee this important process. At each critical juncture, ambitious middle-class managers and professionals tried to ensure a smooth transition. Ultimately, the educated and ambitious middle class enabled this transformation to occur and it was their efforts that paved the way for the

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<sup>11</sup>The quoted passages are from Whitelaw Reid, et. al., *Careers For the Coming Men: Practical and Authoritative Discussions of the Professions and Callings Open to Young Americans* (Akron: The Saalfeld Publishing Company, 1907), 9, 108.

<sup>12</sup>On the importance of secondary education to the middle class, see Burton J. Bledstein, *The Culture of Professionalism: The Middle Class and the Development of Higher Education in America* (New York: W.W. Norton, 1976).

emergence of a new economic ethos in the South. Personal ambition, with its relation to career-oriented goals, helped the middle class survive the vicissitudes of the turn-of-the-century southern economy. Accordingly, middle-class southerners began to prosper in the new market-oriented society that was emerging to dominate the postbellum South.<sup>13</sup>

Middle-class southerners, like their counterparts throughout the rest of the country, shared certain abiding values. They cherished education and the career-oriented opportunities that came to those who were educated. Besides embracing a notion of one's personal career, members of the middle class also valued self-control and frugality. These core values largely defined this social group. At the same time, the middle class was not a static social category, nor was it a monolith. Those who defined themselves as the middle class were often distinguished by their personal habits, likes and dislikes, and individual needs. Indeed, middle-class southerners ultimately valued their individualism, emotional worlds, and personal ambitions: these were, after all, the things that made life worth living. In Leo Frank's life, this was certainly the case. However, while Frank may not have shared the same recreational interests or leisurely pursuits that other middle-class Atlantans did, he clearly shared with them the same dominant traits that distinguished him and his middle-class brethren from other social groups in the South -- like, for example, the working girls he employed at his factory.

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<sup>13</sup>On the changing nature of the late nineteenth-century southern economy, see Gilbert Fite, *Cotton Fields No More: Southern Agriculture, 1865-1900* (Lexington: University Press of Kentucky, 1984); Gavin Wright, *Old South, New South: Revolutions in the Southern Economy Since the Civil War* (New York: Basic Books, 1986); Douglas Flamming, *Creating the Modern South: Millhands and Managers in Dalton, Georgia, 1884-1984* (Chapel Hill: University of North Carolina Press, 1992).

Unlike many of his employees, Leo Frank was an ambitious individual. He sought both to improve his career as well as the quality of his life. Furthermore, Frank's own personal ambition paralleled the developing cultural meaning of the term at the turn of the twentieth century. Prior to the late eighteenth century, the term "ambition" had been associated with ostentatious display, especially of riches, dress and pomp, and it carried rather vulgar implications. By the nineteenth century, however, the word came to mean something far less demeaning or lowly. It became a positive personal attribute: those who were ambitious tried to better the state of their lives. This was often a difficult endeavor, but middle-class Americans, North and South alike, pursued self-improvement with a focus that many other Americans did not share. In another sense, however, there was an economic meaning to the term. At the turn of the twentieth century, many Americans understood "ambition" to mean "an inflamed desire to surpass others," or, as the *Oxford English Dictionary* defined the term, "an aspiration to rise above; an opportunity to erect oneself towering above all others." Thus, ambition was a complex term with a number of different meanings, though each had something to do with improving one's life and paving the way for a better future.<sup>14</sup>

This sense of direct personal control was foreign to most rural southerners. They lacked the education and the prescience necessary to predict future shifts in the economy and few saw much point in trying to govern the state of their own lives. As one Chatham, North Carolina farmer told an interviewer for the Federal Writer's Project, "Life don't work like a job of work.... [T]hey's not any way you can plan it and have it go according[ly]."<sup>15</sup> Unlike their middle-class southern brethren,

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<sup>14</sup>See the definitions of "ambition," *Oxford English Dictionary*.

<sup>15</sup>Federal Writer's Project, *These Are Our Lives: As Told by the People and Written by Members of the Federal Writer's Project, of the Works Progress Administration in North Carolina, Tennessee, and Georgia* (Chapel Hill: University of North Carolina Press, 1939), 91.

rural southerners did not take as seriously the need to be resourceful or frugal, they rarely thought in terms of personal careers, and few ever contemplated long-range plans. Consequently, both rural southerners and plain folk centered their lives around certain, generally predictable trends like those that included cyclical and steady crop production, variations related to weather, predetermined and consistent race relations, and an almost intractable social hierarchy. Personal ambition played little role in these everyday processes. Likewise, planter elites eschewed personal ambition because they too found it publicly embarrassing to seek such self-serving ends. For those of the privileged class, life was not about taking chances or the ambition required to enhance one's condition. Instead, life was about comporting oneself with dignity and honor in a culture that valued public scrutiny.<sup>16</sup>

By the early decades of the twentieth century, southern urban society was in the throes of incredible change. A cultural battlefield, centered on the push and pull of middle-class ambition and southern honor, was taking shape. The Leo Frank case took place in the midst of this tense situation. And despite the personal and professional ambition that Frank and other middle-class southerners displayed, honor continued to hold a sacred place in southern culture. In their everyday lives, for instance, southerners of different social classes implicitly resorted to traditional rules and unspoken assumptions related to this cultural tradition. Moreover, the mythic qualities of a revered past -- especially those built around images of the Old South -- often shaped and dictated those lives. Towards the end of the nineteenth century, middle-class southerners like Leo Frank were introduced to this deeply ingrained culture. Many knew almost instinctively that they had to tread lightly on the

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<sup>16</sup>On rural southerners and their cultural traditions, see J. Wayne Flynt, *Dixie's Forgotten People: The Southern Poor Whites* (Bloomington: Indiana University Press, 1979), I.A. Newby, *Plain Folk in the New South: Social Change and Cultural Persistence, 1880-1915* (Baton Rouge: Louisiana State University Press, 1989), Ted Ownby, *Subduing Satan: Religion, Recreation, and Manhood in the Rural South, 1865-1920* (Chapel Hill: University of North Carolina Press, 1990).

rules that honor-bound southerners had devised and the traditions they had constructed. Though middle-class southern professionals occasionally admired and even hoped to imitate the customs associated with the southern culture of honor, they were more likely to criticize southern honor than to applaud its influence in society. Instead of promoting an honor-based culture, the southern middle class responded to a changing national economy by grasping control of the processes that led to institutional development in southern society. That tug-of-war, one between those who needed to honor a mythic past and those who pursued the ambitious impulses that led to a successful and rewarding future, often resulted in many difficult transitions for southerners of all socioeconomic walks of life. This was especially the case for those who clung tenaciously to the traditions of the Old South. At the same time, for ambitious southerners like Leo Frank, the result of this developing tension could sometimes be deadly.

#### **D. Contents and Source Materials**

This dissertation relies heavily on several sources including the letters that Leo Frank either wrote or received, correspondence sent to Georgia Governor John Marshall Slaton, newspaper accounts of the case and its aftermath, and a host of secondary works. I used secondary sources to fill in various gaps and provide voices where, for whatever reason, few could be found. For example, in order to write a richer and more conceptually satisfying portrait of southern working girls, I relied on a number of scholarly texts and sources that provided those voices with a forum from which they could be heard. Ultimately, this dissertation uses an event -- the Leo Frank case -- as a focal point from which to examine southern social groups and cultural formation. Atlanta's working girls, middle-class southerners, traditional southern elites, and poor whites perceived their surroundings in unique and distinguishable ways. By investigating the most salient features of the

Leo Frank case, one gets a clearer understanding how those social groups interacted, what they valued most, and how they either fought or compromised in order to maintain a certain consistency in their lives.<sup>17</sup>

This introduction is followed by a narrative chapter that outlines the events leading up to and including the Leo Frank case. That chapter sets the stage for the case, introduces those who played a dominant role throughout Frank's trial and appellate process, and concludes with Frank's lynching. It places the events of the case squarely in an urban setting. Urban Atlanta affected many aspects of the Frank case, not the least of which was the way southern traditionalists responded to their changing social and economic landscape or the way the southern middle class developed over time. This chapter provides the reader with a firm grounding of the case and establishes the conditions that affected the cultural developments examined in subsequent chapters.

Chapter three explores the meanings of the southern honor culture and suggests that this culture did not naturally dissipate after the Civil War, but persisted well into the twentieth century. A culture of honor in the South was predicated on a personal notion of reputation, manhood and character, a fear of public humiliation and disgrace, an intricate network of political associations and

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<sup>17</sup>Critics might reasonably question the wisdom behind my decision to focus this study on cultural and social issues instead of placing it in a political context. After all, Tom Watson, as important a political figure as any in Georgia during the years of the Frank case, used the case to further his own political agenda. In fact, Watson backed Hugh Dorsey, Frank's prosecuting attorney, when Dorsey successfully ran for the governorship in 1917. Nevertheless, I believe that politics played only a minor role during the years when Leo Frank was prosecuted and incarcerated. Watson did not voice his opinions of the case until 1914, when Frank's appeals began to drag into their second year. And it was not until the summer of 1915, after John Slaton had commuted Frank's death sentence, that many Georgians began to question their governor's motivations. Furthermore, it is clear to me that the case was influenced by racial considerations and pressing cultural matters more than it was by political concerns. For those interested in Georgia's politics during the case, see C. Vann Woodward, *Tom Watson: Agrarian Rebel* (New York: Oxford University Press, 1938), 435-49.

patronage, and a tie to extralegal forms of violence. (Leo Frank's lynching, for example, was intimately tied to the honor culture.) Furthermore, the values related to the honor culture meant as much to poor, rural white southerners as they did to those whose status and power created authority. Lastly, the honor culture was affected and transformed by the southern middle class, and the transitions that followed did not take place without their share of difficulties. Nevertheless, the honor culture persisted, albeit in a new form, and influenced every stage of the Leo Frank case.

Chapter four analyzes the cultures of industrial working girls in the South. These girls were transitional figures in the late nineteenth and early twentieth centuries. Most had been brought up to respect the notions of honor described in the previous chapter. But many were also beginning to adapt their lives to a culture of middle-class ambition. Ultimately, most of Atlanta's working girls were motivated more by the immediate concerns that governed their lives than standard "working-class" issues. Accordingly, most predicated their lives on short-term planning and few career-oriented goals, an interest in immediate gratification, and the expectation that marriage and childbirth followed adolescence. Factory girls, shop girls, and menial female wage earners comprised the majority of these working girls. Mary Phagan, an ordinary female wage earner, epitomized this social group. Other working girls, however, adopted a more middle-class outlook to their lives. This involved much greater personal planning, enrollment in either night or business schools, the promotion of self-improvement, and work of a more career-oriented nature. In Atlanta, stenographers, salesladies, and service-oriented working girls exhibited cultural patterns distinct from those of other working girls who performed more traditional types of labor in mills and urban factories.

Chapter five examines the formation and dominant features of an urban, middle-class culture in the South, a subject that has not been investigated to any great extent. A southern middle-class culture, rooted in northern antebellum cultural traditions, later nineteenth-century upper-middle-class values, and the values exhibited by early nineteenth-century yeoman farmers, emerged by the last quarter of the nineteenth century. From these various social groups that affected cultural change, middle-class southerners learned to value the importance of nonmanual work, the notion of a career based on the passage of time, the necessity of personal planning, the advantages that came to one who was resourceful, frugal and honest, and the desire to control one's bodies and emotions. The prevailing racial attitudes forged in southern life, however, also greatly shaped this culture.

Chapter six probes the issue of race in the South, particularly as it relates to the way southerners defined Jews like Leo Frank who lived among them. Southerners saw Jews as a racial group, not a religious denomination. In order to justify this racial construction, turn-of-the-century southerners relied on a number of Judaeophobic and antisemitic myths. Judaeophobia, for example, was based on certain racial assumptions about Jews and involved a certain amount of anti-Jewish hostility. It was predicated on an ingrained belief that Jews could not be trusted because they were ultimately foreigners in the South; still, Judaeophobia remained a rather benign problem for most Jewish southerners. Antisemitism, however, involved a more fundamental political or violent repression of the Jews found in the South. And both problems found various spokesmen in the region. These southerners voiced myths associated with Jews and money, or Jews and sexual transgression; and the myths they articulated gave credence to both Judaeophobic and antisemitic sentiments. Because of the vital role of these myths, southerners shied away from suspecting Jim Conley of the murder of Mary Phagan and prosecuted Leo Frank instead.



The conclusion to this dissertation argues that historians of the South need to appreciate more fully the features that distinguish various southern social groups from one another. White working-class southerners and white middle-class southerners, for instance, may have shared the same pigmentation, but they were quite different in terms of their cultural biases. Some southerners valued education and long-term planning. Others ignored these factors and assumed a far more fatalistic approach to their lives. Some preached the need to maintain a code of honor while others felt that such a code had long since lost its relevance. While there was fluidity among these social groups in the South, cultural distinctions continuously created important boundaries. The chapters that comprise this dissertation explore these cultural differences and dynamics. In the process, I re-examine the Leo Frank case with a keener appreciation for the social groups that made up southern society -- particularly the city of Atlanta -- and the ways in which individuals from those social groups "met," interacted, and dealt with a crisis like the case itself.

## II. “Even the Jury was Influenced by Mob Law”: The Leo Frank Case

### A. Setting the Stage

On the morning of Saturday, April 26, 1913, Mary Phagan, a thirteen year-old white working girl from the outskirts of Atlanta, awoke and prepared for a day unlike most others. In towns and cities below the Mason-Dixon Line, southerners prepared to commemorate Confederate Memorial Day. This was a day when thousands of southerners happily gathered to honor Civil War veterans and reminisce about the glories of the “Old South.” In Atlanta, the “Gate City of the South,” the mood was no different. Surviving Confederate veterans, fully attired in their military garb, planned to march throughout downtown Atlanta and complete their journey at the city’s Oakland cemetery. Once there, various dignitaries planned to deliver speeches applauding the sacrifices of these honored men and their fallen brethren. The crowds that convened to witness these festivities had steadily diminished each of the past five years, and the unseasonably cool weather that descended upon Atlanta that Saturday morning meant that even fewer visitors would arrive from the hinterlands. Still, the afternoon promised to be entertaining. Parading veterans followed rows of mounted police down Atlanta’s main thoroughfares. Carriages carrying grand marshal Joseph Nash and Governor Joseph M. Brown trailed closely behind. Battalions of Atlanta’s public school children, dressed in white shirts and caps and carrying their respective school flags and colors, were at the rear of the parade. The *Atlanta Constitution* reported that the children, who were poised and acting much like soldiers themselves, “were orderly too. It was only when some veteran smilingly asked them to give the ‘yell’ that their unusually decorous demeanor was thrown aside for the instant.” Once at the cemetery, emotional appeals to preserve and defend the past stirred the crowds. In a telling statement laced with historical revision, Professor W. M. Slaton bellowed “We have

come to declare anew that the South was not the rebel. Everything that was done was within our constitutional rights.” Slaton continued by taking issue with those who believed that the South was somehow at fault for igniting the Civil War, suggesting instead that “Today, at least, the South is recognized as having been in the right.”<sup>1</sup>

W. M. Slaton’s remarks illustrate the fragile emotional and intellectual state of most early twentieth-century southerners. These people had witnessed a great deal of recent turmoil and change. Contrasting and conflicting images of modernization and deterioration were clearly visible throughout the region. In the shadows of newly built modern mills or in proximity to expanding networks of railroad tracks, one found poverty, hunger, and despair. Numerous reminders of this stark contrast existed throughout Atlanta. Crime and corruption accompanied the city’s rapid rise, causing many conservative observers to denounce the city as a modern-day Sodom and Gomorrah. Unlike the imaginary passivity of the Georgia countryside, conditions in urban Atlanta caused certain social groups to restructure their everyday lives. Young white southerners, especially girls like Mary Phagan, entered the city in large numbers in search of work. As they did so, they began to encounter large working-class black populations for the first time in their lives. While the transition excited many of these young people, it also created much friction and tension. This new urban environment was clearly transforming an older, agrarian state into an expansive, commercial one.

Atlanta had literally risen from the ashes during the late nineteenth century. The city, which had been a sparsely populated railroad town in the 1840s and 1850s, had been burned to the ground

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<sup>1</sup>Atlanta *Constitution*, April 27, 1913, p.5-A. On the festivities celebrating Confederate Memorial Day in Atlanta, see Robert Seitz Frey and Nancy Thompson-Frey, *The Silent and the Damned: The Murder of Mary Phagan and the Lynching of Leo Frank* (Lanham, MD: Madison Books, 1988), 4.

by General William Sherman's Union troops during the Civil War. Following the conflagration and the end of the Civil War, Atlanta's boosters and civic-minded residents began a concerted effort to rebuild the city. Atlanta's Chamber of Commerce, which was formed in 1860 but gained considerable power after 1871, fought diligently for the city's growth. Young southern business leaders and northern transplants, mostly men in their thirties, comprised the Chamber of Commerce. These were fiercely ambitious men who, for the most part, were not weighed down by the constraints of an honor culture or the unnecessary need to preserve a mythical past. Freed from such restrictions, members of the Chamber intended to transform their inland city from a second-rate railroad depot to an urban commercial stronghold. They fought railroad interests in order to enhance their position, lobbied the federal government to declare Atlanta, a city that bordered no large rivers or waterways, an official port of entry, and helped convince the Reconstruction government to finance the construction of a customhouse. Thanks to the Chamber's leadership, Atlanta was beginning to resemble a legitimate city.<sup>2</sup>

By the 1880s and 1890s, Atlanta's business leaders had met the goals they had established in the early 1870s. In order to prove that the city had grown, these leaders relied on a voluminous promotional literature. One of the first booster-oriented guide books was E. Y. Clarke's *History of Atlanta Illustrated*. Chock full of pictures and rosy descriptions, Clarke's book promoted the best aspects of the emerging southern metropolis. Other guides, with titles like *Handbook of the City of Atlanta: A Comprehensive Review of the City's Commercial, Industrial, and Residential Conditions* (1898), offered prospective businessmen a long look at the city's rapid expansion. Business leaders

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<sup>2</sup>On the initial struggle to build Atlanta and the influence of the city's Chamber of Commerce, see Don H. Doyle, *New Men, New Cities, New South: Atlanta, Nashville, Charleston, Mobile, 1860-1910* (Chapel Hill: University of North Carolina Press, 1990), 140.

relied on the extensive use of maps, charts, graphics, and photographs to prove their many contentions regarding the city.<sup>3</sup> At the same time, they advertised Atlanta as a thoroughly “twentieth-century city,” one without the problems rooted to an older, antiquated South. Indeed, according to members of the city’s Chamber of Commerce and other leading business organizations, Atlanta represented the very best of the New South. A story that appeared in the *Atlanta Constitution* in 1886, which quoted a leading spokesman for the city’s Manufacturing Association, spoke to these issues. The anonymous spokesman stated that manufacturers were helping to spawn “the production of new values” in Atlanta.<sup>4</sup> Those were the values associated with an ambitious middle-class business elite and the introduction of those values into southern society caused traditional southerners to redefine their culture and their values.

Late nineteenth-century economic change had precipitated many of the transformations taking place throughout Atlanta. The transition from an agrarian-based economy to a modern, commercially-oriented one created friction and tension for many southerners. Traditional ways of living became less and less visible as southerners gradually adapted their lives to a host of new social and economic patterns. Occasionally, those southerners turned to celebrations like Confederate Memorial Day in an attempt to relish past glories and, at the same time, momentarily escape the confusion and accelerated pace of modern industrial life. Mary Phagan, an ordinary working girl, lived amongst this confusion. In many ways, Phagan’s life and the tragic circumstances surrounding

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<sup>3</sup>*Ibid.*, 143.

<sup>4</sup>*Ibid.*, 150.

her death represented the ways in which southern society was both adapting to and protesting against changing economic, social, and cultural conditions.<sup>5</sup>

Mary Phagan was employed by the National Pencil Company, one of Atlanta's many factories built or restored during the first decade of the twentieth century. On a typical day, Phagan devoted her time either to the work she performed at the factory or at home where she completed an endless array of household chores. This Saturday afternoon, however, would be quite different. Since Confederate Memorial Day was a city-wide holiday, the factory was closed. Located at the corner of Forsythe and Hunter Streets, only a few blocks from the epicenter of Atlanta's rapidly expanding business district, the factory had attracted its share of attention by those seeking work. In fact, had the factory been open that Saturday afternoon, Mary Phagan and approximately one-hundred other working girls would have been found on its grounds attending their appointed tasks. Phagan spent her working hours fastening metal tips to the ends of pencils and, for the most part, it was fairly tedious work. The National Pencil Company produced dozens of different types of pencils, but it relied on one form of metal -- brass -- for its eraser tips. Depending on how much brass had been delivered to the factory, Phagan found herself either gainfully employed or temporarily out of work. In fact, during the week preceding the Confederate Memorial Day holiday, Phagan had worked only one day. She received twelve cents an hour for that day's labor -- a wage similar to that earned by a working girl of her age in any other twentieth-century southern city.

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<sup>5</sup>On economic change in the city of Atlanta, see Leonard Dinnerstein, "Atlanta in the Progressive Era: A Dreyfus Affair in Georgia," in Frederic Cople Jahar, ed., *The Age of Industrialism in America* (New York: Free Press, 1968), 128-9.

While the \$1.20 she earned for that week was certainly minimal, Phagan eagerly looked forward to collecting her pay -- often, it meant the difference between survival and despair.<sup>6</sup>

As a southern girl coming of age in rural Georgia, Mary Phagan's everyday life centered as much on the social activities that comprised her provincial world as it did on her industrial labor. She attended school sporadically, but only when her family could afford to send her -- after all, she did not earn wages when she was at school. In addition to the limited amount of time she spent schooling herself, Phagan's weekly routine included regular Sunday visits to her Methodist church. Each week she listened attentively and dutifully to the sermons that her pastor, L. O. Bricker, delivered. Leisure moments were a premium in the rural South, and Phagan often took part in cultural activities sponsored by her church. Mary Phagan had always been considered an attractive girl who, many believed, would grow to be a beautiful woman. Thus, it came as no surprise to those who knew her that in March 1913, Phagan played the role of Sleeping Beauty in her church play. In fact, she seemed almost perfect for the part. These rare moments of leisure and merriment, however, only acted to break the monotony of Phagan's household chores and industrial employment. Indeed, she spent most of her time doing little else but work.<sup>7</sup>

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<sup>6</sup>On the development of Atlanta's business district in 1913, see Franklin M. Garrett, *Atlanta and Environs: A Chronicle of its People and Events* 3 Volumes (Atlanta: University of Georgia Press, 1954), II, 603-4. On Mary Phagan's responsibilities at work, see Frey, *The Silent and the Damned*, 5. For a comparison of southern wages, see U.S. Congress, Senate Report on Conditions of Woman and Child Wage-Earners in the United States; 61st Congress, 2nd Session, 1910 Senate Document 645, Serial 5685, pps. 261, 310.

<sup>7</sup>On Mary Phagan's physical attractiveness, see Mary Phagan, *The Murder of Little Mary Phagan* (Far Hills, NJ: New Horizon Press, 1987), 37 (this work was written by one of Phagan's distant cousins who had been named after her "famous" relative); Frey, *The Silent and the Damned*, 6-7.

On the morning of April 26, 1913, Phagan took an uneventful streetcar ride from the working-class suburb of Bellwood, where she lived with her family, to Atlanta. Once in the city, she walked to the National Pencil Company. Phagan passed through the front gates of the pencil factory and climbed the stairs to the second floor office of her superintendent, Leo Frank. Though the factory was closed for business that afternoon, Frank allowed his employees to enter the grounds and obtain their weekly pay envelopes. At approximately 12:05 P.M., Phagan entered Frank's office, requested and collected her week's pay, asked about a shipment of metal that had been due to arrive that week, and left. This was the last time anyone admitted seeing Mary Phagan alive. When she failed to return home later that evening, J. W. Coleman, Mary's stepfather, went to the city to find her. He searched for her among those departing the late show at the Bijou Theater. When his search proved fruitless, Coleman concluded that his stepdaughter had likely visited her grandparents in a nearby suburb and would return home on Sunday. Unfortunately, this was not the case. Like the rest of his family, J. W. Coleman learned about Mary's death when a family friend came to his residence early Sunday morning. Newt Lee, a black night watchman at the National Pencil Company, discovered Phagan's body late Saturday night. Lee was understandably shocked by his discovery. Phagan was found bludgeoned and strangled in the factory's basement. Her face was an unidentifiable mess, pockmarked with holes, and black from the smearing of oil. Sawdust from the basement's floor caked the inside of her mouth and her body was so filthy and disfigured that initially authorities were unable to identify her. A huge gash was cut across her scalp, pieces of her clothing and undergarments had been torn away, and her purse and paycheck were both missing. Two barely legible notes, which had apparently been written by either Phagan or her culprit, lay



beside her body. Until police lifted Phagan's skirt to her waist, no one was quite sure of the dead girl's race.<sup>8</sup>

According to several newspaper accounts, many Atlantans were stunned when they learned news of the slaying. Perhaps they should not have been so shocked. From the turn of the century to the early 1910s, the crime rate in Atlanta rose virtually unabated. In 1905, for example, more children in Atlanta were arrested for "disturbing the peace" than in any other comparable major urban center in the United States. In 1907, despite the fact that barely 100,000 people resided in Atlanta at the time, the Atlanta police department booked nearly 17,000 individuals on various charges. These inauspicious numbers "place[d] Atlanta near or at the top of the list of cities of this country in criminal statistics," stated Atlanta's beleaguered mayor. Criminal activity, including petty theft, "loitering," and more serious crimes like murder had, by 1913, grown to epidemic proportions in the city. The police department, which had failed to modernize and keep up with Atlanta's rapid growth, was unable to handle its expanding caseload. Concerned Atlantans could not help but be disturbed by the recent turn of events.<sup>9</sup>

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<sup>8</sup>On Coleman's unsuccessful search for his step-daughter, see Harry Golden, *A Little Girl is Dead* (Cleveland: The World Publishing Company, 1965), 39-40. On the discovery of Phagan's murdered body, see Leonard Dinnerstein, *The Leo Frank Case* (Athens: University of Georgia Press, 1968), 1-2. The murder notes found near Phagan's body confused many Atlantans for weeks and months following the murder. They read: "Mam that negro hire down here did this[.] I went to make water and he push me down that hole[.] a long tall negro black that hoo it wase[.] long sleam tall negro[.] I wright while play with me[.] he said he wood love me land down play like the night witch did it but that long tall black negro did buy his slef." *Ibid.*, 3.

<sup>9</sup>On crime in Atlanta, Leonard Dinnerstein quotes the city's mayor. See Dinnerstein, "Atlanta in the Progressive Era," 131. On issues related to the city's police department, see Frey, *The Silent and the Damned*, 27; Eugene J. Watts, "The Police in Atlanta, 1890-1905," *Journal of Southern History* 39(1973): 165-82. Watts states that the crime of "loitering" included, among other crimes, minor disturbances of the peace and "loud talking," see p.171.

Atlanta's newspapers often acted as the voice of the city's concerned citizenry. Newspaper editorials demanded that the police solve Phagan's murder as quickly as possible and some expressed a concern with the way the police had handled previous murder cases. At several important junctures throughout the investigation into Phagan's murder, newspaper appeals pressured the police into releasing inconclusive reports and unsubstantiated rumors. In one front-page article, for example, reporters for the *Atlanta Constitution* helped create a stir when they alleged that "Detectives are searching for a trio of men said to have been seen with Miss Phagan Saturday night about 10 o'clock." The *Constitution* reported that E. S. Skipper "had seen a girl answering the exact description of the victim walking up Pryor street with three men, apparently youths. She was reeling slightly, as though affected by drugs or narcotics, and was weeping."<sup>10</sup> Fallacious stories of this nature circulated throughout Atlanta for days before the discovery of stronger evidence. However, the implication that young girls, in such proximity to narcotics, alcohol, and illicit sex, wandered the streets in the company of disreputable youths invoked stock images of violence and disorder. Those images created anxiety for many southerners, rural and urban alike. Consequently, many who had sent their daughters, sisters, and wives to Atlanta in search of work began to publicly voice their concerns about the safety of these women.

The fears expressed by these southerners were not without foundation. As factories began to appear in various parts of Atlanta, working-class neighborhoods formed. Like most cities, Atlanta had quite distinguishable upper-class, middle-class, and working-class neighborhoods. Areas of black and white working-class families spawned many violent crimes. A number of black working girls who resided in the predominantly black Auburn Avenue section of the city had been murdered

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<sup>10</sup>*Atlanta Constitution*, April 28, 1913, p.2.

over the two years prior to the killing of Mary Phagan. None of the cases had been solved. With the murder of a white girl, however, the city's residents -- inflamed by the accusatory and impassioned editorials of its newspapers -- demanded the apprehension of the culprit. Editorials condemned the incompetence of the city's police department and front-page stories expressed concern that the investigation of Phagan's murder would receive similarly poor treatment.<sup>11</sup> Many of the city's residents also began to openly question whether or not Atlanta's expanding commercial center benefited its residents, suggesting instead that the presence of so much industry created new and disturbing problems. Many decried the growing dangers of city life. Coupled with the duplicitous efforts of the city's newspaper editors, these concerns helped convince many Atlantans that Phagan's attacker had defiled a girl who had only just begun her ascent to womanhood. Many also believed that had Phagan never stepped foot into (or been forced by circumstance to step inside) an Atlanta factory, she would not have met the gruesome fate that awaited her.<sup>12</sup>

#### **B. Leo Frank's Career Leads Him to Atlanta**

Throughout the late morning and early afternoon of April 26, 1913, Leo Max Frank sat in his office at the National Pencil Company tabulating various financial figures and putting together a weekly stock analysis for investors. He sat quietly, working alone, interrupted only occasionally by

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<sup>11</sup>A front-page story in the *Atlanta Constitution* reported how "All day Monday detectives worked diligently for evidence which would throw light upon the mysterious killing, and when night came they were baffled." The apparent need to solve the case as quickly as possible led to a great deal of frustration by Atlanta's news media and its readers. *Atlanta Constitution*, April 29, 1913, p.1; also see the story printed several days later in which reporters directly questioned the competence of the Atlanta police department, *Atlanta Constitution*, May 4, 1913, p.5G.

<sup>12</sup>For examples of how southerners viewed Mary Phagan, see J.D. Long to John M. Slaton, May 31, 1915, box 45, folder 10, GDAH; J.E. Stembridge to John M. Slaton, June 21, 1915, box 45, folder 4, GDAH.

a few employees seeking their pay envelopes. This was Leo Frank's routine every Saturday morning. This particular day, however, was different from most. Outside Frank's office windows, Atlantans made last-minute preparations for the city's Confederate Memorial Day festivities. Despite the increased activity, however, Frank expressed little interest in the public's celebration of the city's holiday or the attendant pageantry of the afternoon's events. Instead, he had hoped only to finish his required tasks and then accompany Charles Ursenbach, his brother-in-law, to an Atlanta Crackers baseball game that had been scheduled to start later that afternoon. The weather, though, appeared uncooperative. It was unseasonably cool throughout the Atlanta area that day and by noon Frank had telephoned Ursenbach to cancel their plans. Subsequently, Frank remained on the factory's grounds, filing reports and disbursing pay envelopes to those of his employees who sought them. Only Jim Conley, the factory's sweeper, Alonzo Mann, Frank's office boy, two or three maintenance workers, and a part-time secretary remained inside the factory during the late morning and early afternoon.<sup>13</sup>

By late afternoon, Frank had completed his work and prepared to head home for the evening. While he was attempting to leave the factory, Frank ran into Jim Gannt, a disgruntled former employee whom Frank had recently fired. Gannt had been entrusted with overseeing the company's payroll and Frank had discovered a minor discrepancy that Gannt was unable to explain. Their encounter caused Frank to appear nervous and somewhat disoriented. Gannt was a more physically imposing figure than the diminutive superintendent and Frank feared that Gannt had come to harm him. Gannt insisted that he had left two pairs of shoes in a locker inside the factory and wanted simply to retrieve them. Frank allowed Gannt to accompany Newt Lee, the night watchman, and

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<sup>13</sup>On Leo Frank's activities during the afternoon of April 26, 1913, see Frey, *The Silent and the Damned*, 45.

canvass the building. As the two entered the factory, Leo Frank turned away from the men and continued his journey home. Only an hour or two earlier, Mary Phagan, one of Frank's employees who had come to collect her pay, had been brutally murdered inside his factory. Oblivious to these developments, Frank telephoned Lee later in the evening to inquire whether Gannt had gathered his belongings and left the premises. It was an ordinary phone call made by a concerned employer to one of his employees. To detectives who investigated Phagan's murder, however, the call seemed suspicious. In a sworn affidavit issued only days after the murder, Newt Lee told the police that Frank had sounded nervous and worried during the phone call. He also told investigators that Frank had never phoned him before. While this information appears circumstantial, it was actually quite incriminating once detectives began to suspect Leo Frank. Thus, within a few days of the murder, Leo Frank's rather ordinary life -- a life comprised in large part of the routines he performed at the pencil factory -- began to change dramatically.<sup>14</sup>

Leo Frank was born on April 17, 1884, in Cuero, Texas. Within eight months of his birth, Frank's parents, Rudolf and Rhea Frank, moved from Texas to Brooklyn, New York. After a pleasant and rather uneventful childhood, Frank enrolled at Brooklyn's Pratt Institute where he received his college preparatory education. At Pratt, he steered his academic interests toward engineering and mechanical sciences. He excelled at Pratt, so much so that his performance earned him an acceptance from prestigious Cornell University where he began his studies in the fall of 1902. Frank studied under Dr. Robert Thurston, Director of the College of Mechanical Engineering and one of the nation's pioneers in the field. And he did exceptionally well at the institution. According

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<sup>14</sup>On Leo Frank's encounter with Jim Gannt and Frank's allegedly incriminating phone call to Newt Lee, see Frey, *The Silent and the Damned*, 7, 14.

to Harry Carver, one of Frank's classmates, Frank had "always appeared to me to be an ambitious, industrious, and high minded young man." He developed many long-standing friendships and endeared himself to students and professors alike during his time at Cornell. When he concluded his studies in June of 1906, Frank was prepared to begin his career as a professionally trained engineer.<sup>15</sup>

After he left Cornell University, Frank found work as a draftsman for the B. F. Sturtevant Company in Hyde Park, Massachusetts. Isolated from his parents and friends, dissatisfied with his surroundings, and interested in other more challenging opportunities, he left the company after a brief period of employment in order to pursue a more prominent position with a firm back in Brooklyn. The National Meter Company, Frank's next employer, hired the young technician as a testing engineer. As an "engineer," Frank earned more personal status. He was also paid a substantially better salary, one which provided him with more financial security than he received from his work as a draftsman. Frank also sharpened his engineering skills because his new job allowed him to use the latest techniques in the field. The young engineer took much of what he experienced with him to Atlanta when his career took an interesting turn in 1907. At the behest of his uncle, Moses Frank, Leo Frank accepted an invitation to move to the "Gate City" and supervise a young and growing business venture. The newly remodeled National Pencil Company, which stood a mere six blocks from Atlanta's commercial center, offered Frank a new set of challenges and opportunities. Before assuming the superintendent's post at the factory, however, Frank's uncle

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<sup>15</sup>For biographical information on Leo Frank, see Brief of Evidence at 174, *Leo M. Frank v. State of Georgia*, Fulton County Superior Court at the July Term, 1913, Atlanta Miscellany, Special Collections, Robert W. Woodruff Library, Emory University. Harry E. Carver to Georgia Prison Commission, May 19, 1915, box 35, folder 15, GDAH.

dispatched him to Germany. Once there, Frank apprenticed himself to Eberhard Faber, one of the early pioneers of the pencil manufacturing process. He learned a great deal by working closely with Faber for nine months and when his stay was complete, Frank felt confident that he could help promote and expand his uncle's pencil-making business.<sup>16</sup>

Frank returned to Atlanta in August 1908, and immediately began acclimating himself to his new southern surroundings. Because of his strong educational background and "worldly" experiences, Frank thrived. He maintained memberships in a number of national professional associations and many of Atlanta's social and religious clubs. Frank paid dues to organizations like the Progress Club, the Jewish Publication Society of America, the Jewish National Fund Bureau, and the Hebrew Benevolent Congregation, known locally as Gate City Lodge Number 144.<sup>17</sup> At the B'nai Br'ith Gate City Lodge, Herman Binder, Frank's close friend and the outgoing president of the Lodge in 1912, nominated Frank to fill the vacated post and Frank accepted the position with gratitude and humility.<sup>18</sup> Thus, within five years of coming to Atlanta, Frank had become a well-respected member of his community. In addition to cultural and religious organizations, Frank also belonged to the American Society of Mechanical Engineers (ASME), a professional organization founded in 1880. Like similar engineering societies founded throughout the late nineteenth century,

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<sup>16</sup>On Leo Frank's move to the South, see Brief of Evidence at 175, *Leo M. Frank v. State of Georgia*. On Leo Frank's journey to Germany and his work with Eberhard Faber, see Frey, *The Silent and the Damned*, 20

<sup>17</sup>For an enumeration of Frank's club memberships, see Miscellaneous records, box 6, folder 8, AHS.

<sup>18</sup>On Herman Binder's generous offer and his friendship with Leo Frank, see "Trial By Prejudice: An Old Friend Recalls the Atmosphere of Hate that Led to the Lynching of Leo Frank in Georgia Almost Fifty Years Ago," *Anti-Defamation League Bulletin*, March 1963, American Jewish Committee Archives, New York, New York.

the ASME did not restrict its membership prior to 1900. Between 1900 and 1920, however, when Leo Frank prepared to join its ranks, the association instituted strict criteria for its members. The ASME only accepted those individuals who had received a professional education and embodied "professional standards," and Frank certainly met these requirements.<sup>19</sup> Undeniably, Frank's personal stature and career were rising. To complete his life, Frank met and began courting Lucille Selig, the daughter of one of Atlanta's more respectable Jewish families, in 1909. He married her in 1910 and the couple moved into the home of her parents on Washington Street, an attractive tree-lined thoroughfare in a residential suburb away from Atlanta's commercial center. As Lucille Frank wrote some years later, the two "were very happily married." Without a moment's hesitation, Lucille wrote that Leo Frank's "greatest pleasures and attractions were found in his home life...."<sup>20</sup>

The discovery of Mary Phagan's body prematurely ended the Franks' happiness and indelibly changed the remainder of Leo Frank's life. Frank had been a rather anonymous individual in and throughout Atlanta. And despite his growing prominence among the city's German Jews, few people knew much about the superintendent. Indeed, Frank was a rather frail, unassuming, bespectacled, and nervous man -- an individual few paid much attention to. With the investigation into Mary Phagan's murder and the growing suspicion that Frank was her killer, however, the rather ordinary Frank became a local, statewide, and eventual national figure of importance. And the case that bore his name would come to mean many different things to many different groups of people.

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<sup>19</sup>On the standards of the American Society of Mechanical Engineers, see Robert Zussman, *Mechanics of the Middle Class: Work and Politics Among American Engineers* (Berkeley: University of California Press, 1985), 6.

<sup>20</sup>Lucille Frank to Mr. Nutting, January 13, 1915, box 1, reel 1, BRAN. For information on the Seligs, see Frey, *The Silent and the Damned*, 20.



### C. Leo Frank Becomes the Primary Suspect

When police began investigating the murder of Mary Phagan, they first suspected that a “Negro crime” had been committed. After learning news of the murder, Sergeant L. S. Dobbs reportedly told detectives W. W. “Boots” Rogers, John Black, and J. S. Starnes that the crime was most likely “another one of them nigger murders.”<sup>21</sup> Dobbs was certainly referring to the rash of murdered black women that had taken place in Atlanta over the previous two years. In any case, police officers began rounding up the usual suspects. Newt Lee, the black night watchman who had discovered Phagan’s murdered body, was the first suspect to be detained and questioned. Hoping to spark a confession from the night watchman, police repeatedly beat Lee for several days. When it became apparent that no confession was forthcoming, Lee was unceremoniously released. The police accorded other black employees similar treatment. They released each witness, however, after the officers reluctantly admitted that they had insufficient evidence against the men. This was an interesting and admittedly peculiar admission. It is certainly baffling in view of the state of race relations in the early twentieth-century South. After all, how much evidence would police really need to find a black sweeper, a black night watchman, or a black menial laborer guilty of violence against a white girl “in a society,” writes historian Nancy MacLean, “committed to white supremacy and willing to lynch African Americans on the slimmest pretext?” It is evident that neither the public nor the city’s newspaper editors were going to allow their police department the leniency to

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<sup>21</sup>Golden, *A Little Girl is Dead*, 17.

pursue typical "southern justice." Consequently, the police released their black suspects and continued their search for Phagan's assailant.<sup>22</sup>

After their interrogation of the National Pencil Company's black employees proved fruitless, investigators became increasingly more suspicious of Leo Frank. Their suspicions grew for a number of reasons. First, Frank had admitted to being the last person to see Mary Phagan alive. Second, he had appeared visibly nervous the morning detectives visited his home to request that he accompany them to the city morgue and identify Phagan's body. Also, within days of the murder, Atlanta's newspapers began to circulate stories in which it was alleged that Frank had been sexually involved with some of the girls that worked at his factory. Was Mary Phagan one of the working girls Frank had sought? On May 1, 1913, the *Atlanta Constitution* printed a front-page story hinting that Frank had probably been flirtatious with the murdered girl. George Epps, a young friend of Phagan's, told reporters for the paper that Phagan "didn't like the way Frank was acting toward her." Moreover, Phagan had allegedly told Epps "to come to the factory every afternoon and escort her home." According to Epps, Phagan was apparently searching for protection against her employer, of whom she was becoming increasingly wary.<sup>23</sup> Whether real or embellished, stories like these were beginning to affect those who read them. They allowed an image of Frank -- the lusting, exploitative

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<sup>22</sup>On race relations in Georgia during this period, see John Dittmer, *Black Georgia in the Progressive Era* (Urbana: University of Illinois Press, 1977); Eugene Levy, "Is the Jew a White Man?: Press Reaction to the Leo Frank Case, 1913-1915," *Phylon* 35(June 1974): 212-22. Nancy MacLean, "The Leo Frank Case Reconsidered: Gender and Sexual Politics in the Making of Reactionary Populism," *Journal of American History* 78(December 1991), 917.

<sup>23</sup>*Atlanta Constitution*, May 1, 1913, p.1. In the same edition, Frank told reporters that "he had never heard of this accusation before, but that he did not want to talk." His silence proved damaging to his credibility and many observers interpreted it as an admission of guilt.

Jewish employer -- to develop gradually in the minds of many southern observers. In Atlanta, Frank's innocence appeared to be melting away.<sup>24</sup>

The police investigation into Phagan's death, flawed as it may have been, was equally as important in this early stage of the case, for it too convinced many Georgians that Leo Frank was the probable murderer. Their investigation included several mishaps and instances of blatantly improper technique. For example, police misplaced pieces of wood discovered at the scene of the crime that had been laced with noticeable traces of blood and signs of apparent fingerprints. They collected affidavits haphazardly and, as the investigation proceeded, they allowed witnesses to recant or embellish those statements frequently. Furthermore, they often mishandled evidence. From a solely legal perspective, then, the case against Leo Frank seemed destined for acquittal. From the perspective of Atlanta's citizenry, however, the case against Leo Frank appeared to be getting stronger with each passing day. Despite the combination of poorly gathered evidence, bungled police work, and an increasingly biased news media, Hugh Manson Dorsey, Atlanta's solicitor, brought charges against the superintendent to a Coroner's Inquest.<sup>25</sup>

Much happened to Leo Frank in the month between his arrest on April 29 and eventual indictment on May 24. He endured a number of serious allegations about his character, including that of his possible sexual interest in the deceased, and was made to explain his whereabouts on the day of the murder. One such allegation, which surfaced on May 11, was brought to the public by an Atlanta police officer who alleged to having seen Frank in the company of a young girl. According

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<sup>24</sup>On the influence of newspaper reporting on the Frank case, see "Why Was Frank Lynched?" *Forum* 56(December 1916), 685-6.

<sup>25</sup>On the investigation into Phagan's death, see Dinnerstein, *The Leo Frank case*, 20-6. On the Coroner's Inquest, see Frey, *The Silent and the Damned*, 18.

to the officer, the two were discovered in a woody section of an Atlanta suburb and were engaged in carnal acts. Another accusation came from Nina Formby, the proprietor of an Atlanta boarding house. Formby alleged that Frank had frequented her business (a brothel) often, seeking to satisfy his sexual needs and desires. According to her affidavit, Formby swore that Frank had repeatedly telephoned her on the day of the murder. He was frantic, she stated, and looking for a room. Like the policeman mentioned above, Formby eventually repudiated her entire story, but in both cases the damage had been done. Each day, it seemed, salacious stories convinced more and more Atlantans that Frank was a perverted, dangerous individual who had not only taken liberties with his working girls, but had quite probably murdered one as well.<sup>26</sup>

Perhaps the most damaging piece of evidence used against Leo Frank was the sworn affidavit of his factory's sweeper, Jim Conley. Conley had a spotted past, which included brief incarcerations for minor offenses like public drunkenness and disorderly conduct. During his time with the company, Conley had developed a poor reputation as a dishonest character who borrowed money freely and rarely repaid his debts. Yet, despite these problems, Frank had not discharged this disreputable individual from his duties at the pencil factory. Was there a hidden connection between Frank and his sweeper? The police apparently thought so and officers eagerly sought Conley's statements. The sweeper offered investigators four separate affidavits, each more complex and implausible than the last. On May 18, Conley initially stated that he had been nowhere near the pencil factory on the day of the murder. Then, on May 24, he not only admitted to being at the scene

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<sup>26</sup>On the allegations made by an Atlanta patrol officer, see Dinnerstein, *The Leo Frank Case*, 17. This particular officer eventually admitted that he had mistakenly identified Frank as the man in the woods, but the public was not as eager to read these retractions as they were the initial allegations against Frank. On Formby, see *ibid.*, 17-8, 28, 85.

of the crime, but discussed his role in Phagan's murder. In that May 24 affidavit, Conley confessed to having knowledge of Frank's involvement in the slaying. Furthermore, he also admitted that he had written the murder notes found beside Phagan's body, but said that he had written them only at Frank's behest. Conley also told police that he had received \$2.50 and a pack of cigarettes from Leo Frank as compensation for his role in the crime. Subsequently, on the very day police accepted Conley's second affidavit, a jury deliberated for less than ten minutes before granting Dorsey his indictment of Frank. Still, Conley continued to elaborate upon his story in the days to come. His third affidavit, collected on May 28, told approximately the same story as the preceding one, adding only that he had hidden in Frank's closet after writing the notes. Lastly, Conley's fourth sworn affidavit added that Frank had offered him \$200 to both write the notes and dispose of the body. With each new affidavit, Jim Conley fueled the growing opprobrium against Leo Frank.<sup>27</sup>

Why did white Atlantans believe Conley's string of affidavits? Why were they more willing to accept Conley's interpretation of the events leading up to and including Mary Phagan's murder than they were his employer's? Those who have studied the case have generally believed that white working-class Atlantans were antagonistic to Frank because the manager was an authority figure who deserved their contempt. Moreover, many have downplayed the significance of Frank's religious upbringing when they have discussed this interesting problem. Frank was Jewish, and in the South Jews were often perceived as a racial category, not a religious one. In some ways, this position

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<sup>27</sup>On Jim Conley's affidavits, see DeWitt N. Roberts, "Anti-Semitism and the Leo M. Frank Murder Case," unpublished Master's Thesis, n.d., Leo Frank Collections, Anti-Defamation League, New York City, New York. On the contents of the murder notes found near Phagan's body, see Berry Benson, "Five Arguments in the Frank Case," located in box 6, folder 12, AHS.

placed southern Jews and blacks in a similar racial predicament. There were differences, however, and they would play an important role throughout Frank's trial.

The distinction between these social groups was most evident in the way southerners defined the blacks and Jews living among them. Southern African Americans were "their" blacks, and many white southerners were convinced that they knew what motivated these blacks to act or speak in the ways that they did. In comparison, southerners never believed that the Jews who lived among them were "their" people: Jews were foreign and invasive, not indigenous to the South's history or culture. Moreover, southerners were far less certain how Jews might react to any given situation or set of circumstances. Ultimately, most white southerners believed that Jews were devious foreigners and that they could not be trusted or controlled. Hence, it surprised few that a Jewish factory superintendent with authority over a predominantly female workforce had been accused of taking sexual advantage of the girls he employed. In Leo Frank, southerners simply saw a cunning and dangerous sexual infidel. That a black male -- Jim Conley -- had apparently aided Frank in his time of need and had intimate knowledge of his superintendent's foul proclivities only added weight to this contention because whites presumed that blacks were naturally more in tune with the world of the transgressor. The racial contours constructed around the principal figures in the case explain why white southerners generally accepted Conley's statements over those of his Jewish employer.

The trial against Leo Frank that began on July 26, 1913 was thus shrouded by racial anxiety, sexual prurience, and other cultural factors. Hugh Manson Dorsey, the city's Solicitor, Frank A. Hooper, and A. E. Stephens argued the state's case. Dorsey's reputation had been severely tarnished by his failure to obtain guilty verdicts in two recent and well-publicized cases. Thus, a great deal of pressure weighed on him throughout the case. The Solicitor's plan was first to convince the jury

that Mary Phagan had been an innocent “little girl” who had died protecting her virtue by fending off a sexual predator. Next he hoped to prove that Leo Frank could not account for his whereabouts during the half-hour between 12:00 and 12:30 P.M. on the afternoon of April 26 when Phagan was presumed to have been murdered. Lastly, Dorsey wanted to show that Frank was a sexual deviant with a deeply flawed character. To counter the prosecuting attorneys, Frank employed the services of Luther Z. Rosser, popularly considered one of the brightest legal minds in the state of Georgia. Frank’s counsel also included Reuben Arnold, Albert Haas, and Leonard Haas. In order to challenge Dorsey’s claims, Rosser intended to portray Frank as an innocent victim of circumstance. The defense attorney enlisted numerous character witnesses to testify that Frank was an honest, diligent man who had unfortunately been in the wrong place at the wrong time.<sup>28</sup>

Dorsey began his case against Frank by creating an image of Mary Phagan that, while mythical, played directly into the hands of his all-white southern jury. He argued that Phagan had been an innocent southern girl, one reared to be virtuous. According to Dorsey, she only worked at the factory because the money she earned was needed to keep her family financially afloat. Despite its basic irrelevance to Phagan’s real life, most observers found these arguments plausible. And with these points out in the open, Dorsey pounded away at his first theme: he wanted to convince this southern jury that Phagan had been a virtuous girl who had made sacrifices for the well-being of her family. According to Dorsey, she had remained virginal and pure until the day she was murdered. Dr. J. W. Hurt testified for the prosecution and stated that despite its slightly larger than normal appearance, Mary had “had a normal virgin uterus.” In his medical opinion, the extension of

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<sup>28</sup>On Leo Frank’s trial and the strategies employed by the prosecution and defense, see Dinnerstein, *The Leo Frank Case*, 35-61.

Phagan's vagina "could have been produced by penetration immediately preceding death." Although this evidence seemed damning, Hurt later testified that he was unsure just how Phagan's vagina had been distended.<sup>29</sup> Dorsey, however, dismissed Hurt's indecisiveness, arguing instead that a sexual assault -- a violation -- had occurred. To conclude this point, Dorsey asserted that Mary Phagan's virtue had been violently wrested from her and that Frank had been the culprit. In making such a proclamation, Dorsey appealed to an important emotional side of Frank's all-white, all-male jury. Indeed, these southern men appreciated Dorsey's concern with the "little girl's" reputation and could not imagine challenging its veracity.

Feeling that the trial was moving along soundly, Dorsey next had witnesses testify to Frank's whereabouts on the afternoon of the crime. Frank had always contended that if not in his office, he had only left it momentarily to use the factory's washroom. By the time Dorsey had finished his line of inquiry, however, Frank's alibi appeared unreliable; indeed, it seemed that Frank's explanation was becoming less and less convincing. To prove that Frank had not been in his office, Dorsey questioned Monteen Stover, another working girl who, like Phagan, had visited the pencil factory that Saturday afternoon in order to pick up her paycheck. Stover testified that she arrived at 12:05 P.M. and walked directly into Frank's outer office. Unable to locate her superintendent, she waited until approximately 12:10 when she finally decided to leave the building. This evidence contradicted Frank's sworn affidavit. In it, Frank stated that he had remained on the factory's grounds and in his office until at least 1:00 P.M. This new evidence appeared to challenge that alibi and damage Leo Frank's already shaky credibility. Moreover, in Stover the jury saw yet another young, white

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<sup>29</sup>Brief of Evidence at 46, *Leo M. Frank v. State of Georgia*.



working girl who was similar to Mary Phagan; accordingly, they were much more likely to believe her testimony than her employer's.<sup>30</sup>

Dorsey followed this important testimony by directly attacking Frank's character. He intended to prove that Frank had a history of sexual impropriety and degeneracy and that his many perversions had caused him to harm Mary Phagan. This, after all, was the crux of Dorsey's argument. He began by parading several of Frank's female employees before the jury. They each swore that their superintendent was lewd and had made unwelcome gestures toward them and Mary Phagan. "I have seen Mr. Frank talk to Mary Phagan two or three times a day in the metal department," testified Dewey Howell. "I have seen him hold his hand on her shoulder." To assert that Frank was familiar with his employees in this way was to suggest that Frank had little respect for the tenets of the South's honor culture. Moreover, to these southerners, Frank's impropriety, however minimal, directly challenged the virtue of southern white womanhood. "He would stand pretty close to her [and] lean over in her face," concluded Howell. To those on the jury, this common working girl's testimony was damning.<sup>31</sup>

If Dewey Howell's testimony offended Frank's jurors, then Jim Conley's testimony infuriated them. Conley told the jury how at Frank's behest he would watch the front door of the factory while Frank routinely entertained female employees in his office. "I always stayed on the first floor like

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<sup>30</sup>On Frank's confusion over his whereabouts that Saturday afternoon, see Brief of Evidence at 219, *Leo M. Frank v. State of Georgia*. On Monteen Stover's testimony, see Frey, *The Silent and the Damned*, 40; Dinnerstein, *The Leo Frank Case*, 37-40.

<sup>31</sup>Brief of Evidence at 223, *Leo M. Frank v. State of Georgia*. On cries of perversion leveled at Frank, see MacLean, "The Leo Frank Case Reconsidered," 932; Steven Hertzberg, *Strangers Within the Gate: The Jews of Atlanta, 1845-1915* (Philadelphia: Jewish Publication Society of America, 1978), 204.

I stayed the 26th of April and watched [for] Mr. Frank, while he and a young lady would be upon the second floor chatting....” Conley hinted that these “chats” were nothing more than illicit trysts between the superintendent and his employees. Conley then discussed the chain of events that had occurred on the Saturday afternoon of Phagan’s murder. “ ‘I wanted to be with the little girl.’ ” Frank said, according to Conley’s testimony. “ ‘and she refused me, and I struck her and she fell and hit her head against something, and I don’t know how bad she got hurt. Of course you know I ain’t [sic] built like other men.’ ” At this point Conley began to explain what Frank had apparently meant by his last statement.

The reason he said that was, I had seen him in a position I haven’t seen any other man that has got children. I have seen him in the office two or three times before Thanksgiving and a lady was in his office, and she was sitting down in a chair (and she had her clothes up to here, and he was down on his knees, and she had her hands on Mr. Frank. I have seen him another time there in the packing room with a young lady lying on the table, she was on the edge of the table when I saw her.)

Conley delivered the parenthetical testimony only after women and children were escorted out of the courtroom.<sup>32</sup> Conley’s testimony, however fabricated, made a strong impression on both the jury and those who remained in the courtroom. Worse still for Leo Frank was the fact that Luther Rosser, his counsel, could not break Conley. To many observers, Rosser’s ineffective cross-examination did not mean that the lawyer had fared poorly; instead, to most it simply meant that Conley had told the truth. McClellan Smith, a reporter who covered the case from its beginning, spoke for countless southern whites when he suggested that “a man of [Conley’s] mental capacity could have been broken if he was lying.”<sup>33</sup>

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<sup>32</sup>Brief of Evidence at 53, 55, *Leo M. Frank v. State of Georgia*.

<sup>33</sup>Dinnerstein, *The Leo Frank Case*, 46.

After failing to undermine Conley's testimony, Rosser began to lose control of the case. Despite evidence from a variety of sources suggesting that Frank was a normal man without even a hint of an impropriety, Rosser could do nothing to offset Conley's seemingly candid testimony.<sup>34</sup> Finally, almost a month after the trial had begun, Leo Frank, dubbed "the silent man in the tower," took the stand. He sat not as a witness who could be cross-examined, but as a defendant who had been granted the rare opportunity to deliver a written statement. In his statement before the jury, Frank challenged the mass of evidence weighed against him and scrutinized every detail pertinent to the case. When it came to clarifying Jim Conley's testimony, Frank's words revealed a man both disgusted and incredulous. "The statement of the negro Conley is a tissue of lies from first to last.... The story as to women coming into the factory with me for immoral purposes is a base lie and the few occasions that he claims to have seen me in indecent positions with women is a lie so vile that I have no words with which to fitly denounce it."<sup>35</sup> The members of the jury were not moved by Frank's appeal. On August 25, 1913, after nearly four hours of deliberation, they pronounced Frank guilty as charged. When the verdict was read, however, Frank was not present in the courtroom. Judge Leonard S. Roan had sequestered Frank in his prison cell until after the verdict was announced because he feared mob action in the event of an acquittal. When Frank heard the cheers of jubilation rise from the crowd below, he knew he had been found guilty. "My God," he exclaimed, "even the

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<sup>34</sup>Rosser paraded before the jury over two hundred character witnesses, many of whom were female employees of Frank's. See Frey, *The Silent and the Damned*, 18; MacLean, "The Leo Frank Case Reconsidered," 928.

<sup>35</sup>Brief of Evidence at 219, 220, *Leo M. Frank v. State of Georgia*.

jury was influenced by mob law. I am as innocent as I was a year ago.”<sup>36</sup> On August 26, 1913, before a packed courtroom, Judge Roan sentenced Leo Frank to death by hanging.

#### **D. Frank’s Counsel Pursue an Appeal**

Unwilling to accept Roan’s sentence without a fight, Frank’s counsel immediately began to mount an appeal of the case. Their initial appeal would be one of many such petitions presented over the next year and a half. By October 1913, they submitted their first appeal to Judge Roan. Georgia’s state laws required Frank’s counsel to petition the judge who had presided over their client’s trial before they could appeal the verdict to a higher court. A 1906 state constitutional amendment mandated that the presiding judge had to first admit that procedural errors had occurred during the trial before he could determine whether there should be a retrial. Indeed, unless a circuit court judge could ascertain that irregularities had occurred, no appellate judge could overrule the decision of a state court or rule in favor of a retrial. The amendment had been designed to give circuit court judges greater power and flexibility insofar as the weight and finality of their decisions were concerned. Few of Georgia’s lawyers or judges viewed the amendment as inappropriate or unwarranted.<sup>37</sup>

Of the more than 100 points included in Frank’s initial petition, none received more attention than the allegation that two of Frank’s jurors, A. H. Henslee and M. Jochenning, had made prejudicial comments concerning the accused. Henslee, for example, was alleged to have said that “if I get on that jury I’d hang that Jew sure.” Henslee had also remarked that he was only too “glad they indicted

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<sup>36</sup>Dinnerstein, *The Leo Frank Case*, 56.

<sup>37</sup>On questions of procedure and due process in the Leo Frank appellate process, see “The United States Supreme Court and the Frank Case,” *The Central Law Review* 80(1915): 29-32.

that God damn Jew.”<sup>38</sup> When Frank’s counsel introduced statements of this nature into the record, they were attempting to show how Frank’s trial had been marred by an undercurrent of antisemitism. Those, like Hugh M. Dorsey, who criticized such a claim believed that fears of a burgeoning “mob spirit” at Frank’s trial had been grossly overstated. Dorsey, arguing once again for the state, presented sworn affidavits from eleven of the jurors who had deliberated Frank’s case (the twelfth had been out of town and was unable to be reached). They all stated unequivocally that prejudice had never entered their minds during Frank’s trial and that they had relied on the evidence presented to make their decision. On October 31, after reviewing this collection of testimony, Leonard Roan denied the motion for a new trial. Roan was convinced that the *jury* had agreed that Frank was guilty when they rendered their verdict. Roan himself was far less certain of Frank’s guilt and publicly admitted his qualms. “I am not certain of [Frank’s] guilt,” he stated, though he acknowledged that “The jury was convinced. There is no room to doubt that.” All the same, the judge’s admission of uncertainty eventually played an important role in Frank’s subsequent appeals.<sup>39</sup>

By mid-December of 1913, Frank’s counsel had prepared an appeal to the Supreme Court of Georgia. Permitted two hours to present their case, the lawyers devoted most of their allotted time to a discussion of Judge Leonard Roan’s expression of doubt. Once again, Hugh Dorsey countered the concerns expressed by Frank’s attorneys and stated that the defendant had not only received a fair trial, but that to rule otherwise would be an assault upon the state’s entire legal system. It is difficult to determine whether Dorsey’s obvious appeal to preserve the state’s honor influenced the

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<sup>38</sup>Atlanta *Journal*, October 4, 1913, p.1.

<sup>39</sup>On the “mob spirit” that accompanied Frank’s trial and its influence over the jury, see Dinnerstein, “Atlanta in the Progressive Era,” 147. Judge Roan is quoted in Dinnerstein, *The Leo Frank Case*, 79.

court. Nevertheless, on February 17, 1914, Georgia's Supreme Court upheld Roan's ruling by a vote of 4-2. Unable to discern any obvious procedural abuse, the court simply refused to overrule Roan.<sup>40</sup>

Disappointed with the ruling but not despondent over its implications, Frank's counsel went back to work. They still had a number of avenues open to them and all of Frank's lawyers agreed that redress remained a possibility. On April 16 they filed a motion with the Superior Court of Fulton County, Georgia. In this new motion, Frank's lawyers chose to move in an entirely different direction. Because Judge Roan had deemed it wise to remove Leo Frank from the courtroom on the day the jury rendered its verdict, Frank's counsel insisted that their client had been deprived of a fair trial and equal protection under the law. In their initial motion for retrial, however, Frank's representatives had neglected to mention this admittedly peculiar set of circumstances. Unfortunately, the state's Supreme Court judges did not view the negligence of Frank's counsel as a mere oversight. Indeed, the state's Superior Court refused to acknowledge this new evidence or the argument that it supported. The matter, explained the Court, had been deemed one of procedure. Had the defense included its point in their initial petition, the judges might have viewed the appeal differently. Seeing as how Frank's lawyers had neglected to do so, however, the court could do virtually nothing to accommodate them. Accordingly, the court once again denied Frank's petition on June 16. For similar reasons, subsequent petitions filed with both the Supreme Court of Georgia and the United States Supreme Court proved equally unrewarding. The United States Supreme Court, for example, refused to grant a writ of error because, as Associate Justice Joseph R. Lamar wrote, "The decision of the Supreme Court of Georgia in this case holds that, under the laws of that State where a motion for a new trial was made and denied, the defendant could not thereafter make

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<sup>40</sup>On Frank's first appeal, see *ibid.*, 77-81.

a motion to set aside a verdict on the ground that he was not present when it was returned by the jury.” Once again the matter had been one of procedure, not substance, and thus not even the United States Supreme Court felt compelled to interfere with the case.<sup>41</sup>

The United States Supreme Court’s ruling dampened Leo Frank’s spirit. Prior to the ruling he had been optimistic. In a letter to his, Rudolf Frank offered words of hope. The elder Frank was convinced that the Supreme Court Justices “must have noticed in the interim what the decent people of the U[nited] S[tates] think of the travesty enacted and how the Georgians have been... heckled and criticized... [throughout] the country about the injustice done to you and the mob rule [that affected your trial].”<sup>42</sup> Unfortunately for Leo Frank, the Justices had noticed nothing of the sort. In fact, Frank’s already precarious position was deteriorating steadily and the incompetence that his counsel had displayed did not improve matters. However promising his situation had appeared after Roan had acknowledged doubt, it now seemed headed for disaster.

Earlier in the year, Frank’s counsel had recruited Louis Marshall, a prominent constitutional lawyer and president of the American Jewish Committee. Marshall had shown a great deal of interest in Frank’s plight and pledged his support to Frank’s cause. Marshall was convinced that mob influence had played an important role throughout Frank’s trial and that the impact it had made constituted a denial of due process. This new position formed the basis of yet another petition to the Appeals Court of the Northern District of Georgia. Once again, however, Frank was denied a writ of habeas corpus. Consequently, Marshall chose to petition the United States Supreme Court one further time. Though the Supreme Court had initially refused to even consider Frank’s case when

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<sup>41</sup>Justice Lamar’s ruling is located in box 6, folder 16, AHS.

<sup>42</sup>Rudolf Frank to Leo Frank, August 18, 1914, box 1, folder 3, AHS.

it rested on a technicality like a procedural issue, now it decided to review the case and investigate the extent to which mob law had influenced its proceedings. If nothing else, Marshall had won a moral victory. He felt confident that once the Court heard this new set of arguments and points, they would rule in Frank's favor.<sup>43</sup>

Marshall focused his argument on the irregularities of Frank's trial. He calmly explained that during the proceedings mobs had gathered and formed just outside of the courtroom. According to the constitutional scholar, these mobs often raved about the guilt of the accused. Marshall then told the Supreme Court Justices about certain unpredictable circumstances that had played a key role throughout the long hot month of Frank's trial. He noted, for instance, that during the weeks of the trial the Fulton County courthouse had been under renovation. Consequently, Frank's trial had been moved to an alternative location. Unfortunately, the facility had been improperly equipped to handle the deluge of press and interested bystanders that daily flocked to its chambers; thus the court had been forced to make certain changes. As the sweltering heat rose, and as the air in the courtroom became increasingly more stifling, Judge Roan often instructed his court attendees to open several windows. Unfortunately, those windows opened directly onto the street below, allowing crowds of onlookers that had been denied entrance to Atlanta's most intriguing "event" the opportunity to station themselves just outside of the courtroom so as to better hear the testimony. Marshall then told the Justices that every so often, depending upon the type of testimony presented, the crowd either erupted with applause or exploded with invective. This action, Marshall emphasized, had unfairly influenced Leo Frank's jury. After Marshall and representatives of the state of Georgia

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<sup>43</sup>On Louis Marshall, see Morton Rosenstock, *Louis Marshall, Defender of Jewish Rights* (Detroit: Wayne State University Press, 1966).



made their presentations, the Supreme Court Justices adjourned the session and began to deliberate the case.<sup>44</sup>

On April 19, 1915, the Supreme Court rejected Marshall's petition. The vote was 7-2, and the majority opinion found the allegations of disorder and mob rule groundless. Unmoved by Marshall's evidence, the seven Justices comprising the majority opinion argued that despite the presence of some mob influence at Frank's trial, it had not in fact been harmful to the defendant or his case. To the Justices of the United States Supreme Court, Leo Frank had received a fair trial. Oliver Wendell Holmes, Jr. and Charles Evans Hughes offered dissenting views. Holmes, in particular, was shocked and dismayed by the Court's ruling, stating emphatically that "Mob law does not become due process of law by securing the assent of a terrorized jury."<sup>45</sup> Despite these encouraging words, however, Frank's position was bleaker than it had ever been before.

The only recourse left to Frank's counsel was to petition both the Georgia Prison Commission and the governor. Indeed, by the middle of April (and prior to the Supreme Court's ruling), a petition had been drawn and prepared for both the Prison Commission and Governor Slaton. On May 31, 1915, the Georgia Prison Commission voted 2-1 against clemency. Thus, Frank's life fell into the hands of Georgia's popular governor. Slaton, who had won the governor's seat convincingly in 1913, had set his sights toward a seat in the United States Senate. A generally well-liked man, Slaton had presided over the state during one of its more impressive periods of

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<sup>44</sup>On the courtroom, its unorthodox conditions, and the ability of curious onlookers to influence the court's proceedings, see "Why Was Frank Lynched," 692; Golden, *A Little Girl is Dead*, 94-5, 227, 240; Frey, *The Silent and the Damned*, 29.

<sup>45</sup>Dinnerstein, *The Leo Frank Case*, 113.

economic growth. His popularity, even among those of the countryside, was never in doubt.<sup>46</sup> The governor's term of office had been slated to conclude on June 22, and Leo Frank's execution had been scheduled to take place on June 21. Therefore, Slaton would be forced to make one final executive decision before he could hand the reins of power over to his successor. Slaton took the responsibility seriously. He interviewed those closest to the case and visited the National Pencil Company where he hoped to uncover some hidden piece of evidence. Indeed, Slaton sought to make his investigation a thorough one.

During Slaton's investigation, correspondents overwhelmed his office with petitions that both supported and condemned the accused. Thousands of letters poured in from almost every state of the nation. Influential individuals like Senator James K. Vardaman of Mississippi, Senator William Borah of Indiana, and Governor Martin Brumbaugh of Pennsylvania, sent Slaton dozens of letters that urged the governor to commute Frank's sentence. Prominent people and minor officials alike sent messages like the one written by the mayor of Nashville, Tennessee:

It seems that millions of people in the United States are under the impression that [Frank] should not suffer the extreme penalty of the law, on account of the fact that they believe the evidence did not justify a verdict of murder in the First Degree. I ask you in the name of the good people who are not convinced of Frank's guilt to commute his sentence to life imprisonment. I believe that you as Governor of the Great State of Georgia, would not permit a man to be executed while there was a shadow of doubt as to his guilt.<sup>47</sup>

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<sup>46</sup>On Slaton, see John Temple Graves, "The New Governor of Georgia," *Cosmopolitan* 55(August 1913): 335-7.

<sup>47</sup>Mayor of Nashville, Tennessee to John M. Slaton, May 28, 1915, Leo Frank Folder, Anti-Defamation League, New York City, New York. On other petitions in support of Frank's commutation, see Frey, *The Silent and the Damned*, 75-6.

Many of Georgia's residents, especially those who lived among the state's back country, also sent hundreds of letters to Slaton. Most begged Slaton to consider Mary Phagan -- her memory, virtue, and surviving family members -- before acting upon the petition. "The majority of the citizens of Georgia are worn thread bare over the way this case has been handled," wrote Thomas Smoke, "and if the Laws and justice is to be defeated by our representatives and protection is denied the innocent and helpless women of our country and we are allowed to be run over[,] mistreated[,] and trampled under foot..., then it is time to shoulder arms and demand [justice] at the muzzle of our guns." Smoke concluded his missive with a plea that Slaton "accept this as an earnest protest against clemency for Frank and a request that you let the case go unaltered."<sup>48</sup> Undoubtedly, Slaton's final hours in office were tense and trying.

On June 21, 1915, Governor John M. Slaton commuted Leo Frank's death sentence to life imprisonment. "I can endure misconstruction, abuse and condemnation," wrote Slaton in the conclusion to his official act of clemency, "but I cannot stand the constant companionship of an accusing conscience, which would remind me in every thought that I, as Governor of Georgia, failed to do what I thought to be right." Slaton, like so many others who had investigated the nuances and peculiarities of the case, had his qualms. "This case has been marked by doubt," he wrote. "The trial judge doubted. Two judges of the Court of Georgia doubted. Two judges of the Supreme Court of the United States doubted. One of the three prison commissioners doubted." Most of Slaton's doubt rested with Jim Conley's incredible testimony. Frankly, Slaton did not believe the sweeper. "The evidence shows that Conley was as depraved and lecherous a Negro as ever lived in Georgia." According to Slaton, to convict Frank on the suspect testimony of such an unscrupulous character

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<sup>48</sup>Thomas M. Smoke to John M. Slaton, May 29, 1915, box 35, folder 1, GDAH.

would ultimately violate “that duty which is placed on me by the Constitution of the State.” Moreover, by removing the threat of execution, Slaton had ensured Leo Frank’s lawyers additional time with which they could use to further their client’s cause. Frank’s life had been momentarily spared.<sup>49</sup>

#### **E. The Lynching of Leo Frank**

At approximately 10 o’clock on the evening of June 20, 1915, Leo Frank was placed on a train bound for the State Prison Farm at Milledgeville, Georgia. His journey had been planned in secrecy and executed without notice or warning. The following day Governor John Slaton was prepared to grant Frank a commutation and reaction was sure to be lively. Slaton, who feared the reprisals of a mob, had ordered Frank removed as inconspicuously as possible from the Fulton Tower where he had been incarcerated since the beginning of his trial. Sadly, Slaton’s fear of mob rule came to fruition. When Georgians learned news of Slaton’s act, mobs formed throughout the state. Vigilante committees came together and they rallied for vengeance. Much of the anger that resulted was directed at Georgia’s Jewish population. Some southerners employed boycotts to push Jewish merchants and small businessmen out of towns surrounding Atlanta. Threats of violence accompanied these boycotts and many Jews reacted by packing their belongings and moving out of the state. Thus, without much warning or provocation, a distinctly antisemitic mood descended upon the state and its capital city.<sup>50</sup>

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<sup>49</sup>Slaton is quoted in Golden, *A Little Girl is Dead*, 352, 348, 353.

<sup>50</sup>On the outbreak of antisemitism following Slaton’s commutation order, see Frey, *The Silent and the Damned*, 89-90. On the removal of Frank from the Prison Tower, see *ibid.*, 88-9.

Many Georgians, puzzled by Slaton's action, drew their own conclusions as to why Frank's commutation had proceeded so swiftly. Tom Watson, the former Populist leader and avowed spokesman of Georgia's dispossessed, nurtured their disbelief. As chief editor and publisher of both *The Jeffersonian* and *Watson's Magazine*, Watson's editorials clearly influenced his rural constituency. He was convinced that a dangerous conspiracy had developed between Atlanta's Jews and Georgia's governor. Many of his readers agreed with this conclusion. An anonymous letter that appeared in *Watson's Magazine* several months after Slaton's commutation was announced seemed to clearly explain Slaton's suspicious actions. On the night before Slaton granted Frank his commutation, wrote the correspondent, "The Jews all gathered at the home of the Seligs, on Washington Street, where Frank's wife and father-in-law live, and from 8 till 12 o'clock they had a regular old-time Belshazzar feast." According to this contributor, their merriment was apparently boundless: "They drank wine, high balls, whiskey and beer, and smoked and sang, and had music: there were not less than a hundred and twenty automobiles full of Jews that came there...." This particular observer was disturbed by more than just the exuberance of the affair. He was convinced that this gathering of the city's Jews had been somehow responsible for altering the outcome of Frank's case. Earlier that very evening, he explained, he had been told by a friend that "a Jew [had come] running up and tapped on the window [of the Sheriff's office], and the Sheriff raised the window and the Jew whispered to him, and the Sheriff smiled, and then the Jew ran off.... Now, that showed conspiracy," he concluded, "and that Slaton was working with the Jews all the time." Tom

Watson furthered this conspiracy theory by stating that Jewish financial interests had backed Frank and promoted his commutation.<sup>51</sup>

It is true that Leo Frank received financial help from Jews throughout the country. Influential Jewish entrepreneurs like Julius Rosenwald of Sears, Roebuck contributed thousands of dollars to Frank's defense.<sup>52</sup> For his part, however, Frank made many efforts to limit the amount of money that Jews and Jewish interests donated to his cause. In many letters, Frank begged his defenders to solicit funds and aid from gentiles, prominent and common alike. In one letter, Frank requested that the introductory remarks of a letter intended for Governor Slaton be changed to read: "We, as Christian citizens of Kirkwood, Dekalb County, believe that the guilt of Leo Frank has never been proven, and do hereby petition the honorable prison board, and his Excellency the Governor of Georgia to extend to said Leo Frank executive clemency."<sup>53</sup> Money and moral support did come from a variety of sources, both Jewish and gentile. Of course, to Frank's detractors, none of this mattered.

The tumult that followed Slaton's act of clemency surprised and appalled many observers throughout the United States. According to some who witnessed the events unfold, irrational southerners appeared to be running amok and behaving like savages. In fact, for days after Slaton's commutation, mobs continued to roam Atlanta's streets searching for those they believed had

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<sup>51</sup>Thomas E. Watson, "The Celebrated Case of the State of Georgia vs. Leo Frank," *Watson's Magazine* 21(August 1915), 231. On Watson's role in the Frank case, see "Why Was Frank Lynched?" 678.

<sup>52</sup>Rosenwald wrote Frank several letters of encouragement. See Julius Rosenwald to Leo M. Frank, July 22, 1915, box 1, folder 2, AHS.

<sup>53</sup>Leo M. Frank to T.A. White, May 11, 1915, box 1, reel 1, BRAN. Also see A.D. Lasker to Herbert Haas, October 12, 1914, box 5, folder 1, AHS, in which Lasker writes: "Mr. Vories is a man of wide acquaintance, and I feel that every man of influence whom we can interest in this case, particularly if he is a non-Jew, will be of great value."

violated the moral code and traditions of southern society. Mobs even threatened to storm Slaton's estate. L. O. Bricker, Mary Phagan's minister, helped the governor guard his home throughout the night of June 21. Bricker had initially been convinced that Frank was guilty of the crime for which he had been accused. Bricker later changed his stance when he discovered new and compelling evidence suggesting that Jim Conley was the likely culprit. Bricker was incensed over the action taken by Atlanta's mobs. According to Bricker, the sheriff and his deputies had refused to aid the governor as hundreds of people, "yelling, cursing, [and] roaring like wild beasts," threatened to enter the grounds of Slaton's home. "We are here to defend the Governor," Bricker allegedly shouted to the raging assemblage. "The first man to cross the drive-way will certainly be killed, and all of you who dare to cross the drive-way will be shot." Only the conspicuous presence of a battalion of Georgia's National Guard, which had been stationed at Slaton's estate the day before, prevented the belligerents from entering Slaton's home and forcibly evicting its inhabitants. "This was the most disgraceful of all things in connection with the whole event," Bricker concluded, "the refusal of the sworn officers of the law, and the personal appointees of the Governor, himself, to come to his aid in the crisis."<sup>54</sup>

Although the mob disbanded on the evening of June 21, threats continued to pour into the governor's office for weeks after the episode. Enraged by what they saw as a callous and shallow disregard for their state's honor, many Georgians demanded that Slaton pay a price for his cowardice. "Oweing [*sic*] to the fact that you have disgraced the state, as well as your self," wrote an anonymous

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<sup>54</sup>L. O. Bricker, "A Great American Tragedy," *The Shane Quarterly* 4 (April 1943), 93. The evidence that Bricker discovered involved the murder notes found near Mary Phagan's body. In particular, questions concerned with the phrase "nightwitch" convinced Bricker that Conley, not Frank, had been the guilty party.

“Committee” to Slaton, “we demand your resignation at once, then we will expect you to move out of this state, and live on the money for which you sold your dirty self.”<sup>55</sup> Likewise, a telegram from the citizens of Montezuma, Georgia, begged Slaton simply to “Resign and leave the state [because] you are a disgrace to us.”<sup>56</sup> Some threats, however, were less benign. “We, the reliable citizens of Fulton County..., expect to kill you regardless of time or your whereabouts,” wrote the “Life Takers” to Slaton on June 24. “We expect to hang you by the neck with a rope until you are dead and riddle your body with bullets[.] [N]o matter where you go, or where you stay,” they concluded, “we intend to kill you and then kill Frank[.] [Y]our life and Frank’s life,” they emphasized, “are at danger every moment from now until both of you are dead.”<sup>57</sup> For obvious reasons, Slaton left the state of Georgia only days after his term as governor had elapsed. Despite the outbursts against him, however, Slaton felt confident that he had done the right thing in commuting Frank’s sentence.<sup>58</sup>

At Milledgeville, Leo Frank worked outside in the fresh air, ate better than he had during his stay at the Fulton Tower, and gained back some of his lost strength and stamina. “My health is improving though my cold is still with me,” he wrote his wife on June 22. “My appetite too is improving,” he added with optimism. Regardless of his improving condition and more agreeable

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<sup>55</sup>Committee to John M. Slaton, undated, box 45, folder 4, GDAH.

<sup>56</sup>Montezuma Citizens to John M. Slaton, June 21, 1915, box 45, folder 4, GDAH.

<sup>57</sup>“The Life Takers” to John M. Slaton, June 24, 1915, box 4, reel 2, BRAN.

<sup>58</sup>Leonard Dinnerstein quotes the following conversation that apparently took place between John Slaton and his wife Sally. After having been asked if he had come to a decision regarding Frank’s petition for commutation, Slaton apparently told his wife: “Yes, it may mean my death or worse, but I have ordered the sentence commuted.” To this, his wife allegedly responded: “I would rather be the widow of a brave and honorable man than the wife of a coward.” Dinnerstein, *The Leo Frank Case*, 126.



surroundings, however, Leo Frank remained a cautious and practical man: he was quite cognizant of the ordeal he had just been through and the effect it had obviously had on him. "After that which I have gone through, it will take some time before I gain my poise and physical balance," he wrote his wife. Lucille Frank had apparently intended to visit her husband shortly after he had been transported to Milledgeville. But Frank's weak condition made the thought of entertaining visitors an impractical one. Frank was adamant that she remain at home with her parents. Too much had happened too quickly, and, aside from his weakened state, he continued to fear for both his and his wife's safety. Atlantans, he remembered, were still responding in emotional and irrational ways to his official commutation. "It is probably best for you and they [Lucille Frank's parents] to wait till the excitement subsides" he wrote.<sup>59</sup> Dutifully, Lucille Frank followed her husband's instructions and postponed her plans to travel to the Prison Farm.

While Leo Frank gained back his lost strength he also began to make important acquaintances and allies. Included among those who visited him at the State Prison Farm was Colonel Bell, Milledgeville's mayor. Bell had apparently shown Frank much kindness, as had others affiliated with the town's mayor. "One of these men sent me a sack of oranges and lemons," Frank told his wife. "It would appear that I have many friends in Milledgeville."<sup>60</sup> Though this may have been the case in Milledgeville, in Atlanta the mood continued to be ugly. In a letter to her husband, Lucille Frank described the hostility that various individuals and groups throughout Atlanta continued to direct at Frank. Threats of wanton violence could still be found in many quarters of the city and there seemed little chance that they would diminish any time soon. After one particular summer

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<sup>59</sup>Leo Frank to Lucille Frank, June 22, 1915, box 2, reel 1, BRAN.

<sup>60</sup>Leo Frank to Lucille Frank, June 23, 1915, box 2, reel 1, BRAN.

downpour, with the heat and humidity rising, Lucille Frank wrote fearfully “that the ruff nex [*sic*] might erupt tonight when they should be filled with booze and the spirit of independence.”<sup>61</sup> She clearly believed that the animosity directed at her husband had only slightly diminished since he had been transported to the Prison Farm and that change would only come slowly.

Although tensions throughout the state remained high, Leo Frank remained hopeful. He felt healthier than ever, his legal counsel was working assiduously on his case, and he appeared to be developing friendships with some of Milledgeville’s most prominent citizens. Appearances, however, were deceptive. At approximately 10 o’clock on the evening of July 17, Leo Frank was brutally assaulted by a fellow inmate while he lay sleeping in his bunk at the Prison Farm. William Creen, the assailant, had intended to execute Frank because he feared that a mob would enter the prison and indiscriminately murder Frank and anyone near him. According to Creen, he was only trying to preserve his own life by executing the state’s most “notorious” prisoner. Creen had taken a knife and had slit Frank’s throat from ear to ear. The wound left Frank dangerously close to death, extremely weak, and unable to speak. “Altho [*sic*] it nicked his windpipe and his jugular vein was cut,” wrote Lucille Frank, “through some miracle he did not die.”<sup>62</sup> Over the next month his condition improved steadily. Isolated from the prison’s other inmates, Frank’s recuperation proceeded smoothly. On August 16, he wrote an encouraging letter to Milton Klein, an old friend of his. “I am progressing right along.... I am gaining each day in strength and my general health is good. Slept well last night and ate with appetite today.” Frank was quick to add: “I cannot walk

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<sup>61</sup>Lucille Frank to Leo Frank, July 7, 1915, box 1, folder 1, AHS.

<sup>62</sup>On William Creen’s assault, see Dinnerstein, *The Leo Frank Case*, 137-9. The quoted passage is from the Leo Frank Diary, July 17, 1915, entry written by Lucille Frank, AHS.

better than a few days since, but I am not rushing this.” Moreover, his voice, greatly affected by the assault, remained “somewhat husky and weak.”<sup>63</sup> These were some of the last words Leo Frank ever wrote.

Preparations for an assault on Milledgeville had begun early in the summer of 1915. Over two dozen residents of Marietta, Georgia, dubbing themselves the “Knights of Mary Phagan,” had been actively planning to abduct and execute Frank. Acting on this plan, several of the “Knights” disrupted all communications between the Prison Farm and its statewide authorities on August 16. Next, the mob subdued the prison’s guards. This they did without much difficulty or interference. Lastly, the remaining lynchers entered Frank’s quarters, woke him up, ordered him to dress, and took him to an automobile parked just outside the prison. Once these plans had been carried out successfully, all that remained was to drive Frank back to Marietta to lynch him.<sup>64</sup>

Early on the morning of August 17, the “Knights of Mary Phagan” hanged Leo Frank from an old oak tree in Marietta, Georgia. Once news of the affair spread throughout the town, crowds of curious onlookers gathered around the hanging corpse. In a front-page article that appeared the following day in the *Atlanta Constitution*, one of the executioners stated that “The men who hanged Leo Frank, the murderer of Mary Phagan, did not go about it with a spirit of lawlessness nor vindictiveness.” Indeed, Frank’s execution had been accomplished coldly, methodically, and seemingly with little advance warning. The anonymous individual who had spoken with the

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<sup>63</sup>Leo Frank to Milton Klein, Jr., August 16, 1915, Leo Frank Folder, American Jewish Committee Archives, New York City, New York.

<sup>64</sup>On the plans of the lynch party, see Robert Seitz Frey, “Christian Responses to the Trial and Lynching of Leo Frank: Ministers, Theologians, and Laymen,” *Georgia Historical Quarterly* 71(Fall 1987), 464.

newspaper's reporter was convinced that the "Knights" had only done their expected duty. It had been "a duty to their state and commonwealth [and] a duty to the memory of Mary Phagan."<sup>65</sup> As coldly executed as the lynching had been, some trouble did emerge shortly after crowds began to mill about Frank's hanging corpse. After two individuals cut Frank's body down, several onlookers rushed to the corpse to gather souvenirs from the slaying. Many began to cut away pieces of Frank's prison gown along with the rope that had been used to execute him. As this souvenir hunting was taking place one particularly frantic observer began screaming at Frank's lifeless body as others gathered around. "You won't murder any more innocent little girls," barked the man as he dug the heel of his shoe into Frank's face. A judge, who had been present during the lynching, prevented further mutilation of Frank's body when he called for order.<sup>66</sup>

News of the lynching spread quickly throughout the city of Atlanta, the state of Georgia, and the nation as well. It produced both remorse and jubilation. "The lynching of Frank was more brutal than you can imagine," wrote Luther Rosser, Frank's attorney. "I had never supposed that the State of Georgia would be disgraced by such a crime."<sup>67</sup> Others, however, were not so eager to seek forgiveness or pay penance for the crime. "We rejoice that the blot on the name of Georgia has been removed by the final execution of its most vicious criminal," wrote an anonymous correspondent to Tom Watson's newspaper, *The Jeffersonian*. "Incidentally," he concluded, "we are not going to see

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<sup>65</sup>Atlanta *Constitution*, August 18, 1915, p.1.

<sup>66</sup>Dinnerstein, *The Leo Frank Case*, 143-4. On the lynch scene, see "Why Was Frank Lynched?" 688-9; MacLean, "The Leo Frank Case Reconsidered," 940; Golden, *A Little Girl is Dead*, 293, 300.

<sup>67</sup>Luther Rosser to Henry Scheuerman, August 19, 1915, box 45, folder 13, GDAH.

that Vigilante Committee punished.”<sup>68</sup> Whether applauded or criticized, Leo Frank’s lynching ultimately put an end to one of the most tumultuous legal dramas in Georgia’s history. “I only pray that those who destroyed his life will realize the truth before they meet their God,” wrote a grieving Lucille Frank. Desperately, almost pathetically, she asked only one final question: “Will not their conscience make for them a Hell on earth, and will not their associates, in their hearts, despise them?”<sup>69</sup>

#### **F. Concluding Remarks**

Questions concerning the nature of Leo Frank’s lynching, his involvement in Mary Phagan’s death, and the darker, more enigmatic reasons for the entire two-year episode lingered long after a lynch mob cut Leo Frank’s body down from that oak tree in Marietta. One of those questions was answered in 1986, however, when new evidence led to Frank’s posthumous pardon. Four years earlier, Alonzo Mann, Frank’s office boy at the time of the crime, admitted to seeing Jim Conley holding the limp, lifeless body of Mary Phagan on the afternoon of Phagan’s murder. According to Mann, he had suppressed this information because Conley had apparently threatened to murder him if he told what he knew. In 1982, however, the aged Mann was nearing death and looked to ease his guilty conscience. Despite the fact that proceedings took another four years, the state of Georgia finally pardoned Frank from all wrong-doing.<sup>70</sup> Still, in 1915, no one was aware of these claims. Thus, after hearing news of the exploits of the lynch mob, many Georgians hoped to put the event

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<sup>68</sup>*The Jeffersonian*, September 15, 1915, p.9.

<sup>69</sup>Lucille Frank to Thomas Loyless, September 20, 1915, box 1, reel 1, BRAN.

<sup>70</sup>On Alonzo Mann, see Howard Simons, “Still in the Shadow of Leo Frank,” *Moments* (March 1989), 14-6, in Leo Frank File, Anti-Defamation League, Chicago, Illinois.

behind them. For some of them, the extralegal slaying was a natural end to the entire ordeal: justice had been served and a young girl's death had been avenged. Others of them, however, took part in a series of antisemitic tirades and attacks. Boycotts and random acts of violence, all directed at Jews, occurred for some time after Leo Frank's execution. Luckily, the hostile atmosphere was tempered within a few months. Its manifestation, however, resulted in an even more inauspicious birth: the re-awakening of the Ku Klux Klan. In the autumn of 1915, Colonel William J. Simmons, an itinerant preacher and peripatetic salesman, led a troop of men (some of whom had been members of the "Knights of Mary Phagan") to the top of Stone Mountain.<sup>71</sup> There, amidst much celebration, they ignited a large cross and proclaimed the advent of the second order of the Knights of the Ku Klux Klan. Ultimately, they had gathered with the hope of restoring traditional values, which most believed were waning. For many, the deterioration of those values helped explain the nature of Mary Phagan's death. On that day, the "Knights" made a promise to themselves that never again would a "foreign element" like Leo Frank, whose ways and values differed from those of the dominant white southern culture, desecrate the accepted customs and norms of the South. It was a promise these men took seriously for many years to come.<sup>72</sup>

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<sup>71</sup>For biographical information on Simmons, see Kathleen M. Blee, *Women of the Klan: Racism and Gender in the 1920s* (Berkeley: University of California Press, 1991), 18.

<sup>72</sup>On antisemitic attacks following Leo Frank's lynching, see Golden, *A Little Girl is Dead*, 223-4; Hertzberg, *Strangers Within the Gate*, 213; Daniel Boorstin, *Cleopatra's Nose: Essays on the Unexpected* (New York: Random House, 1994), 184. On the formation of the second Ku Klux Klan in America, see Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford University Press, 1994).

### **III. “The Honor of Our Town is at Stake”: The Persistence of the Southern Honor Culture**

#### **A. Honor and the Leo Frank Case**

“We, as a committee, and as individuals, stand for law and order,” began a joint letter from “A Committee” of Marietta, Georgia’s concerned citizens written in the wake of Leo Frank’s brutal lynching, “and in standing for law and order, we believe Leo Frank should have been hung....” Both the town of Marietta, which had been the site of Frank’s slaying, and its inhabitants had come under severe criticism and moral condemnation by individuals and organizations throughout the country. Now its residents were fighting back. Marietta’s “committee” intended to explain the nature of Frank’s lynching by conflating, on the one hand, their appreciation for law and order with, on the other, their own notion of honor. The Governor of Georgia, explained the note’s authors, had “outraged justice when he refused to let [Frank] hang,” and his actions demanded recourse. After all, they argued, “the honor of our town [was] at stake....”<sup>1</sup>

When discussing or justifying either the prosecution or lynching of Leo Frank, many southerners resorted to a language of honor. It was, admittedly, a highly inflammatory and rhetorical language -- one that was meant to inflame passions and stir emotions. And while the language of honor did not always lead to direct action, it did produce a vocabulary that most southerners found quite comforting. Words like “honor,” “manhood,” “womanhood,” and “protection” all helped southerners ease their anxieties when an event (or series of events) like the Leo Frank case occurred. For many, Frank’s crimes had dishonored the state of Georgia and humiliated its white citizens. And as the months after Frank’s trial rolled by, southern men and women who lived throughout the state

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<sup>1</sup>A Committee to the Citizens of Marietta, Georgia, undated, but written after August 17, 1915, box 35, folder 16, GDAH.

of Georgia spoke with a greater sense of urgency about preserving their honor, chivalry, and manhood. Without the preservation of these qualities, many felt that southern society would be transformed into something unappealing or even sinister. Thus, the causes and consequences of the Frank case were intertwined with honor and its many important meanings.

A culture predicated on honor had influenced developments in the South since colonists settled the region in the seventeenth century. Its maturation paralleled the rise of the institution of slavery and, in part, slave holders themselves relied on notions of honor to justify that institution and the lifestyle it bred. By the early nineteenth century, rules structured around a code of honor dictated interpersonal relations, especially those between southerners of like-minded ranks. This code also affected relations between poor, middling, and elite southerners because it devised methods for these various ranks to maintain comfortable social spaces between them. The honor culture was largely based on prevailing rules of etiquette and those rules determined how southerners spoke or wrote to one another. In addition to the rules that governed conduct between various ranks in society, chivalry was another important component of the culture and it controlled courtship patterns and interaction between southern men and women.

After the Civil War, these patterns understandably began to shift; indeed, the changing economic and social conditions that affected the South largely reshaped these patterns. In emerging cities like Atlanta, for example, the convergence of traditional-minded southerners with a new social class of middle-class southerners transformed the nature of the honor culture. Throughout this period of change, traditional southerners gradually reconciled their older ways and patterns, which included local economic control, with those of a growing, commercially-oriented regional economy. For those who lived in the urban South or its surrounding towns, “profit,” “investment,” and “urban



growth” became increasingly more important catch-phrases. Still, a language of honor, structured around various interests like character, reputation, and chivalry, often drowned out this new, middle-class lexicon. The emergence of a new cultural hybrid, one that brought traditional value systems together with those of a commercial nature, resulted from this tense re-ordering. All the while, the honor culture persisted and continued to dominate the region, but urban interests were both on the rise and making an obvious impact.

The ties that bound a culture of honor to the social, cultural, and economic developments that affected the turn-of-the-century South formed an important component of the Leo Frank case. Wealthy and poor southerners alike relied on the tenets of their honor culture to explain their vilification of Leo Frank, their emotional and heartfelt outpouring over the death of Mary Phagan, and their reluctance to avoid or criticize extralegal forms of violence. While it is undeniable that the nature of honor in the South changed after the Civil War, it is equally apparent that honor remained a potent cultural force well into the twentieth century. With each passing decade at the turn of the century, southerners, rich and poor, talked of honor in a more fevered pitch -- and though their language often produced little direct action, at times it could compel southerners to take part in ritualized acts of sheer brutality. Indeed, it was the violent undertones of the honor culture that ultimately led a mob to lynch Leo Frank.

What characterized the honor culture and why did its forcer alter a legal episode like the Leo Frank case? To answer this perplexing question, one must first offer a working definition of the culture and the value systems that shaped honor in the South. A culture of honor, predicated on a notion of reputation, manhood, and character, a fear of public humiliation and disgrace, an intricate network of political associations and patronage, and a tie to extralegal forms of violence, defined

much of the South throughout the years of the Frank case. This chapter analyzes these various characteristics and explores the cultural values relevant to this ethos in the early twentieth-century South.

While many historians have written about the role of honor in the South, most have emphasized its presence during and importance to the antebellum period, not the period when the Leo Frank case took place. Some historians suggest that certain aspects of that antebellum, “Old South” culture persisted, albeit in varying forms, well into the postbellum era. These scholars, few and far between, argue that while changing cultural and social patterns reconfigured the southern honor culture, modernizing America barely affected the culture. This perspective, however, has not dominated the historiography of the “New South” nor that of the early twentieth-century modernizing South. Instead, most historians suggest that as important as the honor culture was to developments in the nineteenth-century South, it had significantly deteriorated by the early 1870s and had almost fully eroded by the early years of the twentieth century. Those who argue from this vantage point suggest that the importance of the southern honor culture waned because of its inherently antiquarian features; many also believe that a more modern, northern-oriented culture of production and consumption supplanted the traditions of the honor culture. But, as I argue throughout this chapter, the values, characteristics, and lasting influence of the honor culture prevailed well into the twentieth century and, in fact, affected many legal and extralegal aspects of the Leo Frank case.<sup>2</sup>

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<sup>2</sup>Historian Rollin G. Osterweis argues that a southern culture of honor persisted into the twentieth century in the form of the myth of the “Lost Cause.” Otherwise, he argues, the general importance of honor to the history of the postbellum South is minimal. See Osterweis, *The Myth of the Lost Cause, 1865-1900* (Hamden, CT: Anchor Books, 1973), x-xi. In contrast, F.N. Boney suggests that the distinct aspects of the antebellum southern honor culture were painlessly

Historians of the American antebellum South have explored the South's peculiar honor culture from a number of different perspectives. Their definitions have been varied, and many, I believe, tell us much about developments in the postbellum era. According to literary historian John Fraser, "implicit in the idea of honor was the committing of oneself to a set of rules that one had chosen with a clear understanding of what they entailed." Fraser suggested that those rules affected virtually every aspect of southern society. He concluded that those who strayed from their chosen path or deviated from the rules of the honor culture were often forced to question their relative worth or status in society. For many southerners, he explains, this was a difficult problem to resolve. Historian Steven Stowe expands this theme by suggesting that an endless number of rituals ultimately encoded the rules of the honor culture. Dueling, courtship, and interpersonal relations were only a few of the many areas of southern life in which, Stowe contends, distinctly southern rituals affected the roles that southerners played.<sup>3</sup>

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transformed into an ethic of consumerism and production by the end of the nineteenth century. See Boney, *Southerners All* (Macon: Mercer University Press, 1984), 16. Charles Flynn, Jr., argues that by the end of the nineteenth century there had developed an obvious friction between a southern elite and, as he terms, an "ambitious class" of white southerners. Presumably, those ambitious southerners were co-opting the power of the antebellum elites and, in the process, dismantling their culture of honor. See Flynn, Jr., *White Land, Black Labor: Caste and Class in Late Nineteenth-Century Georgia* (Baton Rouge: Louisiana State University Press, 1983), 153-4. Clement Eaton blatantly describes the deterioration of the southern honor culture after the Civil War. "The cult of honor in the South was a relatively late development," he writes. "In fact, the development of a touchy, and often artificial, sense of honor arose in Southern society mainly after the death of Thomas Jefferson in 1826 and flourished only through the Civil War." See Eaton, "The Role of Honor in Southern Society," *Southern Humanities Review* 10 Suppl (1976), 46.

<sup>3</sup>John Fraser, *Americans and the Patterns of Chivalry* (Cambridge: Cambridge University Press, 1982), 214; Steven Stowe, *Intimacy and Power in the Old South: Ritual in the Lives of the Planters* (Baltimore: Johns Hopkins University Press, 1987).

While most historians would agree with Fraser and Stowe's definitions, many have described other elements of the honor culture that remained important during the nineteenth century. In *Vengeance and Justice*, historian Edward Ayers explained how fears of personal or public disgrace often made a severe impact upon one's role within the southern honor culture. Indeed, it was the very public nature of the honor culture that distinguished it from other cultures found in other regions of the nation. "Honor," writes Ayers, "the overweening concern with the opinions of others, led people to pay particular attention to manners, to ritualized evidence of respect." If proper deference and honorable behavior were not shown, Ayers suggests, violence was more than likely to ensue. While violence was certainly an important feature of the southern honor culture, it was not necessarily its most dominant, especially in the antebellum era. Historian Bertram Wyatt-Brown offers a provocative definition of honor that accounts for a variety of features pertinent to nineteenth-century southern life. According to Wyatt-Brown, honor is a public creation, one that is manifested by those who take its definitions and ramifications seriously. "Honor is first the inner conviction of self-worth," writes Wyatt-Brown. Secondly, it "is the claim of that self-assessment before the public." For Wyatt-Brown, the culture of southern honor served a public function and every level of southern society acknowledged its importance. Throughout, southerners who valued honor determined their worth in relation to others around them. Lastly, according to Wyatt-Brown, honor had much to do with building a reputation, or, as the historian explains, "Honor resides in the individual as his understanding of who he is and where he belongs in the ordered ranks of society."

These various definitions convey the complex meanings and messages that honor held for most southerners.<sup>4</sup>

## B. Character and Reputation

Defining honor is no simple task. In part, the difficulty lies in the abstract nature of the term. Honor is ultimately an idea, or a notion, and if one took it seriously it had the power to define one's life. For many southerners at the turn of the twentieth century, honor was a tangible part of their everyday lives: it was something they not only valued, but risked their lives and families to preserve. How then does one go about defining this elusive concept? According to the *Oxford English Dictionary*, honor is "high respect, esteem, or reverence, accorded to exalted worth or rank; deferential admiration or approbation; glory, renown, fame; credit, reputation, good name." A glance at the colloquial uses of honor might reasonably conjure images of an especially genteel world. Found are such phrases as "funeral honors," "military honors," "honors of war," "court of honor," and "code or law of honor." Other sources provide additional colloquial uses such as "fountain of honor" and "stains of honor."<sup>5</sup> These expressions invoke images of military sacrifice or the scars of combat. During the Leo Frank case, however, no one was at war in the state of Georgia. Still, honor continued to hold a sacred place in the hearts and minds of many southerners. Indeed, honor preserved one's position in peacetime just as easily as it shaped lives and fortunes during warfare.

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<sup>4</sup>Edward L. Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York: Oxford University Press, 1984), 19; Bertram Wyatt-Brown, *Southern Honor: Ethics and Behavior in the Old South* (New York: Oxford University Press, 1982), 14.

<sup>5</sup>On definitions of "honor" and its colloquial applications, see the *Oxford English Dictionary*; David L. Sills, ed., *International Encyclopedia of the Social Sciences* (New York: The Macmillan Company & The Free Press, 1968), 503-11.

During the two years that encapsulated Leo Frank's legal troubles, Frank's adversaries spoke often of honor. In murdering Mary Phagan, Frank had unquestionably dishonored the girl. Moreover, when it was alleged that Frank had been Phagan's sexual predator, Frank's detractors became even more embittered. To them, Frank had not only defiled and offended the "little girl," but his unspeakable actions had disgraced her family as well. Indeed, as we will see later in this chapter, the fear of humiliation or public disgrace played a vital role in the daily interplay of honor. A personal understanding of honor shaped and influenced all of these various factors. Ultimately, then, there was something quite tangible, almost material, about the notion of honor in the early twentieth-century South, though at its root honor remained an idea and an abstraction.

Both elite interests and the rural poor -- and even, though rarely, elements of the southern middle class -- relied on a notion of honor to govern their everyday lives. Poorer southerners often spoke in honor-laden, deferential tones when they looked to their wealthier elite counterparts for guidance and aid. In many cases, particularly when events like the Leo Frank case emerged, impoverished southerners urged those in their communities who maintained authority to act as their agents and preserve the honor of their state, township, or locality. At the same time, leading members of society often presumed to speak for those they served. Southerners of all backgrounds carved out their own honor-related niche, and they relied on their own inherent assumptions about honor when events or times became confusing or ungovernable. In order to explain the bond that existed between southerners of different ranks and social status, many southerners discussed the importance of character and reputation. These characteristics carried tremendous weight in a society where honor and past deeds mattered more than ambition or recent successes. In order to better

appreciate the role that honor played during the Leo Frank case, it is important to understand how southerners developed and understood concepts like character and reputation.

Character and reputation secured honor in the South and, while related, these two concepts did deviate in important ways. Unlike one's reputation, one's character had much more to do with one's personal attributes. In fact, character was based on a very personal notion of one's ability to be moral or decent. Good habits, morals, and values shaped good or moral character. Furthermore, you proved these good traits to yourself, your family, and eventually your community by the conduct you displayed in life. An individual of high moral character abstained from alcohol, he treated those around him with a certain amount of respect or, at the very least, proper consideration, and he shied away from the temptations of vice. On the other hand, those with bad or low character (and, by the summer of 1913, most southerners presumed that Leo Frank was a lowly type of the most dishonorable character) might be sexual infidels, roaring drunkards, vicious abusers, or others whose lewd habits made them an unwelcome presence in the community.<sup>6</sup>

In comparison to the conditions that secured one's character, external forces shaped one's reputation. The public nature of one's deeds shaped reputation more than the private nature of one's life. Character-defining qualities thus secured a certain amount of recognition in the community, and that recognition built one's reputation: a good character earned one a good reputation in society while poor character earned one much opprobrium and criticism. Reputation was literally bestowed upon an individual and most southerners believed that it could not, or at the very least should not be bought. One's reputation was thus shaped by how others in any given community perceived that

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<sup>6</sup>On the role that character played in shaping honor, see Wyatt-Brown, *Southern Honor*, 45-6, 108-9.

individual's character: ultimately, character and reputation were wedded in an important relationship. And in the South, ideas surrounding these concepts were even more significant than they were in other regions of the country.

Southerners of differing ranks appreciated the importance of character and reputation in quite separate ways. Traditional authority figures, for instance, defined the importance of both in ways that were unique to their particular social standing in southern society. For elite southerners, character and reputation created opportunity and economic security because these concepts helped build one's status in the public arena. For example, in a letter from Joseph Mackey Brown, the outgoing governor of Georgia in 1913, to "whom it may concern," Brown described Royal Daniel, Assistant Managing Editor of the *Atlanta Journal*, to his successor as governor. Brown had agreed to write a letter of introduction for Daniel and Daniel had apparently hoped that its contents might persuade the newly elected governor, John M. Slaton, to appoint him to a patronage post. "Mr. Daniel is a gentleman of very high character and integrity," began Brown, "and is entirely worthy of any confidence and courtesy that may be shown him." Brown sought to prove Daniel's worth by emphasizing the extent of his family's land holdings, connections, and generations of devoted service to the state of Georgia. "He comes from one of the best families in the State," exclaimed Brown. The outgoing governor assumed that these traits made it likely that his successor would support Daniel and grant the man a patronage position. Based on Daniel's various connections and holdings, what further proof did the new governor need that Daniel was worthy and honorable? In letters of introduction like this one, those who both wrote and read them implicitly understood that one's connections were genuinely high and noble. In this case, Brown clearly assumed that Daniel's connections were above reproach. Similarly, southerners like Joseph Mackey Brown also assumed



that Royal Daniel's land holdings placed him in a position where salaries or an overly ambitious concern with money did not unduly influence his everyday life. If they had, Daniel's connection to a culture of honor would have been severely tarnished. Likewise, as an individual who hailed from "one of the best families of the State," Daniel's status secured him a reputation that, by implication, was impeccable. Brown concluded by writing that Daniel "has the confidence and esteem of not only his business associates but every person with whom he comes in contact." These words were not merely rhetorical; in a culture of honor where character meant more to southerners than virtually anything except racial considerations, family stock and personal associations made Royal Daniel an exceedingly reputable man -- one of good character and honorable reputation.<sup>7</sup>

Unlike their elite brethren, poor and rural southerners tacitly understood that high character or good reputation would not secure them access to prestigious appointments or government-sponsored sinecures. Regardless, these southerners did fashion their own conception of character and reputation insofar as it related to the formation of one's honor. For many rural Georgians, especially those of an older generation who had either fought in the Civil War or whose fathers, uncles, or cousins had gone to battle, personal sacrifice -- especially when made in a public setting -- developed good character and reputation. The sacrifices these generations collectively made established a strong sense of southern pride, manhood, and feelings of self-worth. In some cases these feelings allowed rural Georgians to overlook the very real fact that they were losing their lands and tenuous status in an ever-changing southern environment; supplanting this economic reality with

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<sup>7</sup>Joseph Mackey Brown to "whom it may concern," May 24, 1913, Joseph Mackey Brown Papers, box 6, folder 1, Atlanta Historical Society.

a shared sense of purpose actually offered some rural southerners tangible proof of their worth as honored southerners, even as their economic worth diminished all around them.<sup>8</sup>

Personal sacrifice was an important issue for many rural and impoverished southerners, and for most the ultimate form of southern sacrifice had been made during the South's war against the Union. As legends grew during the postbellum period and myths about "Lost Causes" and valiant, heroic past deeds surfaced, the image of the old Confederate soldier -- Johnny Reb -- grew in stature throughout the South. From the letters written between southern veterans and their families during the Civil War years and the diaries and journals that many soldiers kept, one senses how important it was in the South to be known as a Confederate veteran. Indeed, the mystique that surrounded those veterans helps to explain the prominence of celebrations like Confederate Memorial Day in the South. It also explains why these commemorative exercises continued to occur well into the twentieth century. Events like Confederate Memorial Day, after all, marked one of the few occasions when elderly veterans were allowed a moment to bask in the glory of past battles -- and on these momentous days, gentlemen loudly applauded victories, defeats, and sacrifices.<sup>9</sup>

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<sup>8</sup>On poor southerners and their position within the southern honor culture, see Clare de Graffenreid, "The Georgia Cracker in the Cotton Mills," *The Century Magazine* 41 (February 1891): 483-98; J. Wayne Flynt, *Dixie's Forgotten People: The Southern Poor Whites* (Bloomington: Indiana University Press, 1979), 12, 94-5; I.A. Newby, *Plain Folk in the New South: Social Change and Cultural Persistence, 1880-1915* (Baton Rouge: Louisiana State University Press, 1989), 519-46.

<sup>9</sup>On the image of "Johnny Reb" and the life of the Confederate soldier, see Bell Irvin Wiley, *The Life of Johnny Reb: The Common Soldier of the Confederacy* (1943, rpt: Baton Rouge: Louisiana State University Press, 1978); Nathaniel Cheairs Hughes, Jr., *The Pride of the Confederate Artillery: The Washington Artillery in the Army of the Tennessee* (Baton Rouge: Louisiana State University Press, 1997), 222-37. On the cultural meanings of the "Lost Cause," see William C. Davis, *The Cause Lost: Myths and Realities of the Confederacy* (Lawrence: University Press of Kansas, 1996); Charles Reagan Wilson, *Baptized in Blood: The Religion of the Lost Cause* (Athens: University of Georgia Press, 1980); Osterweis, *The Myth of the Lost*

W. S. Lancaster, one such Civil War veteran, wrote a letter to the governor's office about the Leo Frank case. The words this veteran chose to employ tell us much about his values and beliefs. In part, one learns that Lancaster's role in the Civil War was more than likely the defining moment of his life. Thus, that moment -- and the sacrifice it implied -- allowed Lancaster to believe that he had earned the right to an opinion and the right to voice it when he wished. In this case, Lancaster's role as a Civil War veteran convinced him that he had every right to feel included among those of the South's honored elite. Writing Governor Slaton toward the end of 1914, when Leo Frank's appellate process had begun to drag into its second year, Lancaster presumed to speak "for the good people of Pulaski Co. in regard to the Phagan case." He wondered who would protect the lives and welfare of Georgia's ordinary little girls if the governor somehow failed to see "justice served." "I was the first Old Soldier to shake hands with you when you came to Cochran on your election tour for Gov. of the State of Ga. and the people think you just as worthy now as you were then." As a veteran, Lancaster's sacrifices -- in effect, the events in his life that had built character and reputation -- entitled him to express his opinions and fears to the governor. And for his part, Slaton could not afford to simply disregard this man's views. If he had, Slaton would have directly challenged Lancaster's connection to, and the very definitions of, the honor culture. Thus, even this rather ordinary "Old Soldier" could feel like he was an important part of the larger culture. And that southern honor culture, with its intimate ties to an individual's understanding of character and

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*Cause*; Foster, *Ghosts of the Confederacy*. Also see Paul M. Gaston, *The New South Creed: A Study in Southern Mythmaking* (New York: Alfred A. Knopf, 1970). On the role played by southern women during celebrations of Confederate Memorial Day, see LeeAnn Whites, *The Civil War as a Crisis in Gender: Augusta, Georgia, 1860-1890* (Athens: University of Georgia, 1995), 160-8.

reputation, had ultimately enabled Lancaster to share his thoughts and troubles with presumably the most powerful man in the state.<sup>10</sup>

Northerners removed from this culture of honor, character, and reputation often found the processes linked to the creation of such a culture confusing, foreign, and, at times, even absurd. Herbert Lasher, one of Leo Frank's northern-based friends, wrote about southerners and the importance they placed on family name and connections. Lasher mocked the southerners he observed. He believed that the typical southerner spent far too much time worrying about "minor" considerations like family lineage, instead of more important economic and social concerns. "They know how to respect us [in the North] because we knocked hell out of their superior airs and their vaunted boasting about their ancestries [during the Civil War]," he noted begrudgingly. Despite this minor concession, however, Lasher showed little restraint when he attacked southerners for their outdated ways and methods. With a tone of definite sarcasm, Lasher assumed the voice of the typical southerner and wrote: "of course you know I belong to one of the Old Families of the State of \_\_\_\_ (fill in the state you wish) and I am kin to so and so, etc. etc." Lasher could hardly mask his contempt, concluding that "in those Southern states, everybody is related to everybody else." Northerners like Lasher often found it difficult to take seriously the complexities of the southern honor culture, particularly the notion of character or reputation and the formation of both ideas. Nevertheless, southerners continued to attach great significance to these concerns. Indeed, concepts like character and reputation remained important to most southerners and many went to great lengths to give these terms tangible meaning in their own everyday lives. Without the rhetorical power of

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<sup>10</sup>W.S. Lancaster to John M. Slaton, December 29, 1914, box 45, folder 10, GDAH.

these terms to cling to in times of despair, many southerners would have felt quite lost in their ever-changing worlds.<sup>11</sup>

### C. Meanings of Southern Manhood

Southerners of different social classes may have defined one's character and reputation in different ways, but virtually all agreed how to define southern manhood. Whether rich or poor, southerners from all walks of life spoke often of manhood. For most, manhood was predicated on the effective protection of the South's "fairer sex." Since southern men generally presumed that white women were innocent, demure, and helpless, most believed that it was their duty to ensure the safety of their womenfolk. Although the line here between rhetoric and reality was often blurred, especially among provincial poor southerners, few imagined that their words were without foundation or merit. Most southern social histories offer subtle hints as to the vast cultural importance of southern manhood (though the topic has been examined in more depth by many historians of the North). These studies often focus on particular "masculine" rituals or activities, like hunting or the collection of firearms. Hunting, in particular, was an important form of recreation for many southerners, rural and otherwise. In addition to these activities, however, southerners spent considerable time conceptualizing their understanding of manhood and its relation to their culture of honor and chivalry.<sup>12</sup>

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<sup>11</sup>Herbert Lasher to Leo M. Frank, November 5, 1915, box 1, folder 8, AHS.

<sup>12</sup>On southerners and hunting, see Ted Ownby, *Subduing Satan: Religion, Recreation, and Manhood in the Rural South, 1865-1920* (Chapel Hill: University of North Carolina Press, 1990), 21-37. Ownby states that "For an upcountry South Carolina man at the turn of the century, opossum hunting 'gave you a wild feeling of being free....'" It was this "wild" feeling or "freedom from the constraints of evangelical culture that made hunting the most popular sport for late nineteenth- and early twentieth-century white Southern men and boys." The hunt, he concludes, "worked as the Southern male's most respectable opportunity for excitement and self-

Like other aspects of the southern honor culture, a ritualistic form of speech codified manliness and its relation to the protection of southern women. Following Mary Phagan's death, southern men responded to the tragedy with a number of very public displays of denunciation. In effect, southern men offered loud demonstrations and protests in a ritualized way to prove their manhood to both themselves and the women of their communities. What other way was there for most white southern men to convince the white women who lived among them that the preservation of the "fairer sex" came before all other concerns? Violence-laden threats and other forms of concerted action often assured southern women that their interests remained foremost in the minds of the men who protected them. It is not surprising, then, that Leo Frank, Phagan's convicted murderer, became for most the "lowest scoundrel" who had ever lived in Georgia, an individual not deserving of a trial, and a miserable wretch whose depravity offended honorable society. In denouncing Frank, southern men were participating in a ritual that conflated honor and manhood. How else but through vitriol (or, and more rarely, through acts of outright violence) could a southern

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indulgence.<sup>(21)</sup> I argue that these activities, and their relation to manhood, meant more to southerners than simply the opportunity to indulge themselves in recreation. On hunting, also see Stuart A. Marks, *Southern Hunting in Black and White: Nature, History, and Ritual in a Carolina Community* (Princeton: Princeton University Press, 1991). On guns in American culture, see Michael Berger, *Firearms in American History* (New York: Watts, 1979); Robert L. Wilson, *Colt, An American Legend: The Official History of Colt Firearms From 1836 to the Present* (New York: Artabras, 1990). The growing literature related to American manhood is primarily interested in northern developments. See Gail Bederman, "'Civilization,' the Decline of Middle-Class Manliness, and Ida B. Wells' Anti-Lynching Campaign," *Radical History Review* 52(Winter 1992): 5-30; Judy Hilkey, *Character is Capital: Success Manuals and Manhood in Gilded Age America* (Chapel Hill: University of North Carolina Press, 1997); Mark C. Carnes, *Secret Ritual and Manhood in Victorian America* (New Haven: Yale University Press, 1989); E. Anthony Rotundo, *American Manhood: Transformation in Masculinity From the Revolution* (New York: Basic Books, 1993).

man defend the women whose lives were at peril every time they set foot anywhere near someone like Leo Frank?

Defending white women came in a variety of forms, some more rhetorical and slightly less harmful than others. Indeed, in many petitions, intimidating words replaced outright threats of wanton violence. But for how long? Most southerners saw the refusal to defend the fallen honor of a southern white female as an unpardonable offense. Numerous Georgians wrote letters and spoke out publicly with the hope not only that Phagan's culprit would be apprehended and punished, but that Phagan's honor might be restored. Their exhortations, however, had less to do with a need to maintain law and order than with a need to preserve the purity of white womanhood and the virility of southern white manhood. Donald Clard, an attorney from Savannah, Georgia, undoubtedly spoke for countless southern men when he wrote Governor Slaton beseeching him to remember "the honor of [the] defenceless [*sic*] girl" who had fallen victim to "the menace," Leo Frank. "The honor, integrity, man-hood, and woman-hood of Georgia look to you, now, not to undo what the ablest minds of all our State have declared shall be enacted." Clard was desperately interested in protecting the sanctity of the region's white women and he did not fear any of the consequences that might accompany his declarations. "If this sentence is commuted to life imprisonment," he wrote, "then will this State witness the horrible ordeal of a midnight assassination[?]" Clard certainly did not fear the advent of mob law in Georgia. Indeed, he welcomed it, arguing "if there shall be left in Georgia, men who love their wives, their daughters, and their State, they will wipe out, with gun-powder and leaden ball, the stain on Georgia's name, -- that she didn't have men enough to protect her Courts

and her women.” It is not surprising that Clard equated a love for southern white women with a love for his state. To paraphrase the attorney, what good came from protecting one without the other?<sup>13</sup>

Southern forms of masculinity protected southern women and without them southern men were often left in a state of shock, confused as to their roles and responsibilities. After Governor Slaton commuted Frank’s death sentence, for example, many southerners became enraged. C. E. Parker, a Georgian of humble means, wrote to express his disenchantment with Governor Slaton’s actions. Parker could barely contain his rising hatred. “You certainly have shown your self [*sic*] up,” he began. “You could’ve got anything from the Jews. They have took all the respect from you and for the rest of us we look upon you as a ‘dead coon in a pit.’ ” The use of such an appellation had numerous meanings to rural southerners, least of which was the glaring racial component -- one that suggested that Slaton’s act placed him symbolically among the South’s “dishonorable” African Americans. “I am holding my nose where I write this,” Parker continued, offering the governor further proof of the humiliation that this southern man felt. In exasperation, Parker concluded that Slaton had been “a disgrace to the manhood of Ga.”<sup>14</sup>

Of course, not every southerner agreed with Parker’s assessment of his governor. Some even congratulated Slaton for his grace and poise under pressure. In so doing, many suggested that Slaton had performed his duty as governor honorably and had taken his verbal assaults like a man. Though middle-class southerners, many of whom favored granting Frank his commutation, tended to support Slaton in disproportionate numbers to other southerners, traditional southern elites -- even, and with some irony, prominent southern women -- also wrote supportive messages. In a telegram from Mary

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<sup>13</sup>Donald Clard to John M. Slaton, May 22, 1915, box 45, folder 10, GDAH.

<sup>14</sup>C.E. Parker to John M. Slaton, June 21, 1915, box 45, folder 4, GDAH.



Byrd Hammond W. Mowery, whose letter-head included the moniker, "Daughter of the Late Belle Byrd, the Rebel Spy of Martinsburg, West Virginia," she wrote that "Apropos of your decision in the Frank case permit me to extend my rather tardy but sincere congratulations for your glorious[,] manly and chivalrous act. Justice tempered with mercy," she suggested, was "worthy of a true Southerner." The contents of another letter from a Mrs. Clarkson to Slaton echoed similar sentiments: "Long after the names of the petty politicians who have attempted to rule Georgia have faded from the memory of men, flayed [sic] high as the height to which we women wish our sons to reach, will be the name of Jack Slaton, the man who dared do the right without thought of self...." Ultimately, comments like these that applauded Slaton were rare. For most southerners, Slaton had proven that he was less than a man. Consequently, many believed that Slaton's actions had ultimately jeopardized both the reputation and honor of the state as well as the safety of the state's white women. Indeed, as we will see, if angry words and violent sentiments did not placate southern men, outright violence often appeased their manly predilections.<sup>15</sup>

#### **D. Honor and Violence: Examining Humiliation and Disgrace**

Why did southerners react violently to crises like the Frank case? In order to answer this question, we must understand how the southern honor culture was deeply rooted in notions of personal humiliation and disgrace. The fear of humiliation, much less the outright admission of public disgrace, drove southerners to commit incredible acts of irrational and explosive violence, especially when they believed that those acts were entirely well-founded and legitimate. Southerners responded to humiliation in unique ways, and the words they chose to explain those humiliating

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<sup>15</sup>Mary Byrd Hammond W. Mowery to John M. Slaton, June 28, 1915, box 45, folder 14, GDAH; Mrs. Clarkson to John M. Slaton, undated, box 35, folder 14, GDAH.

situations are enlightening. "As one of the common people I make this appeal to you to please sit still in the boat and do not *commute* [Frank] if the case ever comes before you, but let the law take its course." To act in any other fashion, argued E. L. Darling, a common Georgian, "would be a stab at our Constituted Authority and we[, ] as law abiding *Georgians*[, ] would be humiliated before the entire law abiding world...." If Georgians were humiliated in this way, continued Darling, their state would become "a public laughing stock." To avoid this embarrassment, Darling insisted that Slaton let the law run its course. The only appropriate course of action, he continued, was to remain idle and, in this case, let Frank be lawfully executed. By doing so, he concluded, those who might doubt Georgia's ability to govern itself or protect its citizenry (especially, or one might surmise, its white women) would "sooner or later honor us for our stand."<sup>16</sup> Of course, if Slaton needed to interfere in the case and, in the process, humiliate Georgians like Darling, then mob rule might easily ensue. To shame, dishonor, or disgrace the state or its populace was to commit a crime of grave proportions against the very honor culture that supported those parties. Such perfidy usually resulted in either a torrent of verbal venom, a series of loosely veiled threats, or an outbreak of physical violence.

When Governor Slaton commuted Leo Frank's death sentence on June 22, 1915, many Georgians reacted bitterly to the news. These southerners interpreted Slaton's act as a direct attack upon Georgia, the laws of its state, and the honor of its people. While Slaton became, in the eyes of many angry southerners, a condemned man who had betrayed his honor, it was also obvious that his disintegrating position within Georgia was intertwined with Leo Frank's own declining status. For most Georgians, Frank's honor -- however minimal -- had been expunged the moment he

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<sup>16</sup>E.L. Darling to John M. Slaton, June 7, 1915, box 45, folder 10, GDAH, (emphasis in the original).

became a defendant in the killing of a white girl. But for Slaton, defending such a “brute” became a dishonorable, even unpardonable act. It was as if Slaton were telling Georgia’s citizens that manhood and honor meant nothing. How could the governor, in all good faith, disgrace Georgia’s honored citizenry? An anonymous writer, referring to himself simply as “a Georgian,” lashed out at Slaton in a venomous and hate-filled letter. “Well[,] at the sacrifice of the honor and respect of the whole world, you have saved your lodge brother rapist and murderer of little girls. You rat souled spawn of a filthy degenerate breed,” cursed the Georgian, “if you have daughters of your own, may you feel what the parents of poor little Mary Phagan have felt.... Your soul has been crucified upon the scaffold of dishonor, and now to complete the act, the good people of the Sovereign State of Georgia, shall crucify you....”<sup>17</sup>

To many southerners, violence was an acceptable response to behavior or acts they deemed dishonorable. In fact, when the individual who had acted dishonorably had violated such morally and socially sanctioned codes of behavior, as many southerners felt Leo Frank and John Slaton had both done, then violence often became the only acceptable recourse. Numerous letters sent to Slaton in the weeks following his commutation order echoed the sentiments expressed by “A Georgian.”

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<sup>17</sup>“A Georgian” to John M. Slaton, June 23, 1915, box 4, reel 2, BRAN. On violence and culture in the South, see William F. Holmes, “Moonshining and Collective Violence: Georgia, 1889-1895,” *Journal of American History* 67(1980): 589-611; David Montgomery, “Violence and Struggle for Unions in the South, 1880-1930,” *Perspectives on the American South* 1(1981): 35-47; George C. Rable, *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (Athens: University of Georgia Press, 1984); John V. Baiamonte, Jr., *Spirit of Vengeance: Nativism and Louisiana Justice, 1921-1924* (Baton Rouge: Louisiana State University Press, 1986); Lynwood Montel, *Killings: Folk Justice in the Upper South* (Lexington: University Press of Kentucky, 1986); Robert P. Ingalls, *Urban Vigilantes in the New South, Tampa, 1882-1936* (Knoxville: University of Tennessee Press, 1988); George C. Wright, *Racial Violence in Kentucky, 1865-1940: Lynchings, Mob Rule, and “Legal Lynchings”* (Baton Rouge: Louisiana State University Press, 1990).

While few wrote letters as vulgar or as coarse as his, none failed to either condemn Slaton or charge him with betraying the honor and trust of Georgia's people. Indeed, the perception that an informal pact existed between the people and their ruler and that Slaton had severed it drove many southern correspondents into a state of disillusionment. "May God help Georgia when her honor is unwittingly entrusted to a politician rather than a patriot," wrote A. J. Oiler in a letter typical of most. "Shame on you! You have betrayed your state to its traducers; you have prostituted your oath of office; you have repudiated the laws you were sworn to uphold...." Another letter, written by "the people of Cherokee County," discussed similar themes. "From her proud eminence as 'The Empire State of the South,' [Georgia] has been prostituted and dragged to the lowest depths of infamy by the dastardly traitorous shylock, who disgraces the name of Governor." These correspondents would undoubtedly have agreed with the contents of a telegram written by H. L. Donald and sent to Slaton on June 21, 1915. Without even a trace of hysteria or vulgarity, Donald calmly urged the governor to "follow [William Jennings] Bryan's example and resign." For most Georgians, Slaton had no other choice. Aside from resignation, however, other southerners suggested that a betrayal of this magnitude might require a more violent response.<sup>18</sup>

Acts of public humiliation or disgrace, such as Slaton's commutation, often drove southerners to perform unpredictable and extreme acts of violence. Whether they felt betrayed by political figures, or insulted by the words or deeds of friends, colleagues, or underlings, southerners more often than not responded to these perceived abuses by instigating violent rebuttals. Duels, fisticuffs, and lynching -- the ultimate extralegal form of violence -- were pervasive forms of self-

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<sup>18</sup>A.J. Oiler to John M. Slaton, June 21, 1915, box 45, folder 4, GDAH; The People of Cherokee County to John M. Slaton, June, 1915, box 4, reel 2, BRAN; H.L. Donald to John M. Slaton, June 21, 1915, box 45, folder 4, GDAH.

defense and usually occurred because one felt that his honor or reputation had been challenged, betrayed, or offended. Ultimately, one defended his name and character, two especially important features of life in the honor culture of the South, by fighting back.<sup>19</sup>

In his effort to see justice served, then, Governor Slaton had unwittingly offended the honor of his state's population. Consequently, many southerners demanded retribution. While some begged Slaton to resign and leave the state, others found that his offense warranted sterner reprisals. Threats of wanton violence, mob rule, and lynching followed in the wake of Slaton's dishonorable act. Some Georgians even wondered how Slaton could be so naive as to question the motivation behind southern acts of violence. After all, many southerners contended that it was Slaton's irresponsible acts that had prompted mobs to act. "Now my dear sir," wrote W. L. Sikes to Slaton, "when our Governor fails to defend the law, do you wonder at Judge Lynch taking the reins...[?]" Incredulous over his governor's commutation order, Sikes concluded that "the Frank case will cause many lynchings that would not otherwise be done." For many southerners, the governor's obvious naivete only demonstrated how thoroughly Slaton lacked honor; moreover, most also believed that Slaton had reaped the outbreak of violence he had presumably helped sow.<sup>20</sup>

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<sup>19</sup>On dueling in the South, see Jack K. Williams, *Dueling in the Old South: Vignettes of Social History* (College Station: Texas A&M University Press, 1980); Stowe, *Intimacy and Power in the Old South*. On other forms of violence in the South, see Elliot J. Gorn, *The Manly Art: Bare-Knuckle Prize Fighting in America* (Ithaca: Cornell University Press, 1986); "'Gouge and Bite, Pull Hair and Scratch': The Social Significance of Fighting in the Southern Backcountry," *American Historical Review* 90(February 1985): 18-43.

<sup>20</sup>W.L. Sikes to John M. Slaton, June 24, 1915, box 4, reel 2, BRAN. On violent threats against Slaton, see the letter from an "American Citizen" to John Slaton's wife in which is written, "the Ex gov is to be kild [sic]. in a short time you are to be a widow and your children are to be offerns [sic].... now God himself has ordered this and it has to be done so dont worry a bout [sic] it...." See "American Citizen" to Mrs. John M. Slaton, undated, *ibid*,

By the time Leo Frank's plight had drawn close to its conclusion, many southerners had written much about the relation between honor, southern manhood, and retribution. Intimately tied to character, feelings of self-worth and self-definition, the honor culture enabled southerners to react to both the murder of Mary Phagan and the commutation of Leo Frank's death sentence in predictable and recognizable ways. The culture they had been taught since birth -- the honor culture -- dictated how one was expected to handle humiliation, insult, or an alleged attack upon one's reputation or family name. To have responded in any way other than that identified with the values of the culture itself would have been tantamount to challenging the notion and meanings of the honor culture. Such a challenge would have been unthinkable, or at the very least highly unlikely, for many turn-of-the-twentieth-century southerners. Indeed, the values of the honor culture continued to be a noticeable, objectionable, and, at times, violent part of southern life well into the twentieth century.<sup>21</sup>

#### **E. Recapturing Honor Through the Spectacle Lynching**

A spectacle lynching was the ultimate form of extralegal violence.<sup>22</sup> This highly ritualized form of murder was intricately tied to the southern honor culture, though many southerners rarely saw the act of lynching as peculiar to their culture or society. Writing in the *North American Review*

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<sup>21</sup>On instances of southern explosiveness and violence, spectacle lynching, or other acts perpetuated under the cloak of the honor culture, see Dan T. Carter, *Scottsboro: A Tragedy of the American South* (Baton Rouge: Louisiana State University Press, 1969); James R. McGovern, *Anatomy of a Lynching: The Killing of Claude Neal* (Baton Rouge: Louisiana State University Press, 1982); Steven J. Whitfield, *A Death in the Delta: The Story of Emmett Till* (New York: The Free Press, 1988).

<sup>22</sup>Grace Elizabeth Hale uses this term to describe the festive atmosphere that accompanied so many lynchings in the South. See Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Pantheon Books, 1998), 199-240.

in 1917, Thomas Walker Page, a southern social critic, discussed the extent to which violence played a role in the daily lives of most white indigenous southerners. In contrast to the popularly accepted image of the easily excitable and irascible southerner, Page argued that southerners were essentially rational, quiescent people, no different from any other social or sectional group in America. "To say then that an orderly public opinion has in the main effectively controlled the people of the South is to say that they are essentially law abiding and peaceful." Page knew that some Americans, especially those who formed a skeptical northern audience, would view his argument as controversial and implausible. "Probably such a statement will be received with incredulity," he wrote. This predicament did not seem to worry Page, however. He was confident that his insights into the complex relationship between honor, race and violence in the South could shed light on these increasingly important social issues.<sup>23</sup>

Page wrote about southerners and their peculiar form of extralegal violence -- lynch-law. While Thomas Walker Page devoted most of his attention to the lynching of blacks by whites, he also alluded to the rare lynching of whites by whites. The lynching of Leo Frank had taken place only two years prior to the publication of Page's article. Had he been influenced by its proceedings? If he had been, he might have had to reconsider his image of the peace-loving, amicable southerner and his idealized pastoral surroundings. Perhaps in small provincial communities of rural whites, where social homogeneity was the norm, a form of peaceful coexistence was possible. While this

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<sup>23</sup>Thomas Walker Page, "Lynching and Race Relations in the South," *North American Review* 206(August 1917), 244. On northerners and their attitudes toward postbellum southerners and southern forms of racially-motivated violence, see Nina Silber, *The Romance of Reunion: Northerners and the South, 1865-1900* (Chapel Hill: University of North Carolina Press, 1993), 153-6; Edward Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York: Oxford University Press, 1984).

romanticized image might have been found in some southern localities, it was certainly the exception, not the rule. Violence among whites or between whites and blacks occurred with much frequency in these rustic, homogeneous southern townships. This was especially the case in towns that bordered various blackbelt communities. Moreover, in the years leading to Frank's lynching, violent outbursts occurred frequently in small towns like Marietta, Georgia. Despite Jim Crow laws and other efforts to segregate the "races," people of varied ethnic backgrounds, distinct religious denominations, and races intermingled and lived in close proximity to one another. The interaction between these different social groups produced hostility and violence, actions that often shattered the mythical image of the lazy, peaceful South. And no form of violence proved more deadly than that of the spectacle lynching.<sup>24</sup>

Large numbers of lynchings occurred throughout the South during the last quarter of the nineteenth and first quarter of the twentieth centuries. At least 460 individuals were lynched in Georgia alone between 1880 and 1930.<sup>25</sup> While the number of recorded lynchings fluctuated from year to year and decade to decade, the violent nature of the act grew steadily more intense with each passing decade. Much has been written about lynching in the South, including the psychological, economic, and social motivations behind the act. The plight of lynch victims has also received well-deserved coverage. During the first three decades of the twentieth century, however, few

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<sup>24</sup>On one particular episode of small-town violence in the South, see W. Fitzhugh Brundage, "The Varn Mill Riot of 1891: Lynchings, Attempted Lynchings, and Justice in Ware County, Georgia," *Georgia Historical Quarterly* 78(Summer 1994): 257-80. On the growth of Marietta, Georgia during the late nineteenth and early twentieth centuries, see Harry Golden, *A Little Girl is Dead* (Cleveland: The World Publishing Company, 1965), 11; Mary Phagan, *The Murder of Little Mary Phagan* (Far Hills, NJ: New Horizon Press, 1987), 11.

<sup>25</sup>W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (Urbana: University of Illinois Press, 1993), 262.



contemporary historians wrote about or acknowledged the existence of lynching. Instead, activists and community leaders, many of whom sought to curtail the onslaught of southern lynch-law, filled the void left by early twentieth-century scholars. These individuals mostly wrote popular appeals to the federal government in which they demanded the passage of anti-lynching legislation. Some historians have written accounts of the lives of these important figures. More recently, however, historians have written highly detailed case studies of specific episodes of lynching. These include work by Dennis B. Downey and Raymond M. Hyser, Stephen J. Whitfield, James R. McGovern, and Leonard Dinnerstein. Also, over the last two decades, numerous comparative studies of lynching have been published. These tend to utilize large sets of aggregate data in order to quantify trends related to lynching. Thus, our knowledge of lynching has broadened considerably in recent years.<sup>26</sup>

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<sup>26</sup>Early appeals to the federal government include Ida B. Wells, *Southern Horrors: Lynch Law in all its Phases* (1892, rpt; New York: Arno Press, 1969); James E. Cutler, *Lynch-Law: An Investigation Into the History of Lynching in the United States* (New York: Longmans, Green, and Co., 1905); Walter White, *Rope and Faggot: A Biography of Judge Lynch* (New York: Alfred A. Knopf, 1929); Arthur Raper, *The Tragedy of Lynching* (Chapel Hill: University of North Carolina Press, 1933); Jessie Daniel Ames, *The Changing Character of Lynching: Review of Lynching, 1931-1942, With a Discussion of Recent Developments in the Field* (Atlanta: Commission on Interracial Cooperation, 1942). Secondary works on this facet of the history of southern lynching include Christine L. Ferrell, *Nightmare and Dream: Anti-Lynching in Congress, 1917-1922* (New York: Garland Publishing, 1986); Jacquelyn Dowd Hall, *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching* (New York: Columbia University Press, 1979). Case studies of particular lynchings include Dennis B. Downey and Raymond M. Hyser, *No Crooked Death: Coatsville, Pennsylvania and the Lynching of Zachariah Walker* (Urbana: University of Illinois Press, 1991); Whitfield, *A Death in the Delta*; McGovern, *Anatomy of a Lynching*; Leonard Dinnerstein, *The Leo Frank Case* (Athens: University of Georgia Press, 1968). Comparative studies of lynching in America include Stewart E. Tolnay and E.M. Beck, *A Festival of Lynching: An Analysis of Southern Lynchings, 1882-1930* (Urbana: University of Illinois Press, 1995); Brundage, *Lynching in the New South*; Sarah A. Soule, "Populism and Black Lynching in Georgia, 1890-1900," *Social Forces* 71(December 1992): 431-49; Susan Olzak, "The Political Context of Competition: Lynching and Urban Racial Violence, 1882-1914," *Social Forces* 69(December 1990): 395-421; George C. Wright, *Racial Violence in Kentucky, 1865-1940: Lynchings, Mob Rule, and "Legal Lynchings"* (Baton Rouge: Louisiana State University Press, 1990).

Still, there is an important aspect of southern lynching that has remained essentially absent from the literature -- and it is an aspect that was tied to the southern honor culture. This neglected theme centers on the notion that throughout the South lynching was appreciated as more than just an act of serious redemption, it was also a well-received and popularly understood form of amusement, recreation, and carnival. Historian Grace Elizabeth Hale argues persuasively that in the South at the turn of the twentieth century there occurred an increasing number of what she terms "spectacle lynchings." Individuals and community leaders strictly followed a set of preconceived rules and rituals that, explains Hale, formed the basis for these vicious episodes. By adhering to these rules, southerners literally transformed these extralegal acts into honored acts of amusement and leisure. I have relied on Hale's construction of the special circumstances that characterized spectacle lynchings in order to more fully understand and explain the "spectacle" of Leo Frank's lynching. Though Hale's model focuses on the killing of southern African Americans, it is clear that Frank's death mirrors many, though not all, of the causes and consequences that faced black victims of southern spectacle lynching.

In Hale's work on spectacle lynching, she describes the most salient features of this form of extralegal violence. Hale tells us, for example, that after authorities captured and imprisoned the accused, an elaborate jail break-in necessarily ensued. In a well-planned abduction, the prisoner was taken to a predetermined site, usually one of symbolic importance to all those involved (like the site of an alleged rape or murder). Once at this site, the accused was forced to encounter the family of his victim in a humiliating and public display of vitriol. It was here that the accused was expected to confess his crime(s). Prior to this private confrontation and well before the lynching was set to begin, members of the local community often prepared themselves for the lynching. Many had been

notified by surviving family members and others. The resulting publicity generally assured the attendance of a lively crowd to witness the event. To begin the actual lynching, the accused was subjected to a period of mutilation: lynchers indiscriminately severed genitalia, fingers and tongues in a scene of prolonged brutalization. This was followed by an even less merciful and more agonizing death (victims were often burned to death at the stake, for example). Once the victim had died, what little was left of his remains might be riddled with bullets or literally torn apart. Crowds gathered whatever physical evidence was left, including those body parts originally cut from the victim, and many traded them with each other as souvenirs. At the same time, mobs took photographs of the lynch victim and often sold them as postcards to commemorate the event.<sup>27</sup>

While Leo Frank's lynching closely resembled the type of spectacle lynching described by Hale, in some important ways it also deviated from her model. For example, Frank's body was never mutilated or subjected to the gross violations that accompanied the spectacle murder of so many southern African Americans. Nor was Frank forced to admit his guilt to those in attendance. But aside from these distinctions, Frank's lynching paralleled closely that of the spectacle variety. An elaborate jail break-in occurred; members of the Phagan family witnessed Frank's lynching; the lynch party chose the location where Frank was executed for its symbolic meaning (the lynching occurred near Phagan's birthplace); and, many southerners had anticipated the lynching for months. Taken together, these events suggest that Frank's killing must be considered a spectacle lynching,

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<sup>27</sup>Hale, *Making Whiteness*, 203-4. For the sake of convenience, I have used male pronouns to designate the accused/lynch victims. However, recent work has demonstrated the existence of female lynch victims. Crystal Feimster presented the paper, "Strange Fruit: The Lynching of Black and White Women in the Post-bellum South," which was expected to become the focus of her doctoral work, at the 1997 Rice University Graduate Student Symposium. Feimster also presented a paper, entitled "Women and Mob Violence, 1880-1930," at the 1998 annual meeting of the Organization of American Historians in Indianapolis, Indiana.

and not just an act of outraged southern sensibilities. Furthermore, photographs taken at the scene of the lynching -- with Frank's body dangling in the background and curious onlookers milling about in the foreground -- are convincing evidence that the act of murdering Frank, like innumerable other spectacle lynchings, was as much a form of amusement for those who participated in its passing as it was an act of violent reprisal.

On the night of August 16, 1915, twenty-five men from Marietta, Georgia drove to the State Farm in Milledgeville to carry out a plan they had devised almost two months earlier. They believed that because Governor Slaton had commuted Frank's sentence, the burden of securing justice had fallen upon themselves. Their plan worked nearly to perfection: they dismantled almost every form of communication to and from Milledgeville (one phone line was left uncut, and this allowed guards at the farm to notify authorities in Atlanta); they easily subdued prison guards; and they painlessly abducted Leo Frank. In a letter to Lucille Frank, apparently written by a guard at the prison farm, J. Turner attempted to explain how the mob had so easily taken her husband. "I exerted and exhausted every possible energy and effort to prevail upon the Night Watchman in charge, Mr. Hester, while the seven automobiles were within a half mile of the building to send Mr. Frank out the back way, under guard, as he would then be protected, for, had our judgement been bad and there was not a mob, the guard could have accompanied Frank back to camp and things would have been o.k. However, he assumed the position that they were joy riders, which surely would have been (as you know) most extra-ordinary and unique for this section of the sticks." The break-in, though not

as publicized or as “spectacular” as most in the model of the spectacle lynching, had occurred without problem and the spectacle had begun.<sup>28</sup>

Once the mob had driven Frank back to Marietta, its members prepared him for the lynching. Before Frank was executed, he was granted a last request. This oddity occurred despite both the presence of Phagan family members at the site of the lynching and Frank’s own apparent refusal to acknowledge his role in Mary Phagan’s death. Removing his wedding ring from his finger, Frank asked that it be returned to his wife. Here is where the model of the spectacle lynching deviates slightly. The mob, which rarely agreed to such a request, acceded to Frank’s wishes. In addition, virtually everyone who took part in the lynching that followed refused to mutilate Frank’s body once he was pronounced dead. As dozens of curious Mariettans, many of whom had been notified of the lynching by word of mouth, began to assemble around Frank’s lifeless body, only one individual reportedly threatened to set fire to or mutilate the corpse. After Frank’s body was lowered to the ground, this individual dug the heel of his shoe into Frank’s face and screamed at his lifeless body. Several bystanders pulled the man away and prevented any further disfiguration of Frank’s body from occurring. Instead of mutilating their victim, crowds eagerly began to collect souvenirs from the “joyous” event. In the tradition of the spectacle lynching, many people in the crowd hungrily groped for Frank’s clothing, tore off pieces of the rope that had been tied around his neck, and removed bits of bark from the tree where he had been hanged. Those who were denied their souvenirs had to content themselves with a photograph of the victim. The photographs clearly show groups of excited Georgians obviously pleased by their actions. Older men, raggedly dressed, posed

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<sup>28</sup>J. Turner to Lucille Frank, August 17, 1915, box 1, reel 1, BRAN. On the plans of the lynch party, see the newspaper story entitled “Mob’s Own Story in Detail,” in the *Atlanta Constitution*, August 18, 1915, p.1.

for the camera while surrounded by excited children and hunting dogs. There is no sense that these people worried about the repercussions of their actions or the illegality of their decisions. Indeed, most simply seem happy to have been there. Thus, Frank's lynching, even despite the fact that his body was not mutilated and his last wish had been granted, became in the end pure spectacle for those who witnessed its passing.<sup>29</sup>

The actual lynching that took place on August 17, 1915 did not completely surprise as many Georgians as one might either have imagined or hoped. Indeed, over the course of the two long, hot summer months between Frank's commutation and the mob's action, many rural Georgians called for Frank's execution and anticipated that it would happen. In one letter, L. G. Morgan, a rural correspondent, wrote Governor Slaton urging him to send Frank to his community. Mercifully, the contents of Morgan's letter did not foreshadow the way in which Frank would eventually be lynched. "If you send him give us about two hours notice and we sure will give him a warm reception or to put it a little plainer we will give him a red hot time." There was no disguising Morgan's wish, for he was convinced that "more than a 1000 [*sic*] men would be glad to meet [Frank] with wood and oil." Others throughout the state took a less active approach, fearing, just as A. L. Johnson of Columbus, Georgia did, that "There is a dangerous feeling all throughout the State concerning [the] Frank case." It did not help matters that over the course of Frank's trial and incarceration, Atlanta's newspapers like the *Constitution* featured dozens of stories about lynchings and mob activities.

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<sup>29</sup>On the presence of the Phagan family members at the lynching, see Phagan, *The Murder of Little Mary Phagan*. On the particulars of the lynching itself, see Dinnerstein, *The Leo Frank Case*, 141-4.

Thus, southerners had been thoroughly prepared for a spectacle lynching, and by the summer of 1915 many anticipated that Leo Frank would become yet another victim of extralegal violence.<sup>30</sup>

Though Frank's lynching certainly pleased large numbers of Georgians, not everyone living in the South appreciated this blatant example of mob law and extralegal violence. The event horrified many middle-class Atlantans, most of whom wondered aloud how those living outside of the South could continue to believe that southerners were civilized. Other southerners, particularly those residing in rural areas and small towns, did not criticize the mob's action. Many would surely have agreed with Tom Watson when he cried: "When mobs are no longer possible, liberty will be denied." And it was honor -- the sacred principle of the South -- that justified those extralegal acts.<sup>31</sup> Indeed, the southerners who lynched Frank did so because they felt that their honor was at stake. The ritualistic way that Frank's lynching was carried out seems clearly to prove this point. At the same time, they also lynched Frank to preserve and protect the sanctity of southern white womanhood. For these provincial southerners, lynching was a serious social event of honored significance, but it was also a form of deadly amusement.<sup>32</sup>

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<sup>30</sup>L.G. Morgan to John M. Slaton, May 31, 1915, box 45, folder 10, GDAH; A.L. Johnson to the Georgia Prison Commission, undated, box 49, folder 1, GDAH. For examples of newspaper stories involving lynching and mob activity, see *Atlanta Constitution*, April 26, 1913, p.6; April 22, 1913, p.1.

<sup>31</sup>*Augusta Chronicle*, September 13, 1915, no page, found in box 7, folder 2, AHS.

<sup>32</sup>On the importance of protecting southern white womanhood, see Nancy MacLean, *Behind the Mask of Chivalry: The Making of the Second Ku Klux Klan* (New York: Oxford University Press, 1994), 122.

## F. The Politics of Honor

Just as southerners constructed many rituals to help them deal with iniquitous members of their society, they also constructed rituals to help explain the purpose and meaning of politics and political associations. And southern politicians themselves often went to great lengths to describe their distinctive roles within a culture of honor. Following a basically Jeffersonian, republican tradition of gentlemanly disinterestedness, many southern politicians wrote about their political affairs and ambitions as if, over the course of their lives, they had never actually sought political office. Despite the fact that these men canvassed voters, ran political organizations, and actively promoted their candidacies, they often phrased their obvious ambitions in a language of detached, gentlemanly *noblesse oblige*. In doing so, many used terms like "obligation," "gentlemanly duty" "gentlemanly conduct," and "political fate" to describe their self-proclaimed and essentially selfless roles within the southern political tradition. As southern gentlemen who commanded the respect and admiration of those below them on the southern social hierarchy, most believed that they led only at the behest of the lower ranks. Tom Watson, perhaps one of the South's most active political office seekers during the decades of the late nineteenth and early twentieth centuries, wrote a colleague the following thoughts that adequately expressed his view of southern political disinterest: "As you have long known, I am a Jeffersonian, through and through, and there are no strings tied to me whatever, excepting those contained in the platform upon which I was elected." Watson's attachment to a Jeffersonian tradition, while tenuous at best, marked him popularly as a gentleman above the fray of ordinary, or as he wrote, "Machine" politics. In reality, Watson was more of a populist -- in the demagogic sense -- than a Jeffersonian -- in the republican sense. Nevertheless, in his words Watson



promoted an image of the honored gentleman who led his constituency because he had been requested to do so.<sup>33</sup>

Despite their denunciation of ambitious political practices, southern politicians often descended into a pit of patronage and blind factionalism. And at times, their ambitions could truly affect those who remained unconnected to the political world of the South. During the Leo Frank case, for example, Tom Watson used the political ties he had helped create, shape, and dominate to wage a personal battle against Frank. "The political aspect of the F[rank] case will explain much of the conditions which [*sic*] resulted in the horrible climax [of Leo Frank's death]," wrote an anonymous correspondent after Frank had been lynched. "Revenge and ambition each played its part." The individual who penned these thoughts was convinced that Watson had simply exploited the events of the Frank case to effectively tarnish John Slaton's reputation and crush the governor's plan to run for a United States Senate seat. According to this correspondent, Watson planned to support both Nat Harris's gubernatorial campaign and Joseph Brown's senatorial campaign in the fall of 1915. Slaton had fallen out of favor in the Watson camp, and his removal became Tom Watson's top priority in 1915. The anonymous author concluded that the Leo Frank case served

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<sup>33</sup>Tom Watson to Robert L. Rodgers, December 27, 1920, Robert L. Rodgers Papers, box 5, folder 42, Georgia Department of Archives and History. On republicanism and the republican synthesis, see J.G.A. Pocock, "Between Gog and Magog: The Republican Thesis and the *Ideologia Americana*," *Journal of the History of Ideas* 48(1987): 325-46; Daniel Walker Howe, *The Political Culture of the American Whigs* (Chicago: University of Chicago Press, 1979); Drew R. McCoy, *The Elusive Republic: Political Economy in Jeffersonian America* (Chapel Hill: University of North Carolina Press, 1980); Gordon Wood, *The Radicalism of the American Revolution* (New York: Alfred A. Knopf, 1992). On Tom Watson and demagogic populism, see Fred D. Regan, "Obscenity or Politics?: Tom Watson, Anti-Catholicism, and the Department of Justice," *Georgia Historical Quarterly* 70(Spring 1986): 17-46. Also see Alex M. Arnett, *The Populist Movement in Georgia* (New York: no publisher, 1922).

nothing more than a political function. In the end, concluded this concerned Georgian, Watson was simply consolidating his power so that he could “control the machine.”<sup>34</sup>

Patronage politics and political deal-making occurred frequently in early twentieth-century Georgia. And no one dominated these political games like the state’s own “agrarian rebel,” Tom Watson. In 1915, Charles Marks, one of John Slaton’s political allies, wrote the governor to warn him of Watson’s back-room antics. Marks was convinced that Watson’s interest in the Frank case was disingenuous and self-indulgent -- and he intended to prove this to his friend the governor. In a move that showed little political savvy, Tom Watson had apparently asked Marks to act as an intermediary between Joseph Brown, Watson’s handpicked candidate, and Leo Frank. Watson instructed Marks to offer Frank a deal: in exchange for a reduced prison sentence, Frank was requested to use his political influence among the 2,300 registered Jewish voters in Atlanta to urge their support of Brown’s senatorial candidacy. After hearing the deal, Frank reportedly told Marks that he would “rather hang like a dog than sell my people or my soul for Mr. Brown or Mr. Dorsey,” or, one suspects, Tom Watson. Thus, political considerations and back-room dealings appeared to unduly affect apolitical events like the Frank case just as they did more traditional political events. “I know that when you read these facts,” wrote Marks, “you will realize more fully that politics had more to do with the conviction and prosecution of [Frank] than all the law[s] in the State of Georgia.”<sup>35</sup>

Patronage politics shaped much of the southern political tradition, though southern politicians often masked their desires in a coded language of honor. Alfred Wellborn, a prominent Georgian

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<sup>34</sup>Anonymous “day letter” to an anonymous source, undated, box 49, folder 3, GDAH.

<sup>35</sup>Charles Marks to John M. Slaton, June 14, 1915, box 35, folder 15, GDAH.

whose stepfather, James Milton Smith, had been governor of the state in the early 1870s, wrote at length about honor, duty, and *noblesse oblige*, in a letter to Joseph Mackey Brown. "I believe it was General Robert E. Lee who said 'duty' was the finest word in the English language," Wellborn wrote, "and in my humble opinion I think the record you have made as our Chief Executive will live long after your death." As Wellborn understood it, Brown had a duty to represent the people of Georgia. "It is my earnest wish that you *offer* for the Senate, for I feel sure you are the only man in Georgia who can defeat Hoke Smith." By offering himself to the state's voters, Brown would effectively divorce himself from blind ambition. At the same time, in the eyes of southern gentlemen like Wellborn, Brown's position in the honor culture would be ensured. By "offering" his candidacy to the people of Georgia, the governor would effectively remove himself from mere political ambition. After all, the truly disinterested gentleman in an honor culture had no need to amass wealth or fame through the abuse of political channels.<sup>36</sup>

Joseph Mackey Brown was a railroad president whose many ambitions had secured him wealth and status in the New South. And yet, the rhetoric of honor prevented southern gentlemen like Alfred Wellborn from acknowledging these ambitious tendencies. If anything, these individuals did all they could to downplay their significance. Many southerners simply presumed that gentlemen like Brown had access to landed interests and family ties which made their economic ambitions appear entirely unnecessary. Though the reality was far different, the perception that southern gentlemen and office holders were unaffected by ambition or corruption remained strong throughout the South. "Then too," wrote Alfred Wellborn, "you doubtless have a laudable ambition to occupy

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<sup>36</sup>Alfred Wellborn to Joseph Mackey Brown, May 23, 1913, Joseph Mackey Brown Papers, box 6, folder 1, Atlanta Historical Society (emphasis added).

the seat which your great father filled with honor to himself and credit to his State. I say 'let history repeat itself.'" Though Wellborn used the word "ambition," his context suggests that it meant something very different from its early twentieth-century, popular middle-class connotations. Had Wellborn acknowledged Brown as nothing more than a manipulative, ambitious, office seeker, he would not have written such a fawning letter. Indeed, had Wellborn viewed Brown in such a manner, it is likely he would have echoed the sentiments that J. H. Beusse expressed in a letter he wrote in 1915. Beusse demanded that then-governor Slaton not embarrass the state (and dishonor its citizens) by intervening in Leo Frank's commutation plea, warning that if he did otherwise, Slaton should never again expect to "ask for an office in the State of Georgia." In their own way, both correspondents argued that only those gentlemen who proved their loyalty and faith to Georgia's people could earn the right to ask them for political office.<sup>37</sup>

According to the unspoken assumptions encoded in the honor culture, southern gentlemen were not expected to seek political office or appointment. In reality, they actually spent a great deal of time doing just that. Joseph Brown, John Slaton, and Tom Watson, for example, fielded numerous requests for political patronage, and they made just as many requests for patronage

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<sup>37</sup> Alfred Wellborn to Joseph Mackey Brown, May 23, 1913, Joseph Mackey Brown Papers, box 6, folder 1, Atlanta Historical Society; J.H. Beusse to John M. Slaton, May 22, 1915, box 45, folder 10, GDAH. On southern politics during the nineteenth and early twentieth centuries, see William Link, *The Paradox of Southern Progressivism, 1880-1930* (Chapel Hill: University of North Carolina Press, 1992); William W. Freehling, *The Road to Disunion: Secessionists at Bay, 1776-1854* (New York: Oxford University Press, 1990); Michael L. Lanza, *Agrarianism and Reconstruction Politics: The Southern Homestead Act* (Baton Rouge: Louisiana State University Press, 1990); Raymond Arsenault, *The Wild Ass of the Ozarks: Jeff Davis and the Social Bases of Southern Politics* (Knoxville: University of Tennessee Press, 1988); Robert F. Dunden, *The Self-Inflicted Wound: Southern Politics in the Nineteenth Century* (Lexington: University Press of Kentucky, 1985); Michael Perman, *The Road to Redemption: Southern Politics, 1869-1879* (Chapel Hill: University of North Carolina Press, 1984).

appointments themselves. One particular letter to Slaton, written by H. F. Martin, discusses the key components of the honor culture's patronage politics: loyalty, sponsorship, and friendship:

Having been one of your loyal supporters at the polls of Fulton County, and especially active in your behalf during your candidacy for the United States Senate, I desire to offer a suggestion at this time.

It is currently reported around Atlanta that there is likely to be a vacancy on the State Prison Commission, at an early date, in which connection I desire to suggest the appointment of General A. J. West to a place on the Commission, should this vacancy occur.

General West, as all his friends know, is one of God's Noblemen. He served Georgia faithfully and well in all respects as a citizen, and so far as I know has never asked the people for political preferment. He is a loyal and enthusiastic friend of yours, and should you have the opportunity of appointing him to this office you would pay him a well deserved compliment, and at the same time place on the Commission a man whom I believe the people of the State would delight to honor were his name before them in this connection.

I desire to state that General West has in no way solicited this letter, nor has he any knowledge that it is being written.

Corresponding a day earlier than Martin, H. F. West, General West's son, also wrote Slaton on behalf of his father. West clearly intended to remind Slaton that not one Confederate veteran sat on the board of the state's Prison Commission. This oversight, West wrote, demanded attention. And no honored southern gentleman, Governor Slaton especially, with any sense of past Confederate glory or sacrifice could fail to be moved by such a protest.<sup>38</sup>

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<sup>38</sup>H.F. Martin to John M. Slaton, June 16, 1915, box 45, folder 4, GDAH. See also H.F. West to John M. Slaton, June 15, 1915, *ibid*. On requests made to Slaton, see letter from Joseph Mackey Brown to Slaton in which Brown writes, "Several months ago I appointed Mr. Browne to collect the balance due the State for near beer licenses in the city of Savannah, and his appointment, of course, expires when I go out of office. Mr. Browne has done good work for the State, -- collecting something like \$81,000 from the near beer people. I should be glad if you can find it possible to re-appoint Mr. Browne." See Joseph Mackey Brown to John M. Slaton, June 12, 1913, Joseph Mackey Brown Papers, box 6, folder 2, Atlanta Historical Society. On Tom Watson and requests for patronage, see Watson to Robert L. Rodgers, in which he writes, "Am awfully sorry that I did not have the facts concerning Carter Tate when his re-appointment was being sought. I could have brought some pressure to bear that might have prevented that outrage." See Tom Watson to Robert L. Rodgers, April 22, 1910, Robert L. Rodgers Papers, box

Rural, poor southerners developed their own understanding of patronage and linked it closely to the language of their honor culture. Instead of requesting political offices or favored status, these southerners often implored their leaders to aid them in times of financial woe or panic. Rural dwellers carefully phrased their requests; after all, most feared appearing either too greedy or selfish before their more respected social betters. To ensure that such a mishap did not occur, they tinged their letters with humility and deferential undertones. "I know you by reputation," began R. E. L. Hammond, a poor rural Georgian writing to Joseph Mackey Brown in 1914. "I am very sorry that Smith defeated you on the 19th [but] I voted for you...." Hammond's apology was meant as a faithful sign of respect, one that was intended to draw Brown's attention and sympathy to his plight. Hammond continued his letter with an autobiographical account of his life: "I am just a common poor man, 46 years old, worked hard all my life. Never had but 8 or 9 months schooling[,] but have lived a life I am not ashamed of. I have never been under the influence of strong drink[,] never have seen the inside of a prison[,] never had a case of any kind in Court[,] never been in any kind of a game or Place that I would be ashamed to let my wife or mother come in and see me." These characteristics, it must be remembered, were meant to convince Brown that Hammond's character, and hence his reputation, were beyond reproach. After documenting his humble origins, Hammond got to the point of his letter. "I was out of debt until 1910. [W]e had a lot [*sic*] of sickness and a sorry crop. So fell way behind." Hammond hoped the governor would take pity on him and help in his time of need. In case the governor questioned Hammond's veracity, Hammond suggested that he contact any of his acquaintances. Indeed, Hammond listed several personal references, including

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5, folder 41, Georgia Department of Archives and History. On the importance of letter writing as a ritualistic form of expression between gentlemen, see Stowe, *Intimacy and Power in the Old South*, 59-61.

those he considered the most eminent residents of his community, with whom Brown could verify the facts of his life. There was another course of action open to the governor, however. "If you would condescend to come and visit among your poor friend," wrote Hammond, "I can proove [*sic*] it all to you." "Hoping that you will not turn your back on me, but be merciful to the poor," Hammond concluded his letter. Unfortunately, we do not know whether Brown helped Hammond, but considering that Hammond's request was written after Brown had already vacated the governor's office it is doubtful Brown offered his help.<sup>39</sup>

In another case, however, both the petition for aid and the governor's response are extant. "Bronson will have a new Babtis [*sic*] Church," wrote D. B. Hammett, another rural poor man, in 1913, "and we are short of money to pay for our seats.... We will ask you for a little help on it as we are in a very bad need...." Brown took this request seriously and, like any influential and honorable southern gentleman, willingly aided those in need. "In reply," wrote Governor Brown, "will state that it gives me pleasure to herewith enclose to you my check for \$2.00 to help in the above matter." Thus, when conditions seemed absolutely beyond their control, rural southerners often turned to traditional elites for help and comfort; just as significantly, those elites often understood when it was their duty to help.<sup>40</sup>

#### **G. Concluding Remarks**

Whether rich or poor, landed or landless, gentleman or commoner, the honor culture affected southerners of all walks of life at the turn of the twentieth century. Though it might not have

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<sup>39</sup>R.E.L. Hammond to Joseph Mackey Brown, August 24, 1914, Joseph Mackey Brown Papers, box 6, folder 4, Atlanta Historical Society.

<sup>40</sup>D.B. Hammett to Joseph Mackey Brown, June 8, 1913, Joseph Mackey Brown Papers, box 6, folder 2, Atlanta Historical Society. Brown's response is attached to the letter.

affected southerners equally, in one form or another this culture helped shape their conceptualization of character, reputation, manhood, and, above all else, a sense of justice. When southerners followed the dictates of the honor culture, rituals guided them through both the good times and the crises of their everyday lives. When disputes arose that involved those rituals and the value systems they encoded, southerners responded instinctively, often challenging the offending party to a duel or a fight. Sometimes, individual acts of violence were not enough to protect one's honor. When such moments arose, southerners followed the tenets of the honor culture and formed lynch mobs. Though some in southern society found these ritualistic activities barbaric and frightening, most southerners agreed that they kept their society functioning smoothly. Indeed, few would have disagreed with the overt messages found in a telegram written to Georgia Governor John Slaton by an anonymous committee. This committee wrote Slaton shortly after the governor had commuted Leo Frank's death sentence to life imprisonment. To many southerners, this was a dishonorable act that required a stern response. Disappointed that their governor had apparently dissolved the bonds of honor that existed between ruler and ruled, these correspondents intended to show Slaton how seriously they viewed such a breach of faith and tradition. "Shaking off [the] blood on your hands[?] How about [it] old man[?] Likewise[,] to whom does Mary Phagan[']s blood cry out[?] Your tenure of office should be extended in order that your betrayal of the people who have honored you might be complete." To suggest that the honor culture was not important to these southerners would be to ignore the words they used and the meanings they conveyed. Southerners spent too much time and effort discussing honor and its relation to their lives for it not to have mattered. And in the end,



the mob that lynched Frank did so to maintain their own honor, restore Mary Phagan's name and reputation, and give meaning to the rhetoric that guided their persistent culture.<sup>41</sup>

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<sup>41</sup>"Former Supporters of Caloosa County to John M. Slaton, June 21, 1915, box 45, folder 4, GDAH.

#### IV. "I Started When I Was Twelve Years Old": The Cultures of Southern Working Girls

##### A. The Birth of a Southern Working Class

"I started [working] when I was twelve years old," stated Bertie May Berry, a thirteen year-old girl who worked in Atlanta in 1914. "My mother brought me to the mill," she continued. "Me and my sister begged to go to work because we was tired of going to school."<sup>1</sup> Like Bertie May Berry, Mary Phagan and thousands of other southern working girls went to work in southern factories, textile mills, department stores, and downtown offices during the last quarter of the nineteenth and first quarter of the twentieth centuries.<sup>2</sup> For most of the young, predominantly rural women who found work in Atlanta, wage labor formed the foundation for an entirely new social experience -- and it was one that most working girls not only desired, but relished as well. Most of these young women had been born and raised on southern farms. They had lived fairly simple, plain lives. Few, if any, would ever have imagined that the numerous opportunities for employment that became available in southern cities by the end of the nineteenth century would have so greatly

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<sup>1</sup>Bertie May Berry is quoted in Georgina Susan Hickey, "Visibility, Politics, and Urban Development: Working-Class Women in Early Twentieth-Century Atlanta" (Ph.D. diss., University of Michigan, 1995), 207.

<sup>2</sup>Use of the term "working girls" to describe female employees at the turn of the century is not meant to be demeaning, but historically accurate. Contemporary male and female critics, social reformers, and working people alike consistently used the term "working girl" throughout the early twentieth century. Mary Phagan certainly thought of herself as a working girl; other colloquialisms like "working woman," "young lady," "adolescent," and "teenager" were not part of her vernacular, though others in society employed these expressions. This is not simply a linguistic distinction but a cultural one, and it deserves emphasis at this early juncture. By taking this stance, I am challenging Nancy MacLean's argument that the use of "diminutive labels [like 'working girls'] resisted acknowledging the social adulthood thrust upon such young women, even as they remained dependent on their parents." In this case, I believe MacLean undervalues the cultural importance of "labels" like "working girl." See MacLean, "The Leo Frank Case Revisited: Gender and Sexual Politics in the Making of Reactionary Populism," *Journal of American History* 78(December 1991), 919.

affected their lives. That experience caused the birth and maturation of two new, southern work-related cultures. One of these -- and the most dominant -- involved the women who worked "on the lines" in factories and mills; the other involved women who found work as typists, salesladies, and forewomen. This chapter examines the southern working girls who played such a dramatic role in these two processes of cultural formation. By exploring their cultures, value systems, and thought processes, it analyzes their lives and the experiences they both disliked and treasured. In this way, then, it is possible to appreciate Mary Phagan's life and examine the experiences that she encountered as one of Atlanta's working girls.

This chapter focuses on the everyday experiences and values that cultivated vibrant cultures among Atlanta's working girls. With that focus in mind, the chapter also distances itself from the episodes of labor strife and worker agitation that occasionally made an impact on the lives of those whose manual labor played such an important role in the South's developing industrial infrastructure. The lives of most of these working girls revolved around their daily habits, needs, and values, not union-related activities or strikes against unfair owners or operators. Of course, strikes did occur in Atlanta during the early decades of the twentieth century. One of the most turbulent took place at the Fulton Bag and Cotton Mills and coincided with Leo Frank's lengthy appeals process. Despite the tension it created, however, Atlanta's working people never viewed the strike as a means of self-definition. At the Fulton Bag and Cotton Mills, for example, workers struck over the issue of wages and nothing else. Ultimately, immediate concerns continued to characterize

their lives. It is those interests, and not the activities that fostered labor discontent or struggle, that form the basis of this chapter.<sup>3</sup>

Scholars have written little that focuses directly on the history, social patterns, or culture of turn-of-the-century southern working girls. The few studies that have been written about southern workers tend to explore the dynamics of southern cotton mill towns, including the personal dilemmas or crises that often afflicted mill women and their families. However, southern girls like Mary Phagan who labored in urban factories like the National Pencil Company have received far less attention. A notable exception is Dolores Janiewski's *Sisterhood Denied*, a study of working women in Durham, North Carolina's tobacco-processing factories. Janiewski's study, however, is not a cultural examination of the daily activities that comprised life for many southern working women. Rather, Janiewski's work is modeled after E. P. Thompson's classic study of the English working class and is motivated by other concerns. Likewise, scholarship by Julia Kirk Blackwelder, Tera Hunter and others also tend to focus on larger themes surrounding labor history, not the minutiae that made up everyday life. Indeed, the few scholars of recent years who have examined working-class culture or the working woman's distinct sphere are those whose studies are focused on northern-based developments in cities like Chicago and New York. Consequently, southern working girls remain a rich subject ripe for historical exploration.<sup>4</sup>

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<sup>3</sup>On the strike at the Fulton Bag and Cotton Mills, see Jacquelyn Dowd Hall, "Private Eyes, Public Women: Images of Class and Sex in the Urban South, Atlanta, Georgia, 1913-1915," in Ava Baron, ed., *Work Engendered: Toward a New History of American Labor* (Ithaca: Cornell University Press, 1991): 243-72.

<sup>4</sup>On the development of southern mills and its affect on mill families, see Jacquelyn Dowd Hall, et. al., *Like a Family: The Making of a Southern Cotton Mill World* (Chapel Hill: University of North Carolina Press, 1987); Cathy McHugh, *Mill Family: The Labor System in the Southern Cotton Textile Industry, 1880-1915* (Baton Rouge: Louisiana State University Press,

From 1870 to 1930, large numbers of women entered the American industrial labor force. Their entrance into the world of factory work paved the way for unprecedented social change in cities throughout the United States. During that important sixty-year interval, the percentage of women employed by industrial and commercial pursuits increased three fold. This growth was not limited merely to the Northeast or the Midwest, it occurred in the South as well. Throughout much of the nineteenth century, few women held industrial jobs in southern cities like Atlanta. By the turn of the century, however, this was no longer the case. Thousands of women poured into Atlanta during this period hoping to obtain work in any one of the city's many factories. By 1920, working girls had become an almost ubiquitous sight in Atlanta's streets, factories, and shops, and their appearance helped facilitate many important changes. In fact, by the beginning of the decade women comprised 42.2 percent of all work-related positions in Atlanta. These developments fostered social and cultural change, and allowed several working-class cultures in the city to emerge.<sup>5</sup>

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1988); David L. Carlton, *Mill and Town in South Carolina, 1880-1920* (Baton Rouge: Louisiana State University Press, 1982); Douglas Flamming, *Creating the Modern South: Millhands and Managers in Dalton, Georgia, 1884-1984* (Chapel Hill: University of North Carolina Press, 1992). On southern working girls, see Dolores Janiewski, *Sisterhood Denied: Race, Gender, and Class in a New South Community* (Philadelphia: Temple University Press, 1985); Julia Kirk Blackwelder, "Mop and Typewriter: Women's Work in Early Twentieth-Century Atlanta," *Atlanta Historical Journal* 27(Fall 1983): 21-30; Tera Hunter, "Domination and Resistance: The Politics of Wage Household Labor in New South Atlanta," *Labor History* 34(Spring/Summer 1993): 205-220. More general treatments of southern women include Margaret Ripley Wolfe, *Daughters of Canaan: A Saga of Southern Women* (Lexington: University Press of Kentucky, 1995); Shirley Abbott, *Womenfolks: Growing Up Down South* (New Haven: Ticknor & Fields, 1983). On working-class culture in the North, see Kathy Peiss, *Cheap Amusements: Working Women and Leisure in Turn-of-the-Century New York* (Philadelphia: Temple University Press, 1986); Joanne Meyerowitz, *Women Adrift: Independent Wage-Earners in Chicago, 1880-1930* (Chicago: University of Chicago Press, 1988).

<sup>5</sup>On the statistical expansion of women wage-earners, see Meyerowitz, *Women Adrift*, 2-3. On changes in Atlanta's female workforce, see Blackwelder, "Mop and Typewriter," 24.

There were two almost distinct social and work-related pathways that Atlanta's working girls traveled. Most found employment in urban factories or mills where physical, exhausting work awaited them. Aside from remuneration, the work performed in these locations offered few rewards. Thus, the most dominant southern working-class culture developed around manual labor and its system of repetitive industrial tasks. The distinctive cultural features of this emerging social group included immediate gratification, little long-range planning or career-oriented goals, a fatalism in the workplace, and a belief that marriage and childbirth naturally followed adolescence and that motherhood continued throughout one's working years. For most of the girls who followed this cultural pattern, work was monotonous and unchallenging while tasks remained generally predictable. The work did provide wages, however. And the opportunity to earn and eventually spend money proved to be a significant motivating factor -- one that gave meaning to the lives of many southern working girls.

Another pathway -- and one taken by far fewer of them -- involved work performed in downtown department stores, office buildings, and restaurants. Those who chose this path slowly began to adopt certain middle-class standards: they planned future life changes; gradually became career-oriented; took educational opportunities and self-improvement quite seriously; and acted in ways that distinguished them from the typical working-class girl. These working girls generally spent their evenings in business schools while they often spent their nights in settlement homes that had been constructed specifically for their use. At these homes, settlement workers often taught working girls to appreciate certain values like frugality, proper comportment, hygiene, and self-discipline. Thus, Atlanta's working girls expected either to remain anonymous working girls -- mill girls, factory girls and the like -- or enter a more middle-class milieu as secretaries, typists,

salesladies, and service-oriented working girls. This chapter explores these two related, yet quite distinct paths that Atlanta's working girls took during the early decades of the twentieth century.

There had been a history of women wage-earners in America prior to the changes that took place at the turn of the century. With the construction of the first textile mills in towns like Lowell, Massachusetts in the early nineteenth century, rural girls steadily and consistently left their family farms in search of economic and occupational opportunities for advancement. The chance to earn their own wages was an especially important opportunity for many working girls because most had never worked for money in their lives. Not only did these early factory girls earn decent wages, many also found the conditions that existed in mills and factories surprisingly favorable. Early nineteenth-century mill owners often sacrificed a percentage of their profits to insure better working conditions for their employees. As such, many working girls who had come from middling New England farming families found certain amenities waiting for them in the mills; these included well-stocked libraries and reading rooms, comfortable and affordable lodging, and nutritious meals.<sup>9</sup>

Shifting demographic patterns and ethnic immigration have, at various junctures of mill and industrial development, transformed the nature of mill life. By the middle of the nineteenth century, for example, the paternalism that many New England mill owners had initially exhibited began to wane. Increasing competition from other mills and commercial ventures, coupled with a growing abundance of cheap labor, brought change to New England's mills. By the end of the nineteenth century, American working-class experience had developed in ways few early nineteenth-century

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<sup>9</sup>For a particularly strong primary account of life and work in New England's early nineteenth-century mills, see Harriet Robinson, *Loom and Spindle: Or, Life Among the Early Mill Girls: With a Sketch of "the Lowell Offering" and Some of its Contributors* (New York: T.Y. Crowell, 1898).

Americans could have predicted. With more and more unskilled immigrants -- most of whom lacked a formal education -- flooding America's shores and flocking to the nation's factories, working-class life changed appreciably. Industrial capitalists and smaller proprietors alike no longer viewed it their duty to oversee the daily lives of their employees with such a benevolent sense of paternalism. The American working class was beginning to take shape and slowly but surely the changes that had dramatically affected the North began to be noticed in southern communities as well.<sup>7</sup>

Southerners experienced industrialization and the advent of a working class differently than did their northern predecessors. Unlike their brethren in the North, whose industrial origins stemmed from the 1820s and 1830s, southern working people were introduced to the employment opportunities offered by mill and factory work during the last quarter of the nineteenth century. Few of the girls who entered the factories or mills that dotted the southern landscape at the turn of the twentieth century came from families with a long tradition of urban or wage-earning work. Instead, most migrated to late nineteenth-century southern municipalities and developing commercial centers from rural regions throughout the South. Writing in 1887, one Chatham County, North Carolina farmer spoke for countless farming families when he stated how "there is quite a depressed condition seen and felt on every hand among farmers on account of short crops and low prices. There is much unrest and dissatisfaction.... Farmers are moving to the towns," he continued, "leaving very good farms to grow up untenanted." This anonymous farmer saw little promise in remaining on his own southern farm: "I do not see the boom that the newspapers say exists in this State. It must be in the

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<sup>7</sup>On the development of textile mills in Lowell, Massachusetts and the transformation of its female laborers, see Thomas Dublin, *Women at Work: The Transformation of Work and Community in Lowell, Massachusetts, 1820-1860* (New York: Columbia University Press, 1979). For personal stories of working girls who labored in New England's mills, see Philip S. Foner, ed., *The Factory Girls* (Urbana: University of Illinois Press, 1977).



towns. It is not in the country.” Poor conditions in the countryside thus affected southern industrial development just as it did the changing composition of the South’s work force.<sup>8</sup>

The circumstances that affected rural families throughout the South were no different in Georgia. Throughout the last quarter of the nineteenth-century, Georgia’s farm families felt the pinch of hard times. Crop prices steadily diminished, the scourge of the boll weevil affected farmers in many unforeseen ways, unregulated credit networks proved ruinous, and numerous foreclosures afflicted yeoman and poor southern rural families alike. Few southern lives remained unaltered or unaffected by these economic and social transformations. For most, migrating to the city appeared to be their only real hope for survival.<sup>9</sup>

#### **B. Mary Phagan: A Case History**

Mary Phagan’s family history is similar in many ways to that of the typical southern rural family. The economic and social fissures that disrupted so many southern lives affected the Phagan family as well. The Phagans had been a landowning family well into the nineteenth century. Throughout the 1880s, William Jackson Phagan and Angelina O’Shields Phagan. Mary’s paternal grandparents, owned a plot of land off Mars Hill Road in Acworth, Georgia. They resided on this land, and it was there that they planted and harvested both subsistence and cash crops. Angelina Phagan gave birth to thirteen children, two of whom died during childbirth, and raised them according to a traditional agrarian lifestyle. William Joshua Phagan, Mary’s father and the eldest

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<sup>8</sup>The Chatham County farmer is quoted in Hall, et.al., *Like A Family*, 7-8.

<sup>9</sup>On economic change and development in the New South, see Pete Daniel, *Breaking the Land: The Transformation of Cotton, Tobacco, and Rice Cultures Since 1880* (Urbana: University of Illinois Press, 1985); Harold D. Woodman, *King Cotton and His Retainers: Financing and Marketing the Cotton Crop of the South, 1800-1925* (Columbia: University of South Carolina Press, 1990).

of the surviving eleven, followed his father's path and farmed the Phagan land. He endeavored to be a successful farmer and when he came of age he met and eventually married Fanny Benton. The two were married on December 27, 1891, and as they settled on a portion of William Jackson's land Fanny quickly found herself pregnant with her first child. Still, whatever stability Fanny Phagan imagined she had found in her life eroded within a few years. In 1895, William Jackson abruptly moved his entire family, including William Joshua and Fanny Phagan, from Cobb County, Georgia to Florence, Alabama. There is no existing evidence to explain why the Phagans moved. Presumably, like many southern farmers, extenuating circumstances like those mentioned above had left the Phagans with few choices other than migration. With so many mouths to feed and a dwindling source of wealth -- land -- in his possession, William Jackson and his extended family must have viewed the move as necessary for survival. By 1895, William Joshua and Fanny Benton Phagan had two children of their own. With the number of Phagan offspring increasing almost every year, the search for new lands had become necessary.<sup>10</sup>

In Alabama, the Phagans adjusted to their new surroundings and after some time actually flourished. They purchased a home that had been a military hospital during the Civil War. William Jackson and Angelina Phagan lived in the main house, while Mary's parents resided in close proximity. The families farmed their land together and after some struggle they began to show a modest profit. By the turn of the century, rising agricultural prices helped stabilize the family's economy. Meanwhile, Mary's parents had two more children, both surviving the difficulties of birth and infancy. In February of 1899, however, the family's fortunes changed dramatically when Mary's

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<sup>10</sup>On the history of the Phagan family, see Mary Phagan, *The Murder of Little Mary Phagan* (Far Hills, New Jersey: New Horizon Press, 1987), 10. This work was written by one of Mary Phagan's distant cousins who had been named after her "famous" relative.

father, William Joshua, died suddenly of measles. At the time of his death, Fanny was six months pregnant and feared for the well-being of her unborn child. On June 1, 1899, however, Fanny gave birth to a healthy baby girl -- Mary Anne Phagan. Shortly thereafter, Fanny, accompanied by her five children, left the farm in Alabama and ventured back to the home of her widowed mother, Nannie Benton, in Georgia. The family's relatively comfortable standard of living, which at one time seemed so secure in Alabama, had been ephemeral.<sup>11</sup>

Back in Georgia, Fanny settled in the small town of Marietta. Once there, she struggled to keep her family financially afloat. Marietta, Georgia was a community in disintegration during the early years of the twentieth century. Plantation mansions, which had once been well-maintained, were in a state of disrepair. Absentee landlords owned or controlled most of Marietta's lands and overseers collected rent from tenants. Like those in many other southern towns, Mariettans were in economic dire straits.<sup>12</sup> As debts mounted and opportunities declined, the Phagans followed a trend that was familiar to many rural southerners at the time. This trend marked a point of departure for many traditional farm families who suddenly found themselves introduced to a world of wage labor. Throughout the early 1900s, various Phagan children, when old enough, took odd jobs in the nearby city of Atlanta; the money they earned helped keep the family financially solvent. Fanny's oldest son, Benjamin Franklin Phagan, worked as a delivery boy for a general merchandise store before he joined the United States Navy. Mary's sister, Ollie Mae, held a coveted position as a saleslady in a downtown department store. Other Phagan children, like Mary, helped at home and anticipated

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<sup>11</sup>*Ibid.*, 11.

<sup>12</sup>On the declining fortunes of Marietta, Georgia, see Harry Golden, *A Little Girl is Dead* (Cleveland: The World Publishing Company, 1965), 11.

the day when they too could gain employment at any one of the newly constructed textile mills or factories that were going up in and around Atlanta. Thus, by the early decades of the twentieth century, many southerners who had traditionally relied on farming in order to survive (and the Phagans were no exception) were now migrating to the South's emerging cities in search of work, wages, and modern comforts.<sup>13</sup>

### C. Girls in the City For Work

Like Mary Phagan, most of the girls who found themselves working in early twentieth-century Atlanta had migrated to the city from the countryside. They came for a variety of reasons and brought with them different expectations and aspirations. There was, however, one particular and noticeable view that almost every rural working girl shared: this was the belief that life in the rural South promised little, was unexciting, and offered few lasting rewards. Orie Latham Hatcher, a sociologist who explored the lives of southern working girls in the early twentieth century and interviewed many of these young women, received a number of telling replies when she asked what motivated the girls to leave the countryside and journey to the city. Some of the girls surveyed had "come for the work in the city [hoping to meet and make] more friends." Others suggested that "a girl can make a living in the city and have a little to spare for spending money." Several working girls told Hatcher that "more amusement" awaited them in the cities while many also told how there existed "so many more advantages in the city and the country is so dull." One girl, in particular, echoed this theme and emphasized how there remained "nothing for a girl in the country except monotony and she can have an interesting experience if she comes to the city." Many working girls

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<sup>13</sup>Phagan, *The Murder of Little Mary Phagan*, 14.

recognized the limited opportunities that existed for them in the rural South. Consequently, most hungered for the chance to work in the region's expanding urban centers.<sup>14</sup>

It would appear that many working girls were fiercely independent, knew exactly what they wanted to get out of their work, and longed for the personal freedom and economic opportunities that existed in southern cities and mill towns. However, not every southerner was enthusiastic over the prospect of having rural girls enter an urban environment in search of work and money. The sight of ambitious southern girls aggressively looking for work often disturbed traditional, rural southerners. Indeed, many of them presumed that their young girls were simply not equipped to handle the fast-paced, dangerous world of city life and work. Many fervently believed in the notion of the "country girl" -- an idealistic image of the innocent, gullible, unsophisticated and unworldly southern girl. Southern men, many of whom hoped that their girls would remain untainted by urban life, promoted this ideal.<sup>15</sup> Some rural southerners especially feared that slick, unscrupulous city men would exploit and manipulate these naive "country girls." These fearful southerners often suggested that once their women had been introduced to wage-earning work in the city, the "country girl" would be corrupted and transformed into the "working girl" -- the conniving, independent-minded,

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<sup>14</sup>The various quotes by southern working girls are found in Orie Latham Hatcher, *Rural Girls in the City for Work: A Study Made for the Southern Woman's Educational Alliance* (Richmond: Garrett & Massie, Inc., 1930), 93.

<sup>15</sup>While southern men continued to discuss the inherent, and often fictional, purity of the "country girl," the reality of southern life was quite different. Throughout the nineteenth century and continuing well into the twentieth, there occurred a high incidence of sexual and physical abuse by fathers, husbands, brothers, and unrelated males against southern women. These episodes must make historians reconsider whether southern men meant what they said about protecting their females from urban or other transgressors. See Peter W. Bardaglio, *Reconstructing the Household: Families, Sex, and the Law in the Nineteenth-Century South* (Chapel Hill: University of North Carolina Press, 1995), 39-48.

materialistic young woman who no longer needed the protection or supervision of her southern men. This was a transition few southern protectors were willing to endure.<sup>16</sup>

Rural southern men latched onto the model of the “country girl” and spread its images throughout society. They viewed the emergence of urban work and the inclusion of their women in the workforce as two particularly destructive and harmful cultural transformations. Despite their claims of moral harm and urban corruption, however, there is little evidence to suggest that the girls themselves saw their situation in quite the same light. Few working girls were actually as innocent or naive about city life as many southern men assumed. For better or worse, working girls were far more aware of their surroundings than rural protectors were willing to admit and many quickly adapted to their new pace of urban life. In large measure, this fairly easy transition occurred because working girls wanted so desperately to escape the boredom of the countryside and indulge themselves in the ebb and flow of city life. “We were all anxious to go to work,” stated Bertha Black, an early twentieth-century southern mill worker who had migrated from the countryside, “because, I don’t know, we didn’t like the farming. It was so hot and sunup to sundown. No[,] that was not for me,” she continued. Black was convinced, as were so many other working girls, that “mill work was better. It had to be. Once we went to work in the mills after we moved here from the farm,” she concluded, “we had more clothes and more different kinds of food than we did when

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<sup>16</sup>Ironically, many middle-class social critics shared this concern, though for obviously different reasons. By the second decade of the twentieth century, Progressive-minded reformers, settlement workers, and middle-class women were all openly debating issues related to the “girl problem” in America. These various reformers saw “women adrift” being placed in a precarious position in the nation’s developing cities and many feared for their safety and well-being. See Ruth M. Alexander, *The Girl Problem: Female Sexual Delinquency in New York, 1900-1930* (Ithaca: Cornell University Press, 1995); Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995).

we was a-farmin’.” As Black suggested, mill and factory work provided working girls with a better standard of living than they had ever known on the farm, and, despite pleas to the contrary, few working girls were willing to give up their chance to earn and spend wages just to please their old-fashioned parents and protectors. By the early decades of the twentieth century, the image of the “country girl” had been replaced by the reality of the working girl. This reality may have displeased certain southern traditionalists, but it failed to convince most working girls that city life equaled moral or physical degeneracy. The working girl labored long hours, earned wages that she often used to support herself, and sought commercial amusements that provided her with some moments of leisure and recreation. These were the circumstances and conditions that helped create working-class life and culture in the early twentieth-century South.<sup>17</sup>

What experiences did the girls share who worked in the South’s cotton and textile mills, in Atlanta’s box- and candy-making industries, or in smaller companies like the National Pencil Company where Mary Phagan worked? What activities comprised their social world? What expectations did most working girls bring to their jobs and what did most hope to accomplish? Discovering the answers to these questions is no easy task. Southern working girls performed a number of functions in the South’s growing cities and their work, while similar, had its distinctive qualities. Yet, an investigation into the cultures of *southern* working girls does have one especially noticeable advantage over any similar inspection of their sisters in the North. The ethnic, racial, and religious distinctions that existed in the North created a far more heterogeneous working class than anything found in the turn-of-the-century South. In contrast, there existed a basic social and cultural

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<sup>17</sup>Bertha Black is quoted in Victoria Byerly, *Hard Times Cotton Mill Girls: Personal Histories of Womanhood and Poverty in the South* (Ithaca: IRL Press, 1986), 64.

homogeneity among the girls who labored daily in the South. The girls who worked in southern industries, department stores, and lunch counters were virtually all white -- Atlanta's black women workers toiled as domestic help or in the custodial services, but *de facto* Jim Crow social customs typically prevented blacks from working side-by-side or "on the line" with any southern white woman. These white female workers were predominantly Christian (especially Protestant), and generally they were indigenous to the South (that is, more than likely they were not recent arrivals from European shores). This shared social terrain makes it possible to create a plausible composite sketch of the southern working girl and analyze the various ways she earned a living or spent her wages.

#### **D. Education and the Working-Girl Experience**

In her important study of Atlanta's working-class women, historian Georgina Hickey flatly states that working girls "expressed great pride in their skills, and drew a sense of self-respect from their endeavors," yet this appears to be more of a hope than anything grounded in material support. Indeed, Atlanta's working girls have left behind very little evidence about the work they performed or the ego-enhancing function it served in their lives. Working girls rarely recorded the joys or frustrations of their work because ultimately the work itself was uninteresting, monotonous, and not especially enjoyable. The work provided no intellectual stimulation of any kind and furthermore, if it had, few of the city's working girls would have been equipped to handle the task.<sup>18</sup>

Few working girls discussed their work with any depth of meaning. Since most of these girls lacked much formal schooling, few could thoughtfully describe their work environments or conditions. Most factory girls suffered from limited vocabularies and a lack of sufficient academic

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<sup>18</sup>Hickey, "Visibility, Politics, and Urban Development," 196.



training; virtually none had been taught to think in scientific, analytical ways; and few approached life in intellectually abstract ways. It was the rare working girl who contemplated economic theories, the subjugation of the working class, or other related topics. For better or worse, in the rural communities where most working girls had been raised, reading and writing were generally considered unprofitable skills; they were necessary, but not at the cost of productive labor. Physical work, whether it be on the farm or elsewhere, simply took precedence over school work. Certainly, the majority of these girls were, at the very least, functional illiterates and many could barely comprehend the basics of the English language. But almost none had been granted the free time that was necessary to learn and process formal education. Long, tiring shifts in the city's factories, or hours of work and isolation on southern farms prevented working girls from appreciating the value and importance of education. Working girls sometimes bought and read "nickel novels," "dime-store literature," and "pulp fiction," but they did so hoping to find temporary entertainment or fashion tips, nothing else.

Both the written records and oral testimony left behind by working girls support these observations. In the letters they wrote or the memories that made up their reminiscences, working girls like Mary Phagan often expressed only the most pedestrian thoughts or insights about life. Mary Phagan was, for example, basically literate, as the following letter shows. "Hello Mama, how are you?" wrote the twelve year-old girl on June 16, 1911. "I got here O.K. I would have wrote sooner but I hadn't thought about it.... Aunt Lizzie has got my gingham dress made. I am going to have my picture made soon. Your baby, Mary." Off visiting relatives, Mary Phagan portrayed an uneventful life. She was mostly interested in the prospect of having a photograph taken of her while she modeled her new dress. Aside from these pleasures, there is little else of much importance in

her words. Annie Viola Fries, a mill worker in the early twentieth century, spoke for many working girls when she discussed education and its relevance to the lives of most working people: "I liked school," she stated, "when I got to go." Her lack of schooling is clearly evident in the way she described various events from her past. "A lot of the kids I went to school with... were farmers' kids. That is, their parents would work in the factories and raise what food they eat [*sic*]. And a lot of 'em worked in the mills. What didn't work in the cotton mills worked in the shops, the furniture factory. Some just farmed and didn't work out nowhere," she continued. "Some of the farmers were into farming big... but little old truck patches like my daddy's were dirt farmers, we'll call it that. Now they was the ones that didn't have much." Without much formal education, few working girls had the necessary intellectual tools to discuss their work in meaningful ways, and fewer still spoke of ascending the socioeconomic ladder to middle-class respectability.<sup>19</sup>

While most working girls did not maintain a strong command of the English language, many additionally relied on a basic means of communication. These girls, like their extended family members, used a folkloric form of slang to convey their desires, hopes, and fears. For example, girls who felt feelings of love for someone, but were unable to explain the origins or emergence of such an emotion, were simply "foolish about" somebody. In a similar way, family members were often lumped into a general, nondescript category by the expression "my people," a term that stripped away any layers of deep emotional connection or meaning. The "boss man" was another popular term that almost all southern working girls used to describe their foremen or managers. It was a term of derision that many working girls employed because they felt that bosses kept an undue watch over

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<sup>19</sup>Phagan, *The Murder of Little Mary Phagan*, 13; Byerly, *Hard Times Cotton Mill Girls*, 20.

the girl's every action or movement. Also, "doney girls" (sweethearts), "furmenty pots" (for concocting liquor in backwoods distilleries), "bride cups," and the "spinning" of "yarns" (the telling of tales and gossip) added an innocence and, perhaps, an ignorance to the language that southern working girls used. Once these girls got to the cities, the melding of rural, folkloric speech with urban slang further shaped their lexicon.<sup>20</sup>

#### E. The Assumption of Fatalism

Without much formal education or a middle-class notion of self-improvement and control over one's life, working girls often invoked a fatalistic attitude when it came to the events that comprised their lives. Instead of demanding clean, safe places to work, most working girls tolerated dangerous work conditions and precarious environments. The typical turn-of-the-century factory was a filthy, noisy, often bloody and dangerous facility. Yet, few working girls seemed to take the time to either notice or care about these conditions. Working girls assumed that their occupational lives were naturally filthy, painful, and potentially deadly and many viewed these unfortunate elements as attendant parts of their lives. Most assumed that the work they performed was arduous and dirty, that physical exhaustion and pain accompanied factory work, and that as an urban institution the factory was implicitly a dangerous environment.

Unlike the fatalistic views expressed by many working-class Americans, middle-class Progressives had a difficult time accepting the conditions that they believed plagued working-class

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<sup>20</sup>On folklore, see Charles Morrow Wilson, *Backwoods America* (Chapel Hill: University of North Carolina Press, 1935), 3, 65; also see B.A. Botkin, *A Treasure of Southern Folklore: Stories, Ballads, Traditions and Folkways of the People of the South* (New York: Crown Publishers, 1949); Harnett T. Kane, *The Southern Christmas Book, the Full Story From Earliest Times to the Present: People, Customs, Conviviality, Carols, Cooking* (New York: D. McKay, 1958).

lives. Consequently, many sought to reform America's urban industries. Most hoped to promote legislative changes, including the enactment of child labor laws, compulsory education statutes, and laws to regulate hours, wages, and working conditions, to counter these unsafe and unregulated environments. To the chagrin of many Progressive-era reformers, however, industrial working girls rarely supported the attempts that reformers made to improve the conditions that working people faced. Despite the efforts of many Progressives, workers often claimed that legislation of this nature was unnecessary and meddlesome. In their encounters with working people, then, middle-class reformers, North and South alike, often met with bitter disappointment and disillusionment. In Chicago, for example, Florence Kelley, one of the famed women from the city's Hull-House settlement, was astonished to learn that working girls from her city's sweating industry continued to "shrink from organization," this despite the fact that "their employer considers himself demeaned in having to walk through the factory in which they are slaving their lives away." Kelley could see only injustice and exploitation, but the girls who fell under her purview failed to share her concerns. Similarly, in South Carolina's early twentieth-century mill towns, mill workers fought against the efforts of the state's middle-class reformers. While Progressives searched for legislative means to reform mill policies, promote better working conditions, and remove children from the mills in order to place them in state-funded schools, mill workers resisted their efforts. This was the work of "big gov'ment," argued the mill workers, and few workers were willing to abide by the wishes of such a faceless and unwelcome monolith. In Atlanta, conditions were similar among the city's working girls. Few saw their middle-class bosses or foremen as men or women to model their lives after and

most believed that they themselves were quite different from Progressives, reformers, and other “busy-bodies.”<sup>21</sup>

Instead of following the Progressive line and demanding better working conditions, Atlanta’s working girls rarely questioned the danger that awaited them in the mills and factories where they worked. Throughout the city’s industries, injury and bloodshed occurred frequently; the National Pencil Company where Mary Phagan had been employed was no exception. In testimony delivered at Leo Frank’s trial, Mrs. E. M. Carson, a woman who worked at the pencil plant for three years prior to Phagan’s murder, stated that she had often “seen girls... mash their fingers on the machines. I have seen blood on the sink in the toilet room and on the machines where they cut their fingers.” These conditions did not shock Carson, for she anticipated the dangers that accompanied her work. “I have seen girls once or twice come in with their fingers mashed [and] come into the toilet room and go to [the] sink after they had mashed their fingers.” Lemmie Quinn, a foreman in the pencil company’s metal department, also testified about the danger of working in the factory. “We have blood spots quite frequently when people get their hands cut,” he stated dryly. “I remember a man by the name of Gilbert [who] was hurt in that room. He was carried by the ladies’ dressing room and sent to the hospital. He bled freely,” Quinn concluded. Another “boy cut his hand pretty badly,” added Quinn as an afterthought. Quinn further told how “the floor of the metal room is very dirty,” and he had trouble remembering when the factory had last been swept or cleaned. These were filthy

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<sup>21</sup>Florence Kelley is quoted in the Hull House Association Papers, Jane Addams Scrapbooks, vol. 1, p. 27, Special Collections, University of Illinois at Chicago Library. On South Carolina’s millhands and their resistance to middle-class reforms, see Bryant Simon, *A Fabric of Defeat: The Politics of South Carolina Millhands, 1910-1948* (Chapel Hill: University of North Carolina Press, 1998), 18-9. On Atlanta and the tension that existed there between middle-class southerners and the city’s working people, see Hall, “Private Eyes, Public Women, 261-2.

conditions, but they did not seem to trouble either the girls who worked at the factory or the managers who supervised its operation. "Whenever accidents would happen in the factory," testified Herbert Schiff, one of the plant's managers, "we would have the person come to the office... where we would bandage their hands with the few medical supplies we keep their." Supervisors made sure to "make a report to the insurance company as to the cause of the accident and any witnesses," but as to the well-being of his employees, Schiff appeared unconcerned.<sup>22</sup>

Arduous work and physical pain certainly affected the lives of many working girls, but unwanted sexual advances from foremen and bosses made an impact on their lives just as often. Foremen could frequently be manipulative or overtly cruel, and some relied on the use of sexually suggestive language to get what they wanted. Working girls may not have found these conditions to their liking, but few went out of their way to challenge the authority of the "boss man" or demand that he treat them with respect and appreciation. Gertrude Barnum, a mill worker, described the exploits of her boss, "French Charlie." Charlie was "one of the super[intendent]s" who was mostly interested in hiring "pretty girls." According to Barnum, he hired only "French girls." "But French Charlie, he don't cheat you on your cloth," and for this benefit alone, Barnum found she could live with her superintendent's peccadillos. "Some supers are terr'ble [*sic*] mean that way," she suggested. "You got to fight for your pay [even] after you earn it, and like as not you'll miss a dollar." Eva Stephens, one particular Atlanta working girl, testified before an investigative commission in the city and told that esteemed body that after her foreman had reduced her work schedule, which caused her to level a complaint, she was told that "he would give me back the six

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<sup>22</sup>Brief of Evidence at 118, 107, 100, 101, *Leo M. Frank v. State of Georgia*, Fulton County Superior Court at the July Term, 1913, Atlanta Miscellany, Special Collections, Robert W. Woodruff Library, Emory University.

sides if I would let him squeeze me.” While Stephens refused, and even told her boss that she did not appreciate his advances, her denunciation was rare indeed.<sup>23</sup>

At the Atlanta Pencil Company, apparently conditions between Leo Frank and his female employees were no different from those alluded to above. Many of the girls who worked for Leo Frank believed that he acted in similarly lewd and unwelcome ways. Some of the girls who took the stand at Frank’s trial spoke about Frank’s interaction with the girls he employed. “Mr. Frank,” testified Irene Jackson, “would go in the dressing room and stare at the girls.” According to Jackson, Frank occasionally watched his female employees as they dressed and undressed before work. Another girl accused Frank of “holding his hand on [Mary Phagan’s] shoulder” and leaning “over in her face.” Frank’s apparent familiarity with the girls he employed shocked those who heard such testimony. The girls who worked for Frank, however, often treated such advances as a bothersome, but expected part of their working lives. It was a nuisance, many contended, nothing more and nothing less.<sup>24</sup>

In order to ease their physical pain and mental anguish, working people often used vast quantities of alcohol, tobacco, and narcotics. For the girls who had journeyed to the city from the countryside, alcohol and tobacco use was nothing new. Account books kept by numerous country store merchants throughout the last quarter of the nineteenth century indicate that farm hands and mill workers spent a small fortune on liquor, tobacco, and other related palliatives. Ledgers are

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<sup>23</sup>On Gertrude Barnum’s observations about “French Charlie,” see Leon Stein and Philip Taft, eds., *Workers Speak, Self Portraits* (New York: Arno Press, 1971), 29; Eva Stephens is quoted in Hickey, “Visibility, Politics, and Urban Development,” 208.

<sup>24</sup>On testimony in which some of Frank’s female employees accused him of familiarity, see Brief of Evidence at 172, 223, *Leo M. Frank v. State of Georgia*.

replete with orders for Wildcat Family Whiskey, Bonnie Brother's Bourbon, Bull Durham tobacco, snuff, cigarettes, and anything else that would relieve the physical pain and ennui that accompanied their work.<sup>25</sup> Working people of both sexes continued to consume a great deal of alcohol and tobacco after they entered Atlanta's factories and assumed industrial positions. In Atlanta, working girls took the occasional "smoke break" in between shifts and during trips to the ladies' dressing room or the washroom, they dipped snuff and chewing tobacco throughout the afternoon hours while they worked, and they drank alcohol and "near-beer" after their factory shifts concluded. These activities relieved stress and physical pain, but they also helped to wile away the hours of boredom that awaited them at work. In addition, the consumption of alcohol formed part of the working girl's social world and gave her and her co-workers pleasure. Although it appears that Leo Frank never consumed alcohol during business hours, the same could not be said for others who worked at the pencil company. Jim Conley, the factory's sweeper, was often known to carry liquor with him, and he frequently came to work inebriated. Thus, liquor could be found on the factory's premises, and while that may have made Frank uncomfortable, its presence did not have the same affect on his employees.<sup>26</sup>

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<sup>25</sup>On the extensive use of alcohol and various opiates by rural southern families, see Thomas D. Clark, *Pills, Petticoats, and Plows: The Southern Country Store* (Norman: University of Oklahoma Press, 1944), 25, 202-3. On the use of snuff, see Byerly, *Hard Times Cotton Mill Girls*, 48; Margaret Jones Bolsterli, ed., *Vinegar Pie and Chicken Bread: A Woman's Diary of Life in the Rural South, 1890-1891* (Fayetteville: University of Arkansas Press, 1982), 34, 76. On the changing nature and acceptability of cigarette smoking among urban working girls, see Peter G. Filene, *Him/Her/Self: Sex Roles in Modern America* (New York: Harcourt, Brace, Jovanovich, 1974), 13.

<sup>26</sup>There has been some scholarship that loosely details the relationship between alcohol use and class formation. In their pathbreaking sociological survey of Muncie, Indiana, for example, Robert and Helen Lynd concluded that early twentieth-century efforts by middle-class reformers to prohibit the sale and use of alcohol within city limits were largely successful,



## F. Working Girls and Forms of Immediate Gratification

Instead of worrying much about the state of their lives or their futures, most working girls thought about various forms of immediate gratification. They may have had to put up with episodes of sexual impropriety or deal with the very real possibility that their lives were in constant danger, but, ultimately, the money they earned gave meaning to their working lives. Working girls used the remuneration they received to visit dance halls and the occasional saloon, venture to Atlanta's Ponce de Leon Springs Amusement Park or Oglethorpe Park, or purchase clothing and other accessories from the city's department stores and discount outlets. Working girls were also far more interested in attracting the attention of working boys and men than they were in fighting the exploitative or inhuman conditions that existed in the city's factories. These were the comforts and amenities that had motivated southern working girls, just like their sisters to the north, to seek menial labor in the first place.

At dance halls and the occasional saloon (in the 1910s, Atlantans had prohibited the sale or purchase of alcohol within city limits, but illegal saloons, especially along Auburn Avenue where African Americans resided, continued to thrive), working girls danced, drank liquor, brought relief to their aching bodies, and tried to "pick up" men. An anonymous shop girl wrote that "The dance hall is truly a passion with working girls.... Some of them dance every night, and are so confirmed

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especially within the middle class or, as they wrote, the "business class." Among the city's manual workers, however, prohibition was less effective. Workers, stated the Lynds, continued to visit illegal "speak-easies," of which there were dozens in the city to choose from. See Robert and Helen Lynd, *Middletown: A Study in Modern American Culture* (New York: Harcourt, Brace & World, Inc., 1929), 277n. On the general use of alcohol by working people throughout the twentieth century, see Lilian B. Rubin, *Worlds of Pain: Life in the Working Class* (New York: Basic Books, 1976), especially chap. 3; Ben Hamper, *Rivthead: Tales From the Assembly Line* (New York, Warner Books, 1986), is also full of stories about alcohol use (and abuse) on the lines at General Motors.

in it that they are technically known as 'spielers.'"<sup>27</sup> Atlanta's working girls had two options open to those who wished to enjoy the city's night life and dance away their hours of leisure. Many could wander to the Auburn Avenue section of town -- the predominantly African American neighborhood in the city -- and visit one of the black-owned and -operated dance halls like the Roof Garden (an informal establishment that later changed ownership and became the Top Hat Club in the 1930s). Many southern white men considered the dance halls that operated along Auburn Avenue off limits to working girls because it was in these places that white working girls and black men were likely to break the social rules constructed around segregation and come into physical contact with one another. However, the obvious threat of racial mixing did not necessarily prevent women wage-earners from attending these facilities to enjoy a dance and spend their hard-earned money. Every working girl did not take part in these risky affairs, but certainly many did. On the other hand, if working girls chose a venue that offered a slightly more southern, down-home flavor, they could attend a barn dance where fiddlers and guitarists regularly convened and played their own distinctive brand of country music. By the 1920s, various radio networks broadcast these country dances citywide, though the origin of the barn dance actually predates the advent of radio in Atlanta. In both environments, Atlanta's working girls created a private space that they controlled and, to some degree, monitored. By doing so, working girls aggressively seized their own independence and autonomy.<sup>28</sup>

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<sup>27</sup>"The Autobiography of a Shop Girl: Life Outside the Shop," *Frank Leslie's Popular Monthly* 56(May 1903), 55.

<sup>28</sup>On Atlanta's black-operated dance halls along Auburn Avenue, see Clifford M. Kuhn, Harlon E. Joye, and E. Bernard West, *Living Atlanta: An Oral History of the City, 1914-1948* (Athens: University of Georgia Press, 1990), 40, 305-6. On working-class culture and the importance of dance halls, see Kathy Peiss, "Dance Madness: New York City Dance Halls and

Working girls took a similar stance when it came to matters of a sexual nature. Many talked freely and openly about their sexuality and physical intimacy. Despite the repeated warnings from foremen, many of whom ordered working girls to remain quiet and diligently attend to their tasks, working girls themselves spent much of their time on the line exchanging salacious stories and sex-filled quips or gossip. Chipping away ever so gradually into the hours of drudgery that awaited them, working girls often discussed the men or boys in their lives, the dinners, gifts or other material signs of affection they had been treated to, and the experiences they had shared with them. Just as importantly, working girls and middle-class women viewed sexual intimacy, which included intercourse, "petting," and flirting, differently. Historian Kathy Peiss has argued that when upper-class and middle-class women approached or discussed working-class sexuality, they "invoked standards that set 'respectability' against 'promiscuity.'" According to Peiss, middle-class reformers often classified those who defied their conception of proper feminine respectability "as promiscuous women or prostitutes." Peiss's conclusion is a bit unfair, however, because middle-class women were not a monolithic bloc opposed to sexual expression or experimentation. Instead, many simply misunderstood the motivation behind working-class sexual habits. Some middle-class reformers could only see vulgarity and crudity in the garish, provocative outfits that working-class women wore, or in the explicit ways that they spoke about their sexual encounters. The working girls

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Working-Class Sexuality, 1900-1920," in Charles Stephenson and Robert Asher, eds., *Life & Labor: Dimensions of American Working-Class History* (Albany: State University of New York Press, 1986): 177-89.

themselves, however, were rarely ashamed of their sexual habits; they did not see themselves as immoral or depraved, only human.<sup>29</sup>

Working girls often desired sexual relations with their male friends, associates, and co-workers, and unlike their middle-class matrons, most were not afraid to state their interests or intentions. For many working girls, sex was not just pleasurable, it could be manipulated and used as a tangible form of barter between themselves and interested men. One working girl, Katie, “knew how much chance she’d have of meeting a fellow” if she went to work in the city. To Katie’s understanding, eager men could be found anywhere in the cities and most appeared willing to “treat” women workers to dates. According to the reformer who wrote about Katie’s daily activities, Katie was “thrilled by the experience of being with some one who [would] show her repeated evidence of his ability and his desire to provide for her.” How did men “provide” for these women? They bought them gifts, paid for evenings out, and spent money to gain the affections of the women they sought. One working girl received the following items from her special “gentleman friend”: “two oranges; a box of mustard; a small sack of nutmegs; a box of ground pepper; a package of allspice; a box containing three dozen bouillon capsules; a bottle of exact size as the innumerable empty vessels [of perfume] on the mantle; a package of tea done up in a fancy red-and-gold paper; and, last, a large sack of pulverized coffee.” Another working girl -- a restaurant cashier -- received a new hat and the promise of a winter coat in exchange for sexual gratification. At times, she dated other men “to get a little more spending money,” but mostly she remained devoted to her “steady.” Men gladly paid for the parcels that working girls desired, just as they did for amusements, meals, and other

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<sup>29</sup>Kathy Peiss, “‘Charity Girls’ and City Pleasures: Historical Notes on Working-Class Sexuality, 1880-1920,” in Ann Snitow, Christine Stansell, and Sharon Thompson, eds., *Powers of Desire: The Politics of Sexuality* (New York: Monthly Review Press, 1983), 74-5.

tokens of their affection -- including drinks at dance halls, dinners at restaurants, trips to the nickel shows and cheap movie houses, and other leisure activities -- and women almost instinctively knew why.<sup>30</sup>

Women workers understood that “treating” did not come without some cost. Since many working girls believed that they were entitled to the gifts and packages they received from their boyfriends or male acquaintances, many reasoned that those men had every right to expect some form of sexual intimacy in return. “A girl can have many friends,” stated a working girl, “but when she gets a ‘steady,’ there’s only one way to have him and to keep him; I mean to keep him long.” To insure that they could “keep” a man around, working girls frequently exchanged sexual favors for various “treats.” As another working girl commented: “Don’t yeh know there ain’t no feller goin’ t’spend coin on yeh fer nothing? Yeh gotta be a good Indian, kid -- we all gotta!”<sup>31</sup> Some working girls were less eager than others to play the role of the “good Indian.” Sadie Frowne, a working girl from New York City, wrote how several of her male co-workers “were rude” and would “touch [her] hair and talk about [her] eyes....” Frowne soon discovered “Henry,” a more appropriate suitor and one man she both admired and trusted. Henry protected Frowne from the unwanted attention of other working boys by walking her “home every night for a long time.” His persistence

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<sup>30</sup>On “Katie,” see Clara E. Laughlin, *The Work-A-Day Girl: A Study of Some Present-Day Conditions* (New York: Fleming H. Revell Company, 1913), 46, 54. The list of gifts appears in Dorothy Richardson, *The Long Day: The Story of a New York Working Girl* (1905, rpt.; Charlottesville: University Press of Virginia, 1990), 133. The other example comes from Meyerowitz, *Women Adrift*, 105. Some historians have argued that through the use of money, “treating” was nothing more than a commercialization of sexual relations. They argue that the changes wrought by an expanding consumer culture at the turn of the twentieth century caused this transformation. See Beth L. Bailey, *From Front Porch to Back Seat: Courtship in Twentieth-Century America* (Baltimore: The Johns Hopkins University Press, 1988), 77-96.

<sup>31</sup>Peiss, *Cheap Amusements*, 110, 112.

paid off, admitted Frowne, as she allowed him to “make love to me” often (at the time, “making love” often meant the same as “petting” or “necking”). Frowne’s candor about her sexual activities -- just like the bawdy talk working girls used when they discussed trading sex for “treating” -- was standard procedure among most working girls, and the situation was no different in Atlanta.<sup>32</sup>

At the National Pencil Company, working girls like Mary Phagan resorted to similar tactics in order to enjoy some of the amenities that could be found in and around Atlanta. Leo Frank’s female employees openly flirted and cavorted with boys who worked in adjacent factories, and many carried on sexual liaisons with them. These developments often disturbed Frank, but the women who worked for him failed to share in his disappointment. The windows in the ladies’ dressing room opened onto an area where boys from a nearby factory frequently congregated. During shift changes and lunch breaks (and, according to Frank, working hours), many of the pencil company’s female workers flocked to these windows in order to flirt with the boys below. “I have heard of some of the girls flirting through the windows,” testified one of the factory’s employees. This particular female wage earner had heard of “some complaints of the girls flirting through the windows,” though she herself would not admit to taking part in the activity. Flirtations led to encounters between working people of both sexes, and from there sexual relations were sure to follow. Throughout, working girls sought sexual satisfaction. Some used their sexuality as a source of exchange between themselves and their male suitors, while most only looked for a good time -- those were the girls who hoped that sexual relations, including the flirting and the chasing, might break the tedium of their daily routines.<sup>33</sup>

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<sup>32</sup>On Sadie Frowne, see Stein and Taft, eds., *Workers Speak*, 117.

<sup>33</sup>Brief of Evidence at 172, *Leo M. Frank v. State of Georgia*.

### G. Urban Amusements and Spending Habits

Factory work was unquestionably tedious, but once a shift ended, working girls excitedly ventured into the city in search of amusements and pleasures. Working girls often found temporary relief from the monotony of their work by journeying to Atlanta's various parks. One of the city's largest was Ponce de Leon Park. It had long, sprawling stretches of grassy fields while verdant hills dotted its landscape. The park also housed a baseball stadium (where the city's Atlanta Crackers played) and an amusement park, both of which had been constructed in the early twentieth century and both of which were found adjacent to the park's seemingly boundless plot of land. The Ponce de Leon Springs Amusement Park, in particular, was a joy for Atlanta's working people. The park "had a Ferris wheel, a merry-go-round and skating rink," reminisced one Atlanta man, and "across the street [there] was a lake." Streetcars carried thousands of middle-class and working-class Atlantans to these tempting diversions, and working girls comprised a substantial segment of those seeking pleasure. They enjoyed riding the park's mechanical contraptions, consuming inexpensive food from vendors, flirting with eager boys, and dancing to ballroom music. Another park, Oglethorpe Park, was closer than Ponce de Leon to downtown Atlanta, and working girls often strolled through its grounds during their lunch breaks or after working hours. Atlanta's parks provided a range of pleasures to the city's working population, and most workers greatly appreciated the value of these urban spaces.<sup>34</sup>

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<sup>34</sup>The Atlanta man is quoted in Kuhn, *Living Atlanta*, 265. On the cultural importance of amusement parks in turn-of-the-century America, see John F. Kasson, *Amusing the Million: Coney Island at the Turn of the Century* (New York: Hill & Wang, 1978). Urban baseball -- and for most Atlantans no team was better than their own Atlanta Crackers (or the Atlanta Black Crackers as the case might be) -- was an important working-class diversion by the early twentieth century, and Atlanta was no exception. During the baseball season, stories about their squads, game summaries, box scores, and league standings filled the city's newspapers. Working people

More than any other form of recreation or leisure, working girls received a great deal of pleasure from spending their wages. Regardless of whether they were buying pre-packaged foods or mass-produced consumer items, working girls spent their money freely. These eager customers were enamored of vast array of material goods that stood in waiting at the city's department stores and discount centers. As wage earners, working girls were entirely aware of the purchasing power they commanded. Indeed, they comprised an important and vast segment of the consumers who bought the mass-produced items that daily flooded urban stores and markets. The shelves of local five-and-dime stores housed an unending supply of goods while more fashionable downtown department stores sold their customers the latest products, designs, and innovations. In addition, advertisements, like one for Tyree's Antiseptic Powder, sometimes influenced the spending habits of Atlanta's working girls. Manufacturers of the cleansing remedy reminded their patrons that "nothing is more annoying to a refined woman than offensive perspiration or bodily orders." And working girls agreed. They did not buy products like Tyree's powder because they felt somehow coerced into making the purchase; on the contrary, working girls enjoyed spending their money on these goods because many believed that products like Tyree's brought a distinctive improvement to their lives. As American industry matured, and mass-production techniques became increasingly more efficient, turn-of-the-century businesses churned out a host of new products each year.

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of both races in Atlanta followed their teams with reckless abandon. On baseball in Atlanta, see Robert F. Burk, *Never Just A Game: Players, Owners, & American Baseball to 1920* (Chapel Hill: University of North Carolina Press, 1994), 205, 226.



Working girls like those in Atlanta happily shopped, browsed, and purchased from this assortment of items.<sup>35</sup>

Working girls routinely spent their money on ready-made clothes and mass-produced commercial items. In order to “paint the town,” get “fit to kill,” or “play the lady,” working girls scrimped and saved the precious pennies, nickels, and dimes they earned from their weekly labor. By the early years of the twentieth century, numerous department stores and cheap clothing outlets supplied Atlanta’s working girls with the machine-made garments and other fashion accessories they desired. One southern mill worker reminisced about her rare, but eventful trips to her neighborhood discount clothing store. “Back then[,] for a dollar or two you could dress up pretty nice.” Working people quickly discovered that clothing was affordable and prices remained relatively stable. “A dollar for a dress and ninety-eight cents for a pair of shoes” were reasonable prices to pay for the clothes and shoes that working girls believed might improve their appearance. For many working girls, it was not enough to simply buy clothing, they wanted accessories as well. “For five dollars you could really do it up,” contended a female millhand, “with a hat and a handbag.” The girls who looked forward to spending their wages on these items usually shopped at discount stores where sales and cheap prices were often advertised in the city’s newspapers. In Atlanta, the Kress department store was a particularly popular spot among women wage earners. “We’d buy our clothes already made at Kresses,” stated a mill worker. Though she thoroughly enjoyed browsing through the aisles of merchandise at the store, it was still an unusual event since she mostly shopped

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<sup>35</sup>On the advertisement for Tyree’s Powder, see the *Atlanta Constitution*, January 14, 1913, p.7. On the rise of consumer culture and its impact on spending habits, see Susan Strasser, *Satisfaction Guaranteed: The Making of an American Mass Market* (New York: Pantheon Books, 1989).

at “a general store” where her “mother had credit.” The introduction of discount stores meant that people who had traditionally relied on other sources for their clothing and purchases could now expect to shop in the stores that women of other social classes patronized.<sup>36</sup>

One historian of the millinery trades has argued that the ready-made clothing industry was based on “relatively anonymous exchanges that characterized modern commerce.” By the turn of the century, only upper-class urban women continued to buy their garments from specialized tailors or custom designers, just as they had always done. Working girls, however, introduced themselves to modern methods of production and consumption, and these methods formed the basis for a cultural change that most approached with a great deal of enthusiasm. The anonymous exchanges that comprised this transformation fostered an egalitarian spirit among female shoppers. By the second decade of the twentieth century, for instance, working-class and middle-class women walked the streets of Atlanta wearing similar looking outfits that made them appear almost indistinguishable from one another. The mass-produced clothing that they wore democratized the streets and made it difficult for most people to differentiate factory girls from salesladies, and department store clerks from middle-class shoppers. The commercial introduction of synthetic fibers and the more efficient duplication of expensive and previously unavailable fabrics and styles meant that working girls could afford to purchase comfortable, stylish clothing at unprecedented cheap prices. For thirty-nine cents a yard, Keely’s department store offered Atlanta’s working girls the chance to purchase finely made silks “which are sound in quality, correct in style, and standard in value.” That stores were freely advertising the quality, style, and value of their products indicates that urban shoppers considered these characteristics important. Certainly, upper- and middle-class women could afford to purchase

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<sup>36</sup>The quoted passages are from Byerly, *Hard Times Cotton Mill Girls*, 64.

better quality merchandise. But working girls did not seem to be bothered by qualitative differences, for most were content simply to be able to afford the imitations. Ready-made clothing, regardless of its quality, ultimately offered its wearer many advantages: it was more comfortable to the touch than handmade garments, it was easier to clean, and its variety of styles attracted the attention of potential suitors. After all, explained an anonymous working girl, “if you want to get any notion of you, you gotta have some style about you.”<sup>37</sup>

Having or creating “style” was important to most working girls. Styles separated the generations and distinguished working girls from their more traditional elders. Female wage earners fought hard to create a distinctive and personal style: it gave one an identity and drew the attention of interested men. “Like a lady from Fifth Avenue I look,” announced Mashah, a fictional working girl in Anzia Yezierska’s timeless classic *Bread Givers*. She had purchased some pink petals to “accessorize” her outfit, “and for only ten cents, from a pushcart on Hester Street.” Yezierska’s character, like so many real-life working girls, made her own style. And working girls from Atlanta, like Willie Mae Cartwright, sought a stylish appearance in their own lives as well. “I was fit to kill,” Cartwright announced, before leaving for a date. “I had on a mustard yellow georgette dress with plaid on the bottom. Oh, it was the prettiest dress.” In order to create a “look,” Cartwright

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<sup>37</sup>On the modernization of the clothing and millinery trades, see Wendy Gamber, *The Female Economy: The Millinery and Dressmaking Trades, 1860-1930* (Urbana: University of Illinois, 1997), 97. For the advertisement by Keely’s department store, see the *Atlanta Constitution*, January 13, 1913, p.3. The quoted passage from the anonymous working girl appears in Peiss, *Cheap Amusements*, 64.

accessorized her outfit. She wore “tan patent-leather slippers and my good dropstitch stockings. It was nothing but Kress stuff,” she concluded, “but it really sparkled.”<sup>38</sup>

While not every working girl went as far as the fictional Mashah or the real-life Cartwright to procure their clothing and present their style, many still made tremendous sacrifices in order to buy the outfits they believed would make them appear more stylish. “I had a new navy blue cashmere dress,” wrote Rose Cohen, a turn-of-the-century working girl, “the first dress I had ever had that was not homemade and too large for me, and it cost me a week’s wages and many tears. But it was worth it.” Clothing routinely cost working girls several weeks’ worth of wages, but such an expense rarely prevented them from making their purchases. Ultimately, women scrimped and saved to buy American ready-made clothes because “their goal,” argues one historian, “was style.” Style caught a man’s eye, it created self-confidence, and, perhaps more than anything else, it was fun to discover one’s own stylistic sense. After all, after a difficult and often painful day of factory work, the working girl needed some diversion or recreation that gave her pleasure.<sup>39</sup>

For most of Atlanta’s working girls, life revolved around their manual labor. Painful, boring, rote, and sometimes deadly, industrial work offered few tangible rewards other than the wages one earned. With those precious wages, however, factory girls sought forms of immediate gratification, the temporary relief from work that accompanied their recreations, and the company of men. They visited dance halls and saloons, they went to amusement parks, baseball games, and theaters, and

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<sup>38</sup>Anzia Yezierska, *Bread Givers* (1925, rpt; New York: Persea Books, 1975), 2; Cartwright appears in Hickey, “Visibility, Politics, and Urban Development,” 253.

<sup>39</sup>The quotes attributed to Rose Cohen and the anonymous historian are found in Barbara A. Schreier, *Becoming American Women: Clothing and the Jewish Immigrant Experience, 1880-1920* (Chicago: Chicago Historical Society, 1994), 68, 65.

they purchased an array of consumer goods. These girls rarely worried about working conditions, labor strife, exploitation by factory bosses or the intimidation and manipulation shown by foremen; instead, they reached out for the moment, and eagerly anticipated the pleasures they might experience.

#### **H. Seeking Self-Improvement: Adopting Middle-Class Values**

A letter from two Atlanta working women to the Georgia Prison Commission began with the following introduction: "Gentlemen, we are working women, one of us a teacher, the other a clerk for more than twenty years...." They had written the Commission on Leo Frank's behalf because they were "convinced that he has not been absolutely convicted of the crime." More important than their convictions, however, was the fact that these women defined themselves in personal and meaningful ways as a school teacher and a clerk, not a "factory girl" or a "working girl." They had defined themselves by the nature of their work, and as such they were beginning to think in middle-class ways. Indeed, not every working girl in Atlanta expressed a fatalistic outlook about her life, work, or future opportunities. Some working women looked at their lives with optimism and many began to plan for their futures. In doing so, this small but important contingent of working girls began to seek material and intellectual self-improvement; along the way, these girls also began to distinguish themselves from other working girls. Though these women represented a small fraction of those who worked for a living in Atlanta, they nonetheless occupied important positions in the city's expanding commercial networks. These were the women wage earners who worked in office buildings; they were the foreladies who monitored activity in the city's factories; they were

department store salesladies, waitresses, and even some school teachers. As one working girl stated succinctly, these were the girls who had come to the city “for the sake of [their] future[s].”<sup>40</sup>

While few managers or superintendents ever asked their menial hands to think for themselves or solve various work-related problems, many entrusted foreladies, salesladies, typists and other middling workers with a number of significant responsibilities. This was a common factor among them. Managers expected their secretaries to take dictation at a rapid pace, reproduce important documents and contracts, and run an efficient office; business managers asked salesladies to organize display counters, memorize the prices and specific features of a range of items, and oversee a cashbox; and foremen needed foreladies to regulate factory production, keep an eye on the girls under their authority, and issue performance reports. “I am one of the foreladies working at the National Pencil Company,” began the testimony of Mary Pirk. “I am at the head of the polishing department. I have thirteen to fifteen girls under me.” Pirk had overseen the work that Mary Phagan had been hired to complete, and it was only one of many responsibilities that Pirk had maintained for several years. Another forelady, Eula May Flowers, also testified at Leo Frank’s trial. She told the jury that she had been in charge of collecting “data for the financial sheet” that covered “the production of the entire week for my department.” These were important responsibilities in a medium-sized factory like Frank’s, and the factory’s superintendent relied on working women like Pirk and Flowers to present him with accurate and reliable information.<sup>41</sup>

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<sup>40</sup>For the quote from the school teacher and clerk, see Anonymous “working women” to Georgia Prison Commission, May 11, 1915, box 35, folder 8, GDAH; the anonymous working girl is quoted in Hatcher, *Rural Girls in the City for Work*, 93.

<sup>41</sup>Brief of Evidence at 117, 104, 105, *Leo M. Frank v. State of Georgia*.

What allowed women like Mary Pirk and Eula May Flowers to gain the authority that came with their positions? Unlike the girls who worked for them, these women had received some amount of formal education. The education they received was conspicuous; it gave them the opportunity to move up the socioeconomic ladder that led to a middle-class standard of life. "I was studying a business course," wrote one anonymous working girl, "and the forelady knew this." The forelady was apparently impressed with this worker's abilities and aptitude, and when a clerking position opened at the factory, the forelady immediately appointed this working girl to fill the vacated post. "This was a salaried job paying \$27.50 a week," reported the new clerk. Consequently, this working girl discovered that her night-school education had brought her significant monetary benefits.<sup>42</sup>

Female clerks made important occupational strides throughout the United States during the last quarter of the nineteenth and first quarter of the twentieth centuries. Between 1880 and 1920, female clerical workers replaced men in similar posts. While women comprised only 5 percent of all clerical workers in 1880, by 1910 the percentage of female stenographers and typists had jumped to 77 percent. These women wage earners staffed insurance companies and banks, they kept the books at factories like Leo Frank's pencil company, and they channeled the daily flow of corporate paper throughout Atlanta's emerging enterprises. One of the most significant ways for these women to improve their social standing in Atlanta was to attend night schools and get an education. Indeed, secretaries and stenographers often learned their skills in night schools and business schools. Helen Kerns, a stenographer with the Dodson Medicine Company of Atlanta, told Leo Frank's jury how she had taken courses in "shorthand under Professor Briscoe last winter." With more education and

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<sup>42</sup>Andria Taylor Hourwich and Gladys L. Palmer, eds., *I Am a Woman Worker: A Scrapbook of Autobiographies* (1936, rpt; New York: Arno Press, 1974), 14.

self-confidence than the typical working girl, Kerns had gone to Frank's factory "with Professor Briscoe to get a job." Though her endeavor was unsuccessful, she remained certain that her education and skills would benefit her future. These skills, she reasoned, made it more likely that career opportunities and better pay awaited her.<sup>43</sup>

Other working girls quickly realized that a healthy home led the way to self-improvement. Most working girls rented cheap housing or lived in family homes as boarders. Since most working girls earned meager wages, many were precluded from gaining access to comfortable and safe lodging. By the early years of the twentieth century, however, new housing initiatives had been made and many were starting to affect the daily lives of Atlanta's working girls. In April, 1913, the *Atlanta Constitution* reported plans for the construction of a home for working girls. Fashioned after Chicago's Hull House, the facility, to be called the Belmont-Addams House, would provide "a clean and modest haven where girls who work may rest and live in an atmosphere of purity and inspiration." The home would be equipped, in part, with "attractive rooms, sanitary baths, good lighting and heating systems," and the girls who lived there could expect to receive "current magazines and books." Most important, noted the *Constitution*, "the aesthetic life of the girls will be stimulated by classes in art, music, sewing and domestic science, and to this will be added a general business course." Lastly, to insure a pure social life, organizers and settlement workers at

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<sup>43</sup>On percentages of female clerks in the American workforce, see Angel Kwolek-Folland, *Engendering Business: Men and Women in the Corporate Office, 1870-1930* (Baltimore: The Johns Hopkins University Press, 1994), 30. There is a substantial literature on female secretaries in turn-of-the-century American life. See Margery Davies, *Woman's Place Is at the Typewriter: Office Work and Office Workers, 1870-1930* (Philadelphia: Temple University Press, 1982); Lisa Fine, *Souls of the Skyscraper: Female Clerical Workers in Chicago, 1870-1930* (Philadelphia: Temple University Press, 1990). Helen Kerns is quoted in Brief of Evidence at 113, *Leo M. Frank v. State of Georgia*.



the home planned to hold a monthly public reception “to which young men of good standing will receive invitations.” For the first time in many of their lives, working girls were consciously trying to better themselves, and many in society appeared ready to help.<sup>44</sup>

Concerned with the plight of Atlanta’s working girls, members of the Men and Religion Forward Movement chartered a branch of their organization in the city in 1911. The movement’s organizers relied heavily on the influence of their literature, which they willingly doled out to those interested in their reforms. The Atlanta chapter comprised a mixture of the city’s middle-class professionals: prominent lawyers, businessmen, clergymen, and temperance advocates made up the bulk of its membership. These middle-class activists preached a version of the social gospel and in the pages of their pamphlets they claimed to have “saved” several hundred working girls from the horrors of the white slave traffic. Their most consistent target in Atlanta was the city’s mayor, James G. Woodward. Affiliates of the Men and Religion Forward Movement lashed out against Woodward, suggesting that he set an immoral and improper example for the city’s growing number of working girls because he was known to have frequented a house of prostitution on at least one occasion. Paternalistic and sanctimonious, members of the Men and Religion Forward Movement pressed for reforms to aid what they considered to be Atlanta’s helpless working girls. Though the organization’s existence was ephemeral (it only lasted from 1911 to 1916), its nationwide membership included distinguished individuals like William Jennings Bryan, Henry Wallace, Walter Rauschenbusch, and Jane Addams. Aside from its rather lofty claims, however, the influence of the

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<sup>44</sup>Atlanta *Constitution*, April 25, 1913, p.2.

Movement on Atlanta's working girls was minimal. Still, their organization was one of the first in Atlanta to reach out and offer aid to the city's women wage earners.<sup>45</sup>

Though those affiliated with the Men and Religion Forward Movement were trying to help Atlanta's working girls attain a better quality of life, many women wage earners dismissed their help, suggesting that they were quite capable of taking care of themselves. These women believed in their own abilities and actively pursued brighter and more productive futures. They sacrificed their evenings to attend night schools, they learned valuable skills like stenography and bookkeeping, and they understood how best to apply those skills to Atlanta's ever-changing commercial marketplace. In order to improve their lives, some working girls consciously avoided the noise and filth of the city's numerous factories and chose to work in office buildings and department stores. In these relatively clean and safe environments, women expected to live healthier lives, be given important responsibilities, and meet interesting people. Praising these advantages, one working girl told how salesladies and counter girls in particular had "heaps of things to do at noon hour; and among so many thousands of customers passing through the aisles, there's no telling what moment a swell fellow will notice you and, having noticed, fall victim to your charms." While factory girls and shop girls certainly differed from salesladies and secretaries, especially in the way each perceived the value of education and long-term plans, both ultimately appreciated a good time. As one counter girl

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<sup>45</sup>On the Men and Religion Forward Movement, see William T. Ellis, "Advertising a City From its Vice," *Continent* 44(April 3, 1913): 461-3; "How Atlanta Cleaned Up," *The Literary Digest* 46(May 3, 1913): 1012-3; Harry G. Lefever, "Prostitution, Politics, and Religion: The Crusade Against Vice in Atlanta in 1912," *The Atlanta Historical Journal* 24(Spring 1980): 7-29.

suggested, “a big store offers the best chance of fun,” and this, after all, was a compelling feature of life in the city for the typical working girl, middling or otherwise.<sup>46</sup>

Throughout Atlanta during the early decades of the twentieth century, an assortment of working girls found employment that would not have been open to them a generation earlier. Most wage-earning women labored in factories and mills where work was dull and monotonous. For others, however, work became a means toward self-definition, career advancement, and self-improvement. While the girls who worked hourly in Atlanta’s factories centered their lives around forms of immediate gratification and short-term goals, those who worked in department stores and offices saw their lives quite differently. Regardless, both types of working girls created new social categories. And the cultures that developed from these categories influenced the way Atlanta, as well as much of the modernizing South, was shaped for years to come.

## **I. Concluding Remarks**

A front-page story in the *Atlanta Constitution*, entitled “Greatest sights of Atlanta are the girls, says mountaineer, but he goes home alone,” began by painting a picture of a pastoral rural setting. It was a portrait familiar to almost any working girl who had come to the city from the countryside. “Away up in the verdant hills of Milton County, where peace and tranquility is [sic] broken only by the invasion of revenue officers and the occasional clash of feudal clansmen, and where the sun always beams, even though it be raining in torrents upon the green valleys below, Taylor Langley lived alone -- so much alone, in fact, that he pined for a mate to share his cabin on Knob Hill.” According to the article, Langley had recently visited Atlanta where he intended to find a prospective wife. He hoped to find a woman who would not mind leaving the comforts of the city

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<sup>46</sup>Laughlin, *Work-A-Day Girl*, 47.

for the simple life of the country. Unfortunately, Langley failed at his quest. As he explained, "if I wanted to keep one of these Atlanta girls on Knob Hill, I'd have to tie her to the bedpost." Indeed, it would be difficult to imagine how or why the typical working girl who had been exposed to the pleasures and amenities of city life could be lured back to the monotony and boredom of farm life. In fact, as Langley correctly saw it, this was a nearly impossible task. An anonymous working girl, perhaps speaking for the majority of Atlanta's female labor force, told one sociologist why rural men like Langley would likely fail in such an endeavor. There simply existed too much "change, rest, and opportunity in the city," she stated. A city like Atlanta, just like its larger metropolitan counterparts in the North, offered working girls too many leisure activities, forms of amusement, and opportunities for material improvement that could not be matched in the countryside. These conditions helped fashion two unique cultures among southern women -- working-girl cultures. And as these young women began to improve their lives, and as some moved with a deliberate gait up the socioeconomic ladder, few could see themselves moving back to the country. "There is nothing for a girl in the country," emphasized one young worker, and in comparison city life appeared limitless.<sup>47</sup>

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<sup>47</sup>Atlanta *Constitution*, January 31, 1913, p.1. The working girls are quoted in Hatcher, *Rural Girls in the City for Work*, 93.

## V. “The Man Higher Up”: Middle-Class Culture in the South

### A. The Making of a Middle-Class Southerner

During the closing days of Leo Frank’s murder trial, Frank was granted a rare privilege. His trial judge allowed him to read a prepared statement to the court without having to face cross-examination. Frank stood before his judge and jury and told them the details of his life in the South, the reasons for his transplantation from the North, and the peculiar string of events that had led him to that Atlanta courtroom. After offering the jury some preliminary biographical information, Frank told them how “at the invitation of some citizens of Atlanta, I came South to confer with them in reference to the starting and operation of a pencil factory, to be located in Atlanta.”<sup>1</sup> Frank, the superintendent of the National Pencil Company, had come South to pursue his professional career in a city that was, commercially and industrially speaking, expanding rapidly. Indeed, an urban southern middle class would not have matured as it did without the modern transformations that occurred during the late nineteenth and early twentieth centuries, for the individuals who comprised that class created and staffed the infrastructure that sustained urban life in the South.

Middle-class southerners like Leo Frank served a wide range of roles in Atlanta at the turn of the century. They made up the city’s doctors, lawyers, managers and engineers, but they also comprised Atlanta’s small businessmen, insurance agents, newspaper editors, druggists and bankers. For the most part, these were college-educated individuals who formed a solid and increasingly important network of professionals. And as an educated and professionally trained group of people, middle-class southerners created a distinct culture in southern cities like Atlanta. By conflating

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<sup>1</sup>Brief of Evidence at 175, *Leo M. Frank v. State of Georgia*, Fulton County Superior Court at the July Term, 1913, Atlanta Miscellany, Special Collections, Robert W. Woodruff Library, Emory University.

commercial pursuits with personal ambition, these southerners exhibited cultural patterns and values that differed in many ways from those expressed by either working-class southerners or traditional southern elites. Indeed, when a middle-class culture introduced itself to the dominant southern culture of honor, tensions grew from the cultural impasse. And the roots of that tension were the values that distinguished middle-class southerners from others around them. Those values formed the core of a social group whose influence not only fostered tremendous change in the South, but challenged traditional ways of living as well.

This chapter explores the contours of an urban middle class in the South -- a social group as complex as any in the region. In fact, there were several layers to middle-class life in America during the nineteenth and early twentieth centuries. At that time, the middle class, be it composed of southerners, northerners, or other regional Americans, was by no means a homogeneous social group. In the South, for example, nineteenth-century agrarian activists -- the Populists, Grangers, Alliancemen, and affiliates of the People's Party -- often defined themselves in Jeffersonian terms as fledgling yeoman farmers and middling sorts. Others in southern society whose lives were not rooted in the soil also defined themselves in similar ways. Independent proprietors, small merchants, and country store operators, all imbued with a strong middle-class orientation, exhibited middle-class cultural values in small towns throughout the South. And in burgeoning southern cities, middle-class managers, clerks, professionals, and educators helped to redefine the southern cultural landscape. I focus on this latter group.

A middle-class culture in the South, rooted in northern antebellum culture, later nineteenth-century upper-middle-class values and ethics, and the values expressed by many middling southern farmers, emerged by the last quarter of the nineteenth century. Urban middle-class southerners

carefully blended together the various values that these different social groups expressed. From this blending, the southern middle class learned to appreciate and value all of the following: the importance of nonmanual, skilled work; the notion of a career based on the passing of time; the necessity of personal planning; the advantages that came to one who was resourceful, frugal, respectable and honest; the ability to express one's emotions; and, just as significant, a desire to control both one's bodies and emotions. Late nineteenth-century urban, middle-class southerners articulated these values in clear and unmistakable ways. Furthermore, those values comprised a cultural tradition that, by the early twentieth century, was distinct from others in southern society. In contrast to poor, rural or working-class southerners, urban middle-class southerners often spoke of themselves as the "better sorts," the "better class," or, as Leo Frank once wrote, those "higher up" in southern white society and they based their definition on the values they exhibited. Within this emerging culture, however, these same southerners melded their more ambitiously-oriented northern-based culture with the prevailing racial attitudes and social stratification of the turn-of-the-century South. Indeed, in many ways the urban, middle-class southerner, thanks to his blind acceptance of southern racial hierarchies, entrenched gender roles, and well-defined social patterns, remained essentially different from his northern counterpart throughout the decades of the early twentieth century.

Little has been written about the emergence, formation or culture of the late nineteenth- and early twentieth-century southern middle class. Most historical studies of the postbellum South have focused on the relative level of continuity or discontinuity in southern society. Did southern planters and traditional elites comprise a new class of southerners after the Civil War, or did their social patterns remain essentially the same as those established during the antebellum period? These

questions have not monopolized every study of the postbellum South. Still, with some notable exceptions, they remain dominant. Social and cultural historians, for example, have conspicuously chosen to distance themselves from these rather confining parameters. And yet, traditional social histories of the South continue to lump together social groups and southern “types” into easily recognizable categories. While “poor whites,” “rednecks,” and “crackers” have received their fare share of attention, planter men and women have also been exhaustively studied. Why the need to focus southern history on individual social groups? Outside of convenience, there seems to be no clear-cut answer to this dilemma. Ultimately, I believe that this scholarly bifurcation of southern society along the lines of elite “haves” and downtrodden “have-nots” ignores the wider range of social experience in the turn-of-the-century South. And after consulting the many histories of the postbellum South, one might reasonably ask: where have the middling types gone?<sup>2</sup>

Aside from work that examines the impact of the middle class on southern progressivism in the early twentieth century, historians have devoted scant attention to the middle-class southerner.<sup>3</sup>

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<sup>2</sup>The debates over the continuity thesis are many and varied. For a strong overview, see Harold D. Woodman, “Economic Reconstruction and the New South,” in John B. Boles and Evelyn Thomas Nolen, eds., *Interpreting Southern History: Historiographical Essays in Honor of Sanford W. Higginbotham* (Baton Rouge: Louisiana State University Press, 1987). On the history of poor southern whites, see I. A. Newby, *Plain Folk in the New South: Social Change and Cultural Persistence, 1880-1915* (Baton Rouge: Louisiana State University Press, 1989); J. Wayne Flynt, *Dixie’s Forgotten People: The Southern Poor Whites* (Bloomington: Indiana University Press, 1979). On the history of southern planter elites and belles, see Paul D. Escott, *Many Excellent People: Power and Privilege in North Carolina, 1850-1900* (Chapel Hill: University of North Carolina Press, 1985); Dwight D. Billings, Jr., *Planters and the Making of a “New South”: Class, Politics, and Development in North Carolina, 1865-1900* (Chapel Hill: University of North Carolina Press, 1979); Drew Gilpin Faust, *Mothers of Invention: Women of the Slaveholding South in the American Civil War* (New York: Vintage Books, 1996).

<sup>3</sup>On southern progressives and the role of the middle class, see Dewey Grantham, *Southern Progressivism: The Reconciliation of Progress and Tradition* (Knoxville: University of Tennessee Press, 1976); William Link, *The Paradox of Southern Progressivism, 1880-1930*



When historians have written about the nineteenth- and early twentieth-century American middle class, their studies have generally analyzed developments in the North.<sup>4</sup> Only recently have historians begun to loosely define the southern middle class, black or white, and examine its most salient features. Perhaps historians are perplexed by the seemingly amorphous nature of the American middle class. Scholars have certainly acknowledged the existence of a middle class, but few appear unable to divorce their studies of this social group from the socioeconomic indicators that many believe define it. Is the middle class, North or South alike, nothing more than an enigmatic, constantly shifting economic category of distinction? Has the middle class been overwhelmed and infatuated by the powerful impulses of a "consumer culture?" Historians, I believe, have failed to delve into the culture of the middle class without succumbing to these provocative (though, I would argue, unsatisfying) cultural issues. This chapter examines these concerns by exploring the values

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(Chapel Hill: University of North Carolina Press, 1992).

<sup>4</sup>Studies of the northern postbellum middle class are numerous. See Burton J. Bledstein, *The Culture of Professionalism: The Middle Class and the Development of Higher Education in America* (New York: W.W. Norton & Company, 1976); Karen Halttunen, *Confidence Men and Painted Women: A Study of Middle-Class Culture in America, 1830-1870* (New Haven: Yale University Press, 1982); John S. Gilkeson, Jr., *Middle-Class Providence, 1820-1940* (Princeton: Princeton University Press, 1986); Cindy Sondik Aron, *Ladies and Gentlemen of the Civil Service: Middle-Class Workers in Victorian America* (New York: Oxford University Press, 1987); E. Anthony Rotundo, "Learning About Manhood: Gender Ideals and Middle-Class Family in Nineteenth-Century America," in J.A. Mangan and James Walvin, eds., *Manliness and Morality: Middle-Class Masculinity in Britain and America, 1800-1940* (New York: St. Martin's Press, 1987); Elaine S. Abelson, *When Ladies Go A-Thieving: Middle-Class Shoplifters in the Victorian Department Store* (New York: Oxford University Press, 1989); Stuart M. Blumin, *The Emergence of the Middle Class: Social Experience in the American City, 1760-1900* (Cambridge: Cambridge University Press, 1989); Paul Axelrod, *Making a Middle Class: Student Life in English Canada During the Thirties* (Montreal: McGill-Queen's University Press, 1990).

and dynamics of the southern middle class and places a middle-class culture squarely at the forefront of southern commercial and urban developments in the early twentieth century.<sup>5</sup>

## **B. Urban Growth and the Southern Middle Class**

A southern middle class rose to prominence during the last quarter of the nineteenth century. Its rise was predicated upon the emergence and development of an industrial, commercially-oriented urban infrastructure. Throughout the postbellum years, many southern cities like Atlanta experienced a number of economic shocks and dislocations. These changes brought new markets, capital, and many new forms of employment to the South. According to economic historian James C. Cobb, Atlanta's growth was largely commercial, not industrial. "On the eve of World War I," he writes, "Atlanta's \$340 million in trade dwarfed its \$41 million in manufacturing." As this commercial center grew, Atlanta literally became the South's central railroad hub: locomotives pulled rail cars that carried everything to the city from farm products and natural resources to migrant laborers and dispossessed farmers.<sup>6</sup> Census data collected between 1870 and 1920 confirm these

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<sup>5</sup>Historians of the South have seen middling influences in their investigation of southern yeoman farmers. See Steven A. Hahn, *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890* (New York: Oxford University Press, 1983); Stephanie McCurry, *Masters of Small Worlds: Yeoman Households, Gender Relations, & the Political Culture of the Antebellum South Carolina Low Country* (New York: Oxford University Press, 1995); Paul Escott, ed., *North Carolina Yeoman: The Diary of Basil Armstrong Thomasson, 1853-1862* (Athens: University of Georgia Press, 1996), especially xi-lxxi. Southern middle-class blacks have received much recent attention. See Janette Thomas Greenwood, "Bittersweet Legacy: The Black and White 'Better Classes' in Charlotte, North Carolina, 1850-1910," (Ph.D. diss., University of Virginia, 1991); Glenda Gilmore, *Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920* (Chapel Hill: University of North Carolina Press, 1996). The latest work that focuses some attention on the southern middle class is Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Pantheon Books, 1998).

<sup>6</sup>James C. Cobb, *Industrialization and Southern Society, 1877-1984* (Lexington: University Press of Kentucky, 1984), 36.

observations. Unprecedented urban growth coupled with an unparalleled number of newly renovated or recently constructed factories brought significant change to Atlanta. And these changes affected almost every southerner, rich or poor. Rural Georgians left their farms in large numbers during these decades and migrated to Atlanta in search of work as the city's total number of wage earners rose with each passing decade. Traditional southern elites, most of whom had been raised to respect the honor culture of the Old South, found themselves immersed in a chaotic and tumultuous society (one where traditional cultural tenets received less and less public approbation). Moreover, middle-class southerners began to assume positions of authority over the lives of many of these southerners. Managers, foremen, and superintendents like Leo Frank -- all exhibiting distinctly middle-class characteristics and values -- found themselves in new and increasingly important positions in southern life.<sup>7</sup>

The urbanization of Georgia after the turn of the century influenced the development of that state's middle class in many ways. While Georgia's urban population rose slowly but gradually in the three decades following the end of the Civil War, its growth between 1890 and 1920 was spectacular. Census takers considered roughly 9.4 percent of the state's population "urban" in 1890; but that percentage reached over 20 by 1910. And while migrant laborers comprised a significant portion of this population, middle-class southerners made up an equally important share. Throughout Georgia, as in other southern states, cities like Atlanta experienced an industrial boom:

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<sup>7</sup>On the turn-of-the-century urban transformation of the South, see Lawrence Larson, *The Rise of the Urban South* (Lexington: University Press of Kentucky, 1985); David R. Goldfield, *Cotton Fields and Skyscrapers: Southern City and Region, 1607-1980* (Baton Rouge: Louisiana State University Press, 1982); Blaine A. Brownell and David R. Goldfield, eds., *The City in Southern History: The Growth of Urban Civilization in the South* (Port Washington, NY: Kennikat, 1977). On the migration of white southerners, see Edward Ayers, *The Promise of the New South: Life After Reconstruction* (New York: Oxford University Press, 1992), 24.

the number of Georgia's commercial establishments increased dramatically between 1890, when 4,285 factories were in operation, and 1900, when that number jumped to 7,504 -- the largest recorded ten-year increase in the state's pre-World War II history. Taken together, these statistics support the view that Atlanta's overall economic and commercial might grew unabated during the last quarter of the nineteenth and first quarter of the twentieth centuries. With this rise there came a concurrent growth in manufacturing assets, capital, and net worth. In 1890, census takers estimated that Georgia's businesses were worth slightly less than \$57 million; by 1910 that value had exceeded \$200 million. In order to prosper, these businesses required an efficient and effective infrastructure: managers, superintendents, typists, stenographers, clerks and other salaried middle-class southerners filled these posts and assumed prominent positions in this expanding southern commercial network. Undoubtedly, without these new positions and roles, there would have been little need for a middle class in the region.<sup>8</sup>

### C. Patterns of Work Among Urban, Middle-Class Southerners

The life of an average white, middle-class southerner like Leo Frank differed in many ways from that of his working-class counterpart. At the root of this difference was the way in which urban southerners like Frank perceived and approached the work they performed. Middle-class southerners experienced both the notion of serious work and the completion of assigned or administered tasks differently than did others in southern society. Aside from the belief that work was, or at least had the potential to be, an intellectual endeavor, the remuneration one received from work, the hours one devoted to work, and the identity created by the work one performed were separate components of

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<sup>8</sup>Don B. Dodd and Wynelle S. Dodd, *Historical Statistics of the South, 1790-1970* (University, AL: University of Alabama Press, 1973), 18-21.

a unified middle-class conception of work -- and this was essentially different from how other southerners approached their work. As we saw in the previous chapter, the working girls who labored for Frank remained more or less anonymous "working girls," "shop girls" and "factory girls" who executed nondescript, rote tasks. In contrast, urban-based, middle-class southerners often defined themselves personally by the work they performed. Leo Frank was a superintendent, his associate Herbert Schiff was a manager, his friend Richard Daly was a physician, and his schoolmate T. H. Clement, Jr. was a civil engineer. Work often defined middle-class lives and gave meaning to the ways these individuals experienced their everyday activities. Unlike the drudgery of menial labor or the monotony of assembly-line, industrial work, middle-class work was challenging and thought-provoking. Work was more than just a function of everyday experience; it defined identity and created status for the middle-class professional like Leo Frank.<sup>9</sup>

In his important study of the nineteenth-century middle class, historian Stuart Blumin discussed the significance of work and its relation to the culture of this social group. Blumin focused

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<sup>9</sup>On the central features of middle-class work, see Daniel Nelson, *Managers and Workers: Origins of the New Factory System in the United States, 1880-1920* (Madison: University of Wisconsin Press, 1975); Peter R. Decker, *Fortunes and Failures: White-Collar Mobility in Nineteenth-Century San Francisco* (Cambridge: Harvard University Press, 1978); Robert A. Stebbins, *Amateurs: On the Margin Between Work and Serious Leisure* (Beverly Hills: Sage Publishers, 1979); Jurgen Kocka, *White Collar Workers in America, 1890-1940*, trans. By Maura Kealy (Beverly Hills: Sage Publishers, 1980); Dale Johnson, ed., *Class and Social Development: A New Theory of the Middle Class* (Beverly Hills: Sage Publishers, 1982). A classic text that analyzes the field of business management and nineteenth-century development in American industry remains Alfred D. Chandler, *The Visible Hand: The Managerial Revolution in American Business* (Cambridge: Belknap Press, 1977). Comparing middle-class work with industrial labor is an especially effective way to gauge qualitative differences. See John T. Cumbler, *Working-Class Community in Industrial America: Work, Leisure, and Struggle in Two Industrial Cities, 1880-1930* (Westport: Greenwood Press, 1979); S. J. Kleinberg, *The Shadow of the Mills: Working-Class Families in Pittsburgh, 1870-1907* (Pittsburgh: University of Pittsburgh Press, 1989).

his analysis on the distinction between nonmanual and manual work.<sup>10</sup> However, there were other aspects of middle-class work that distinguished it from working-class labor. The nature of one's work, especially the time one devoted to his work or profession, was often determined by whether that individual worked with his brain or brawn. For example, in contrast to the hours of work performed by Leo Frank's employees, most of whom punched time cards and worked pre-established shifts each day or week, Frank's working schedule fluctuated weekly and commanded his time and attention at varying hours of the day. On the Saturday afternoon that Mary Phagan was murdered, for instance, Frank was at the factory busily tabulating and computing figures for a stock analysis. Though his job description did not call for his appearance at the factory on these weekend mornings or afternoons, Frank could almost always be found spending his leisure moments at the plant. The devotion he exhibited to the work he performed was no different from that of most other managers or professionally-educated experts like him. Indeed, Frank's experiences were quite typical for the time.<sup>11</sup>

Middle-class managers like Frank generally believed that little stood in the way of completing and perfecting their work. Few saw the "time clock" as an enemy that impeded one's abilities or work habits. They rarely left their work unattended for long intervals of time and the

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<sup>10</sup>Blumin, *The Emergence of the Middle Class*, see pps. 66-107.

<sup>11</sup>On professionalism, see Bledstein, *The Culture of Professionalism*; Bledstein, "Discussing Terms: Professions, Professionals, Professionalism," *Prospects* 12(1986): 1-15; Mary O. Furner, *Advocacy and Objectivity: A Crisis in the Professionalization of American Social Science, 1865-1905* (Lexington: University Press of Kentucky, 1975); Thomas L. Haskell, ed., *The Authority of Experts: Studies in History and Theory* (Bloomington: University of Indiana Press, 1984); Nathan O. Hatch, ed., *The Professions in American History* (Notre Dame: University of Notre Dame Press, 1988); Robert A. Stebbins, *Amateurs, Professionals, and Serious Leisure* (Montreal: McGill-Queen's University Press, 1992).

work itself often remained intellectually stimulating and challenging. The middle-class professional intimately tied his work to his thought processes and that work commanded attention at varying hours of the day. At the same time, the middle-class professional rarely functioned by rote, mechanical ways. Because of these circumstances, middle-class people often took their work home with them. Their work was challenging and demanding, and when it became necessary, middle-class southerners worked at all hours of the day, night, or week. In a letter from Leo Frank to Lucille Selig, written prior to their wedding, Frank wrote: "Last night I brought home some work from the factory, and put in two hours work." Though the work needed to be done, Frank was not overjoyed by the situation, adding "I won't do it again in a hurry as I felt very groggy afterwards."<sup>12</sup>

Unlike the working girls at the factory who would never have considered bringing home their work, Leo Frank did when he felt it was necessary. Despite his complaints, then, Frank brought work home when he felt it commanded his attention. This situation did not change even after his murder trial. While incarcerated in 1915 for the murder of Mary Phagan, Frank continued to scrutinize the style and quality of the pencils he manufactured. In one letter to Herbert Schiff, another manager at the National Pencil Company, the superintendent briefly complained about the quality of some of the pencils Schiff had sent him. "Some of the No. 75's you sent answer my present needs fully. They're only off on the finish, the lead is all right." Frank noticed such minutiae and often spent considerable time pondering solutions to his work-related problems. To some,

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<sup>12</sup>Leo M. Frank to Lucille Selig, June 10, 1909, box 2, reel, 1, BRAN.

especially those Frank employed, this behavior must have appeared either unnecessary or foolish; to other middle-class professionals, however, it was completely understandable.<sup>13</sup>

At Leo Frank's trial, Joel C. Hunter, a public accountant, offered further evidence of Frank's devotion to his work. Hunter testified that the work he had analyzed on behalf of the defense -- the work Leo Frank had performed during the Saturday afternoon of Mary Phagan's murder -- appeared flawless and precise. "It was correct within a decimal point," stated the accountant. In another piece of testimony delivered by Herbert Schiff, the pencil plant's assistant manager told the jury precisely what he and Frank were responsible for completing each week at the factory. "The financial sheet which Mr. Frank and I worked on Saturdays showed how our week terminates, whether at a profit or a loss. We had to show what we manufactured, what we packed, the materials that were made to go on the pencils, covering lead, plugs, tips, boxes. We showed our shipments," he concluded, "what our average order jobs amounted to, what we purchased for and the price." Only a skilled superintendent, intimated Schiff, could perform such work because the work itself required a fastidious concern for all things big and small. These tasks required precision, concentration and accountability, and Leo Frank appeared to lack none of these requisite skills.<sup>14</sup>

Like so many other middle-class professionals, Frank demanded perfection from himself, his employees, and his business associates. In a letter to the Southern Express Company, Frank wrote that he had "received from your Company here on December 22nd, a package in damaged condition.

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<sup>13</sup>Leo Frank to Herbert Schiff, July 15, 1915, SC-3578, Leo Frank Correspondence, American Jewish Archives, Cincinnati, Ohio. There was one group of working people who routinely brought work home. Sweatshop laborers relied on piece-work to augment their meager weekly wages and often brought home bundles of unfinished clothing.

<sup>14</sup>Brief of Evidence at 99, 86, *Leo M. Frank v. State of Georgia*.



This package was sent from New York City, via Adams Express Co.” Frank fully expected to be reimbursed for the damaged goods. Moreover, the superintendent’s words are telling: they convey an image of a serious professional who had been trained to communicate with other businessmen in a language of contractual obligations and written order forms. As an individual who valued the importance of information, Frank kept accurate and up-to-date records of every transaction he made, including the one to the Southern Express Company. “I wish you to keep this letter on file,” he reminded them, “awaiting proper affidavits to be made out by the shipper and the receiver. Trusting you will give this matter your immediate attention upon its arrival,” Frank concluded his correspondence in courteous, determined, yet professional and restrained language. This, after all, was a mark of the managerial elite.<sup>15</sup>

Regardless of the work they performed, middle-class southerners earned salaries. This form of remuneration further distinguished the middle-class salaried employee from the wage-earning worker. While the working girls under Frank’s supervision labored hourly for wages (Mary Phagan earned 12 cents an hour for her work), middle-class professionals like Frank received a salary. A salary gave one a much greater feeling of security and stability. It afforded its recipients the leisure to plan future purchases and consider future savings. Wage earners, in comparison, lacked this sense of security. Menial laborers often worked unpredictable hours and many working-class Americans had to contend with random and unanticipated periods of unemployment. While middle-class professionals and managers certainly faced and feared periodic unemployment, few were placed in such a precarious position with the same frequency as working-class Americans. Indeed, working people dealt with these problems almost daily. Consequently, unpredictable employment patterns

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<sup>15</sup>Leo Frank to Southern Express Company, December 24, 1910, box 6, folder 2, AHS.

and lower wage rates created great economic disparity between working people and their middle-class counterparts. Writing about these discrepancies and their effect on the formation of working-class family life at the turn of the twentieth century, historian S. J. Kleinberg observed: "The jobless figure among working-class men hovered around 33 percent [in comparison to approximately 1 percent among middle-class professionals], suggesting that some of the affluence enjoyed by the middle class stemmed from the security of their jobs as well as their higher rates of remuneration." With steady employment and remuneration, the salaried middle-class professional lived in a genuinely more secure and stable environment than his working-class counterparts.<sup>16</sup>

Leo Frank earned \$150 a month (approximately \$1,800 a year) as superintendent of the National Pencil Company. This was a sizable income by any standard of measure for the second decade of the twentieth century. Moreover, Frank's compensation, measured against other working-class wage rates, placed him securely among those at the higher end of America's social spectrum.<sup>17</sup> Frank continued to earn a salary even while he was imprisoned. This was an admittedly peculiar circumstance (made less confusing when we remember that Frank's uncle, Moses Frank, was one

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<sup>16</sup>Kleinberg, *The Shadow of the Mills*, 22. On working-class lifestyles at the turn of the twentieth century, see Kathy Peiss, *Cheap Amusements: Working Women and Leisure in Turn-Of-the-Century New York* (Philadelphia: Temple University Press, 1986); Patricia Cooper, "Women Workers, Work Culture, and Collective Action in the American Cigar Industry, 1900-1919," in Charles Stephenson and Robert Asher, eds., *Life and Labor: Dimensions in American Working-Class History* (Albany: State University of New York Press, 1986): 190-204; David Montgomery, *The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865-1925* (Cambridge: Cambridge University Press, 1989), 143-8; Lizabeth Cohen, *Making a New Deal: Industrial Workers in Chicago, 1919-1939* (New York: Cambridge University Press, 1990), 99-158.

<sup>17</sup>Cindy Sondik Aron's study of nineteenth-century middle-class clerks suggests that a salary of \$1,000 placed an individual squarely in the socioeconomic category of the middle class. See Aron, *Ladies and Gentlemen of the Civil Service*, 31.

of the primary investors in the pencil plant) and few working people would ever have imagined sharing it with their middle-class supervisors. Fully eighteen months after his initial arrest, Frank was notified in a rather formal letter that “Owing to the depressed business conditions, we [at the National Pencil Company] are compelled to reduce all our employees’ salaries, and we are accordingly enclosing herewith check for \$100.00 instead of \$150.00 as previously paid you per month.”<sup>18</sup> Frank’s salary had not been suspended, however, only reduced. In fact, Frank’s personal predicament had not even caused the reduction. Instead, the National Pencil Company, like many other Atlanta businesses at the time, had been losing profits during the year and salary cuts affected virtually every employee at the factory. Regardless of the decrease in pay, Frank’s salary still earned him stability in an economic environment that often changed dramatically. Furthermore, it continued to mold and shape his sense of personal status and identity.

#### **D. Planning a Middle-Class Career**

The well-compensated work that middle-class professionals performed necessitated a good deal of planning. Planning was an intellectual activity that required time and consideration. Over the course of his life, Leo Frank made plans in several different ways. Planning often involved charting one’s daily activities. Leo Frank kept lists of notes and reminders that allowed him to keep track of his daily activities and appointments. He jotted down handwritten messages that reminded him to “answer suggestion of Max W. Newman.” Personal information, like home phone numbers and addresses, usually accompanied these notes. At other times, Frank scribbled messages like “drop a line” or “return letter”; these reminded him to keep in touch with friends or interested parties who had expressed concern with his legal plight. Frank also maintained an accurate account book in

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<sup>18</sup>National Pencil Company to Leo Frank, October 28, 1914, box 1, folder 7, AHS.

which he wrote down his various expenses. Whether they were minute or extravagant, he recorded virtually every expenditure with care and precision. Some included payments to "Papa," accounts received from business associates, or daily expenses for soda, carfare, or other wants or needs. This type of short-term planning allowed Frank -- as it did so many other Americans -- to organize his daily routines with as much accuracy as he wished.<sup>19</sup>

Another form of planning involved charting one's life course. And unlike the keeping of daily reminders and lists, a large number of Americans did not share this form of planning. Planning a life course, or a "career" as it came to be popularly termed by the end of the nineteenth century, was a much more sophisticated and difficult task than planning one's daily regimen. Accordingly, middle-class southerners, more than any other southern social group, mapped their careers and their futures. By doing so, they were consciously attempting to take charge of their lives and future opportunities. Careers were a distinct part of the middle-class southerner's professional or occupational life. They were emotionally taxing, powerful and challenging. They evolved unexpectedly and required an ability to adapt to changing circumstances. In addition, career paths were not only affected by educational and occupational opportunities, but by sheer luck or chance as well. Sometimes, unanticipated events shaped careers while at other times careers emerged as they had been planned and imagined.<sup>20</sup> How important was the planning of a middle-

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<sup>19</sup>Lists of Frank's expenses and daily reminders are found in box 6, folder 2, AHS.

<sup>20</sup>In his seminal study of the middle class and their culture of professionalism, historian Burton Bledstein defined what he considered to be the most important characteristics of a middle-class career. "When speaking of occupational activities in the new [nineteenth-century] usage of *career*, an individual no longer confined himself to the description of a random series of jobs, projects, or businesses which provided a livelihood. The individual could now speak of a larger and more absorbing experience -- a career: a pre-established total pattern of organized professional activity, with upward movement through recognized preparatory stages, and

class career? William Watts Folwell, another late nineteenth-century middle-class Victorian and the president of the University of Minnesota during the last quarter of the century, discussed its importance in the pages of his own autobiography. Folwell wrote that, of his greatest regrets in life, “one is that I formed no plan or conception of a life work but just jogged along, leaving that to take care of itself.” Despite Folwell’s failure to plan his life course, he had done well for himself. Still, Folwell continued to believe that, had he approached his career goals with more seriousness, he might have encountered other even more challenging opportunities.<sup>21</sup>

A combination of planning, adaptability, and, at times, luck shaped Leo Frank’s own career. From 1906, when Frank left Cornell University, to the spring of 1913, when he was arrested for murder, several unimaginable events and many personal decisions altered and affected his career. After Frank graduated from Cornell with a degree in mechanical engineering, a company in Boston hired him to work as a draftsman. Frank found the work unsatisfying and so he left the firm. With his career already beginning to form, change, and take shape, Frank moved back to the home of his parents in Brooklyn, New York and found work as a testing engineer. At this company, Frank was able to utilize more of the scientific training he had been taught at Cornell. In this case, Frank’s education had provided him with the necessary skills to alter his career path.<sup>22</sup> As with his previous

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advancement based on merit and bearing honor.” See Bledstein, *The Culture of Professionalism*, 172. Bledstein’s definition is clearly applicable to Leo Frank’s life and the decisions Frank made regarding his own career.

<sup>21</sup>Solon J. Buck, ed., *William Watts Folwell: The Autobiography and Letters of a Pioneer of Culture* (Minneapolis: The University of Minnesota Press, 1933), 33.

<sup>22</sup>On the relationship between education and professional careers, see David O. Levine, *The American College and the Culture of Aspiration, 1915-1940* (Ithaca: Cornell University Press, 1986); Bledstein, *The Culture of Professionalism*, 123-4. Of all America’s immigrant groups, few took American educational opportunities as seriously as Jewish immigrants did. See

position, however, Frank did not stay long. In 1907, Frank's career took a dramatic turn when his uncle, Moses Frank, offered him a superintendent's position in Atlanta. When Frank accepted this post he fully understood that much of the education he had received, including the scientific form of inquiry that he had been taught, would become obsolete. Indeed, Frank really became a "human engineer" at the National Pencil Company, not a mechanical engineer. As such, he was charged with overseeing employees, payroll, and the operation of an efficient factory. In only a few short years, Frank's career had taken him to many cities, several jobs, and a progression of work-related challenges. This career path defined Frank's life in many ways, and it was a definition Frank was only too happy to employ.<sup>23</sup>

One of the central features of the professional career was its relationship to personal ambition. Throughout his career, for example, the pencil company's superintendent made personal, independent decisions based almost entirely on his own set of ambitions, wants and needs. In fact, as Frank's career progressed, so too did his salary and financial worth. While he may not have put the specialized scientific skills that he had learned at Cornell to much use in Atlanta, the high salary he received -- which included other forms of compensation like stock in the company --

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Sherry Gorlick, *City College and the Jewish Poor: Education in New York, 1880-1924* (New Brunswick: Rutgers University Press, 1981); Dan A. Oren, *Joining the Club: A History of Jews and Yale* (New Haven: Yale University Press, 1985); Stephan F. Brumberg, *Going to America, Going to School: The Jewish Immigrant Public School Encounter in Turn-of-the-Century New York City* (New York: Praeger, 1986).

<sup>23</sup>In chapter six, I argue that Frank defined himself as a white, middle-class factory manager or superintendent, not a northern-bred, transplanted Jew. This definition goes to the core of understanding Frank's cultural ties and values. On this theme, see Stephen Steinberg, "The Rise of the Jewish Professional: Case Studies of Intergenerational Mobility," *Ethnic and Racial Studies* 9(October 1986): 502-13; Neil M. Cowan and Ruth Schwartz Cowan, *Our Parents' Lives: The Americanization of Eastern European Jews* (New York: Basic Books, 1989).

counterbalanced whatever reservations Frank may have had. His greater economic stature also meant that he found himself able to live a more comfortable and secure lifestyle. With his newfound status and wealth, Frank was able to court and eventually marry Lucille Selig, the daughter of one of Atlanta's prominent Jewish families. Ideally, then, the middle-class career path created opportunities for personal improvement while it enabled the ambitious person to achieve self-sufficiency and independence.

How did middle-class professionals, North or South, formulate an understanding or notion of their careers? Many read guidebooks and pamphlets that outlined the contours and features of the professional career. Following a long literary tradition that wed middle-class culture to the consumption of "how to" books, broadsides and guide books, middle-class Americans relied on this literature to learn about the changes that awaited their professional lives. Dr. Robert Thurston, Director of the College of Mechanical Engineering at Cornell University in the late 1890s and early 1900s, contributed essays to *Careers For the Coming Men*, one such guidebook directed specifically at middle-class professionals.

Thurston, one of America's early professional, career-oriented educators, was a pioneer of engineering and students eagerly went to him for advice and aid. At the age of sixteen, Thurston enrolled at Brown University and graduated in 1859 with an advanced degree in engineering. After a stint with the United States Navy during the Civil War, he coordinated and ran several engineering programs at schools as diverse as Annapolis and the Stevens Institute. Between 1885 and 1903, Thurston taught courses in engineering at Cornell University where he zealously promoted the department's growth. His innovative work on steam engines, principles of heat, and the physics of structural materials earned him many well-deserved honors. At the same time, Thurston also took

his teaching seriously. “Hundreds of engineers who passed under his personal instruction,” wrote his biographer in the *Dictionary of American Biography*, “being touched by his loyalty to scientific truth and his high ideals of life and service and carrying into after life the inspiration of his example, were the most influential contribution to his profession of this pioneer in the domain of engineering education.”

Thurston ran the College of Mechanical Engineering during the years when Leo Frank was enrolled at Cornell and it is quite probable that Thurston taught one or more of Frank’s courses. It is equally as likely that Thurston influenced Frank’s academic, professional, and career developments in any number of ways. Thurston wrote about personal ambition, the importance of receiving a professional education, and the proper and most productive ways to enhance one’s career. In the pages of *Careers For the Coming Men*, Thurston described one former student of his whose unanticipated good fortune helped lead to a solid career. And he attributed this student’s career to a combination of studiousness, resourcefulness, and sheer luck. “One young man dropped out of college to secure an opportunity to become familiar with an important industry, the chance coming unexpectedly [*sic*]. He returned to take his degree, three or four years later, with a contract for four years, at \$6,500 a year, in his pocket.”<sup>24</sup> Despite this student’s unanticipated absence from school, Thurston was sure to stress the fact that he had returned to the university to complete his degree. Thurston’s point was clear: careers developed and evolved unexpectedly, and it was left to the individual who combined skill, education, planning, and resourcefulness to take full advantage of any unforeseen development. Furthermore, Thurston minced few words when he argued that good

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<sup>24</sup>Whitelaw Ried, et.al., *Careers For the Coming Men: Practical and Authoritative Discussions of the Professions and Callings Open to Young Americans* (Akron: The Saalfeld Publishing Company, 1907), 117.



habits, especially frugality, industry and honesty, enabled the middle-class professional to enjoy many rewarding career opportunities.

Thurston wrote about the importance of honesty, and his pupils like Leo Frank took his suggestions seriously. To be honest with one's life choices, abilities and associates was to make the possibility of success that much more likely. Thurston discussed the advantages, pecuniary or otherwise, that came to those who exhibited honesty and trust. "If able and reliable and loyal to his employers," wrote Thurston, the middle-class professional "is far more likely to be promoted faster than is desirable than to remain unrecognized in any important organization."<sup>25</sup> Thurston stressed how honesty and reliability secured recognition from other middle-class professionals and careerists because those individuals implicitly appreciated such values. Thurston's advice certainly influenced Frank and many of his fellow schoolmates. Several of Leo Frank's supporters, especially classmates of his from Cornell University, expressed a keen appreciation for Frank's inherent honesty and good character. One correspondent wrote that "Frank's conduct, since the day of his arrest and especially throughout the long protracted ordeal of his imprisonment, has confirmed my belief in his innocence. No guilty man could have been characterized by such a demeanor." Later he suggested that those who controlled Frank's fate could not fail to set him free for, like those with authority, Frank was "too broad-minded, too intelligent, and too honest...." A family member echoed these sentiments when she described the "gentle, calm, yet steady and fearless look of truth that emanated from [Frank's] manly eyes...." Dr. Richard R. Daly, an Atlanta physician who supported Frank, also wrote about honesty, adding: "The authorities can not [*sic*] fail to recognize your trustworthiness and sound

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<sup>25</sup>*Ibid.*, 115.

common sense, nor to be unmindful of your fine personal characteristics.” To these middle-class Americans, honesty was a moral virtue that shaped careers and helped secure one’s goals.<sup>26</sup>

According to guidebooks and advice literature directed at early twentieth-century, educated middle-class individuals like Leo Frank, certain qualities, like honesty, resourcefulness, and frugality, were habits that when properly demonstrated could effectively promote the ambitious middle-class careerist over his opponents. According to the introductory remarks found in one guidebook, a young man’s entire career could easily be tarnished if parents failed to instill these habits at a young age. “Not to every parent, though, is given the clarity of vision which will enable him to perceive the unwisdom [*sic*] of his boy’s choice, or, if perceiving it, the ability to lead him gently to the path which it were best he should take. For want of just such penetration the ocean of life is full of many human wrecks, hulks battered on the rocks of misguided effort.” This writer suggested that these unfortunate circumstances often resulted from unforeseen and seemingly innocent minor errors in judgement or implementation. “And it might easily have been that a few words, spoken in the right way and at the proper moment, would have directed the buoyant bark of youth into the smooth waters of progress and achievement.”<sup>27</sup> What then were the conditions that

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<sup>26</sup>Lucian Lumar Knight to Nathan Straus, December 6, 1914, Box 45, folder 13, GDAH; Aunt Amelia to Leo Frank, December 21, 1914, box 3, folder 2, AHS; Dr. Richard R. Daly to Leo M. Frank, July 15, 1915, box 1, folder 1, AHS.

<sup>27</sup>Reid, *Careers For the Coming Men*, 7. In Cindy Sondik Aron’s study of late nineteenth-century middle-class clerks, Aron presented several examples of individuals who followed career-minded guidelines but still managed to fail in life. “Horatio Dorr’s problems lay not with his own shortcomings as a businessman, but with the fault of the companies for which he worked.... Dorr’s brother described him as ‘one of these unfortunate men, who, without any bad habits, and with a good deal of ability, especially in clerical work, seems always to allay himself to concerns which, though seemingly prosperous, shortly after go out of business and leave him stranded.’ ” See Aron, *Ladies and Gentlemen of the Civil Service*, 26.

best secured one's passage upon those "smooth waters of progress?" According to this writer, "the conditions of eminent success are inexorably hard," adding that "only a few will make the sacrifice" that was required. He then set down a list of conditions that had to be met before one could secure the comforts of a successful and fulfilling career:

First -- One must believe his adopted vocation is for life, and he must work like a gladiator. Patient, untiring industry always receives its reward.  
 Second -- To be a "society man" and a lover of pleasure is fatal to success.  
 Third -- Only such recreation as is necessary to preserve health is permissible.  
 Fourth -- Intemperance and excesses of all kinds are barred out.  
 Fifth -- It is mandatory to rise early with a clear brain refreshed by necessary rest. Morning is the best time to work, as the proverbs in all languages testify.  
 Sixth -- If occasion demands it, one must face the strictest economy in diet, dress, and all home surroundings.<sup>28</sup>

In one form or another, these values -- as extreme as some might appear -- spelled out those shared by most turn-of-the-century urban, middle-class professionals. They were the core values of a serious, ambitious middle class and they were not lost on middle-class southerners who aspired to enjoy a successful career.

#### **E. Notions of Honesty and Honor**

As I have already emphasized, middle-class Americans, North and South alike, valued an honest disposition and an honest character. "Honesty" meant many things to these people, and definitions found in the *Oxford English Dictionary* illuminate its significance in early twentieth-century middle-class culture. It is interesting to note that well into the eighteenth century, "honesty" literally meant "holding an honorable position." By the middle of the nineteenth century, however, it had come to mean "without disguise, open, frank, not concealing one's true character... truthful, candid; that [which] will not lie, cheat, or steal." And by the early twentieth century, when Leo

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<sup>28</sup>Reid, *Careers for the Coming Men*, 46.

Frank was a young adult, notions of honesty and respectability had become intertwined in several explicit ways. Furthermore, there was a new and developing richness to terms like “honest” and “honesty,” especially as slang in nineteenth-century American vernacular English, that had not existed prior to the century. By this time, the notion of “honesty” and the applicability of the term meant more to middle-class Americans like Frank than its mere relation to business arrangements or money-making ventures. For example, an “honest mouth” told no lies; it was possible to bring home “honest bread”; a man worthy of the title gentleman could make a fallen woman an “honest woman” through marriage; and by the middle of the nineteenth century an “honest penny” was earned for an “honest day’s work.” Even as a prefix, “honest” had interesting meaning: by the late nineteenth century, one came in contact with an “honest-looking” person, or someone who even appeared “honest-natured.” Indeed, during Leo Frank’s trial, both the defense and the prosecution argued whether Frank had an “honest-looking” face or a sinister one.<sup>29</sup>

Honesty had other more personal meanings for the middle class of the late nineteenth and early twentieth centuries. Charles M. Baldwin, a middle-class fireman from the Hudson Valley region, kept a diary during the last quarter of the nineteenth century. In it he wrote about honesty and its relation to his everyday life. Baldwin wrote emotionally about the dishonesty shown him by an old friend. It is apparent that Baldwin kept values like candor and truthfulness in high regard. “During the next three years I saw John three or four times,” he began. “But his absence was not the

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<sup>29</sup>See definitions of “honest” and “honesty” in the *Oxford English Dictionary*. Throughout the nineteenth century, many middle-class Americans described “dishonest-looking” individuals who roamed city streets and preyed on unsuspecting citizens. The middle class rightly feared these street types. They believed that “watch stuffers,” “damp sneaks,” and “steerers” looked for “greenhorns” and gullible middle-class individuals alike to sustain their daily and dishonest practices. On these “dishonest” and “disreputable” street types, see Halttunen, *Confidence Men and Painted Women*, 7-8.

only thing I had to regret. Before that he had been a friend in whom I could fully confide anything and everything: but since then there has been a painful succession of broken promises and unkind neglect. No longer is he the same true and loving friend I once deemed him," Baldwin concluded. "No longer can I put full trust and implicit reliance in his word or his promises."<sup>30</sup> The middle class took the exhibition of honesty seriously. Few accepted dishonesty in their interpersonal relations, just as few allowed the inherently dishonest wheeling and dealing of patronage politicians and corrupt officials to tarnish their lives. Indeed, it was the middle class that often led the charge to reform America's corrupt institutions and individuals. Middle-class Americans, North or South, valued honesty and believed that it served a key function in any fair institution or fulfilling relationship. As one early twentieth-century southern woman wrote in the pages of her diary, "Raising children, working and nursing them is a Herculean task -- yet if they will be true, honest, upright, God fearing, and God loving, I shall feel I've been doing a good work and not a fruitless one."<sup>31</sup> Without instilling honesty, one was left with the possibility that promises would be broken, offspring would become unmanageable and unreliable, friendships would be ruined, and corruption would reign supreme.

Middle-class southerners often discussed the distinction between honesty and honor, and examined it in relation to their lives. These individuals regularly described honor as an anachronistic, old-fashioned feature of the South; a way of life that had long since lost much of its meaning. Most also saw the culture it spawned -- the honor culture -- as a system of values with

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<sup>30</sup>Quotation from August 24, 1868, Charles M. Baldwin Diary, p.33, New York State Library Archives, Albany, New York.

<sup>31</sup>Charles A. Le Guin, ed., *A Home-Concealed Women: The Diaries of Magnolia Wynn Le Guin, 1901-1913* (Athens: University of Georgia Press, 1990), 58.

limited relevance to an emerging commercial world of production and consumption. To Leo Frank, it was more important to maintain honest business practices than it was for him to maintain honorable connections or ties to landed southern gentlemen and their like.

Other middle-class Americans shared Leo Frank's distaste for the honor culture. For example, after learning that several southern states had seceded from the Union in 1861, one middle-class southern farmer found the string of events unfathomable. "[T]o think of our own nation going to war with itself, the South against the North, it is awful to think of. How can people be so thoughtless and so wicked?" According to this southerner, honor had clearly compelled other, less thoughtful southerners to indulge themselves in sectional issues and destructive fantasies. By the turn of the century, other middle-class southerners discussed how much they disliked certain aspects of the honor culture. One southern woman described a store in her vicinity "that had toy pistols. I am opposed to children having toy pistols," wrote this concerned mother, "because it might have a tendency to create a desire for real pistols and do untold harm." To some extent, the honor culture was predicated on violence and a gun culture in the South. In her own way, then, this southern middle-class mother was eschewing her dominant cultural trends and replacing them with safer, more controlled patterns of behavior.<sup>32</sup>

Irving Bacheller, a nineteenth-century middle-class New Englander, discussed how relevant notions of honesty and honor had been throughout his own upbringing. As a youth raised on a New England farm, Bacheller left his rural birthplace for greater opportunities in the city. Too weak to perform heavy manual labor and more interested in reading books than tending to his father's crops, Bacheller began his career as an apprenticed clerk in a business before assuming greater

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<sup>32</sup>Escott, *North Carolina Yeoman*, 351; Le Guin, *A Home-Concealed Woman*, 28.

responsibilities with the firm. Of his youth and upbringing he wrote: "I do not recall that she [his mother] had ever spoken to me directly of that thing we call honor. There had been little need for it on a farm. We boys were faithful to our tasks and to one another.... We lived among sober, honest, industrious folk," he emphasized. Bacheller concluded his description by discussing how characteristics like temperance and honesty distinguished his family from others in the region. "Rather remote from us lived a man who often came home from the village drunk, running his horses, and another man even more remote was a notorious liar, while on the crossroads lived a swaggering fool whose mouth was filled with curses." Like others of the middle class, Bacheller understood that these were improper and destructive habits, adding that "We knew what our parents thought of such men." The middle-class individual, professional or otherwise, avoided the lure of dissipation and prospered by remaining honest and sober. Many believed that the values of a traditional honor culture had no place in a "civilized" (often read "commercial") world. Only through honesty would one be able to reconcile personal ambitions with decency and fairness.<sup>33</sup>

#### **F. The Culture of Thrift**

Most middle-class people believed that honesty to oneself and one's associates brought prosperity. However, most also felt that in order to secure a modicum of wealth and a level of stability, one needed to remain as resourceful and frugal as possible. Throughout the nineteenth century, middle-class Americans earned a comfortable income. That income may not have provided

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<sup>33</sup>Irving Bacheller, *Coming Up the Road: Memories of a North Country Boyhood* (Indianapolis: The Bobbs-Merrill Company, 1928), 91-2. Bacheller perhaps represents what historian Robert Wiebe has termed the "old middle class." According to Wiebe, an older, entrepreneurial, rural middle class reluctantly gave way to an early twentieth-century bureaucratic, managerial middle class of professionals and salaried employees. See Robert H. Wiebe, *The Search For Order, 1870-1920* (New York: Hill & Wang, 1967).

urban, middle-class southerners with total security, but it certainly helped relieve a great deal of unwanted stress and anxiety from their lives. Unlike southern factory laborers such as Mary Phagan, middle-class men and women could afford to save enough money and buffer themselves from life's unpleasant realities. Despite this advantage, however, middle-class incomes did not make planning and resourcefulness obsolete.

Most middle-class Americans did not spend their money randomly or indiscriminately, especially if they intended to spend their money on amusements or leisure activities. Middle-class southerners, like their counterparts to the north, often viewed expenditures of this kind as a frivolous waste. Instead, the middle class invested its modest resources in other areas. For example, middle-class Americans always placed more value (and, hence, expended more of their income) on education or the attainment of appreciable intellectual and mechanical skills than they did on the mere accumulation of wealth. "I am shut up in front room all alone by a splendid fire," began Magnolia Le Guin's diary entry for April 15, 1892. Le Guin cherished these valued moments of reflection and meditation. "I feel, when thus situated, like reading and writing." Education became a particular form of mobile capital for middle-class individuals; it enabled them to secure self-improvement and employment opportunities with greater ease than could others in society. As Le Guin wrote in another diary entry: "Mr. Lewis was here last week enroute [*sic*] to Locust G. after Bessie; she will not attend school there any more, Lil said -- expenses too heavy."<sup>34</sup> Middle-class

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<sup>34</sup>Le Guin, *A Home-Concealed Woman*, 5, 96.



southerners did all they could to avoid these unfortunate circumstances. Their ability to afford education and other forms of mobile capital thus brought a real sense of security to the lives.<sup>35</sup>

Security came with the knowledge that one's financial or economic situation was stable, reliable, and comfortable. It is not surprising, then, that middle-class individuals often wrote about and discussed money. Besides taking into consideration their access to future resources, middle-class people like Leo and Lucille Frank often wrote about their spending habits as well. In one letter from Leo to Lucille, written before the two were married, Frank described a party he had attended without her. It was a "Lawn Fete for the Settlement," he wrote, adding with disappointment how "They really took the starch out of me. I dropped [\$]3.75, and have really nothing to show for it." In yet another letter written by Lucille after the couple had been married, she gently asked her husband about a note he had received from his employer: "In your 'nice' letter from Edw[in] [Montag] was finances mentioned[?] I want to talk this over with you when I see you, which will be soon." Money was important to the middle class. Even Rhea Frank discussed its importance when she wrote her son to ask him about reduced railroad rates from New York to Atlanta. There was a practical reason for her query, for she wrote in part to remind her son that "I can save a few dollars on this[,] and every dollar, yes every cent, counts."<sup>36</sup>

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<sup>35</sup>Autobiographical sources confirm these observations. See Polly Welts Kaufman, *Women Teachers on the Frontier* (New Haven: Yale University Press, 1984), 126-43; Philip L. Gerber, ed., *Bachelor Bess: The Homesteading Letters of Elizabeth Corey, 1909-1919* (Iowa City: University of Iowa Press, 1990), 4, 11, 24, 28; Escott, *North Carolina Yeoman*, 150-8. For an interesting account of a southern slaveholding woman who lost her access to wealth after the Civil War and began to rely on the value of her education in order to survive, see Virginia I. Burr, ed., *The Secret Eye: The Journal of Ella Gertrude Clanton Thomas, 1848-1889* (Chapel Hill: University of North Carolina Press, 1990), 377-94.

<sup>36</sup>Leo Frank to Lucille Selig, June 16, 1909, box 2, reel 1, BRAN; Lucille Frank to Leo Frank, July 9, 1915, box 1, folder 1, AHS; Rhea Frank to Leo Frank, October 30, 1914, box 1,

Throughout the nineteenth and early twentieth centuries, the middle class recorded its expenditures, savings, investments, and long-range goals with care and diligence. Basil Thomasson, a North Carolina middling farmer, wrote about his thrifty habits. "If I had just waited a few hours I might have saved three cents by handing over my letter to Uncle F. myself; but it[']s gone now, and let it go; three cents *ain't* much, but 'a penny saved is a penny earned.' " It was difficult for Thomasson, a frugal individual, to accept the "blunder" he had made.<sup>37</sup> G. Stanley Hall, the noted psychologist who by the turn of the century had developed theories of adolescence, wrote about similar acts of parsimony. He wrote how "My father loved to figure, and evenings and rainy days covered much paper and filled many notebooks with calculations of how much profit each plowed field and each animal raised for the market produced, how much was spent per year for help, food, clothing, etc., and how much should be devoted to debts and later laid by for a 'rainy day' and for old age."<sup>38</sup> Parsimony dictated how much middle-class families could reasonably afford to spend on the resources they both needed and desired. As was the case with Hall's father, other middle-class individuals often went to great lengths to ensure the accuracy of their calculations. Saving for a "rainy day" -- an expression made popular by middle-class Americans in the late nineteenth century -- implied an understanding of future expenses and unanticipated demands or difficulties. Only the most resourceful individual could withstand the vicissitudes of America's industrial economy and

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folder 3, AHS.

<sup>37</sup>Escott, *North Carolina Yeoman*, 13.

<sup>38</sup>G. Stanley Hall, *Life and Confessions of a Psychologist* (New York: D. Appelton and Company, 1927), 73-4.

emerge from those cycles secure and comfortable. Like Hall in the North, middle-class southerners like Leo Frank appreciated these concerns as well.<sup>39</sup>

The middle class of the late nineteenth century understood these economic concerns. They spent too much time worrying about their records and transactions not to have taken them seriously. In the South, for instance, while rural dwellers felt the pinch of hard times due to uncontrollable market conditions and fluctuating prices for their crops, a frugal middle class prepared to survive the unpredictable nature of its regional economy. Thoughtful southerners occasionally noticed these peculiarly middle-class habits. "Nor can one overlook the assiduous application of other southerners, many of whom do not fare so badly in securing adequate returns for their efforts," began Clarence Cason, a native-born, white southern lawyer. Writing about the middle-class southerners he observed, Cason suggested that their activities "even now, as well as in the 1920s and before that decade, are sufficient, it must be admitted, to threaten the validity of all that I have ever said with reference to southern languor."<sup>40</sup> In describing the South's "new" middle class of professionals and businessmen, Cason was really intimating that for the first time in his memory a class of southerners had emerged to threaten and challenge the authority of the honored southern elite. It was middle-class southerners, suggested Cason, who had brought the region an ambitious, yet frugal approach to business. Cason well understood that the new southern middle class, with its characteristic values

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<sup>39</sup>On middle-class spending habits, see Daniel Horowitz, *The Morality of Spending: Attitudes Toward the Consumer Society in America, 1875-1940* (Baltimore: Johns Hopkins University Press, 1985); Susan Porter Benson, "'The Customers Ain't God': The Work Culture of Department-Store Saleswomen, 1890-1940," in Michael H. Frisch and Daniel J. Walkowitz, eds., *Working-Class America: Essays on Labor, Community, and American Society* (Urbana: University of Illinois Press, 1983). ;Abelson, *When Ladies Go A-Thieving*, 42-62.

<sup>40</sup>Clarence Cason, *Ninety Degrees in the Shade* (Chapel Hill: University of North Carolina Press, 1935), 14.

like frugality, resourcefulness, and business sense, affected the economy of the early twentieth-century South in numerous ways. Honesty, industriousness, frugality, respectability: these were important values to the middle class. And in one way or another, each had much to do with a middle-class notion of self-control.

#### G. Meanings of Self-Control

Among the middle class, the meaning and nature of self-control have changed over time and generations. A middle-class desire to exhibit forms of self-control had its roots in late colonial- and antebellum-era developments. During those periods, middling sorts -- the predecessors of the mid-nineteenth-century middle class -- wrote about several forms of self-control, particularly bodily regulation and the suppression of lustful or passionate thoughts. The middle class predicated its concern with bodily regulation, which focused largely on the importance of physical self-restraint, on practical matters.<sup>41</sup> Death came early to large numbers of Americans throughout the eighteenth and early nineteenth centuries, and gradually a few of the middling sorts began to write about its impact on themselves, their families, and their society. Many blamed the poor diets that colonial and antebellum Americans consumed for this unfortunate situation. The regulation of those diets -- or as many middling sorts wrote, the act of "being regular" -- and the desire to maintain some

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<sup>41</sup>On the culture and formation of the middling sorts, see Margaret R. Hunt, *The Middling Sort: Commerce, Gender, and the Family in England, 1680-1780* (Berkeley: University of California Press, 1996). On self-restraint and the nineteenth-century middle class, see Daniel Walker Howe, *Making the American Self: Jonathan Edwards to Abraham Lincoln* (Cambridge: Harvard University Press, 1997).

semblance of bodily control, became increasingly more dominant characteristics of middle-class life by the early decades of the nineteenth century.<sup>42</sup>

Beginning in the middle to late eighteenth century, a number of middling Americans began to write about ways to confront the ill-fated American diet. The advice they offered lingered long into the twentieth century and affected middle-class professionals and urbanites like Leo Frank. Some eighteenth century authors, including Benjamin Franklin, concluded that in order to alleviate the problems caused by an unhealthy diet, individuals needed to control the substances they consumed and supplant their intake of alcohol and meat with water, vegetables, and grains. Franklin, for instance, wrote about his personal discovery of a vegetarian diet and the benefits such a diet brought to one who remained in control and “regular.” “I happened to meet with a Book written by one Tryon, recommending a Vegetable diet.” The diet enabled Franklin a “greater Clearness of Head and quicker Apprehension which usually attend Temperance in Eating and Drinking.”<sup>43</sup> Regulating one’s diet brought practical, advantageous results to middling Americans. By the 1830s and 1840s, an emerging middle class of reformers, abolitionists, and activists proclaimed the benefits of temperate living and dietary reform. They patterned their advice after the reforms that Sylvester Graham advocated. Graham, for his part, promoted a number of ways to control the body: abstain

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<sup>42</sup>On Colonial-era life expectancy, see Gordon E. Geddes, *Welcome Joy: Death in Puritan New England* (Ann Arbor: University of Michigan Press, 1981); David E. Stannard, “Death and Dying in Puritan New England,” *American Historical Review* 78(December 1973): 1305-30; Daniel Scott Smith and Michael S. Hindus, “Premarital Pregnancy in America, 1640-1971: An Overview and Interpretation,” *Journal of Interdisciplinary History* 5(1975): 537-70.

<sup>43</sup>Leonard Labaree, ed., *The Autobiography of Benjamin Franklin* (New Haven: Yale University Press, 1964), 63.

from sex; drink only a water diet; and consume his Graham crackers. Middling Americans took these suggestions seriously.<sup>44</sup>

Bodily self-regulation remained a prominent middle-class characteristic throughout the nineteenth century. Writing in 1869, one middle-class mother begged her daughter to be mindful of her diet and physical condition: "If you have diarrhea at regular intervals," she wrote, "it shows there is some peculiar cause for it." She recommended simplifying her daughter's diet, suggesting also that "Something must be done to rid yourself of [the diarrhea], or you will lose your strength and render you an easy prey to disease." This mother, like others of her class, correlated the incidence of disease and sickness with the nature of one's diet and sense of self-control.<sup>45</sup>

Leo Frank continued this middle-class tradition by exhibiting self-control and maintaining bodily regulation. While imprisoned in Milledgeville, Georgia, he wrote many letters to his wife in which he discussed his health and the nature of his diet. "I am eating eggs, biscuits, and buttermilk until the cold has left me," he wrote her. Frank had practical reasons for consuming such a diet. He believed that as a palliative, this diet would relieve him of the effects of a nagging cold and high fever. Frank also understood that his diet was too saturated with fats and would require gradual reduction. "I don't want to overload my stomach," he wrote his wife. To do so might affect the one area of the human body that turn-of-the-century Americans feared the most: the bowels and stomach. Dyspepsia was an all-encompassing term for diseases and afflictions of the digestive system. And

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<sup>44</sup>On the impact of Sylvester Graham's dietary reforms on the antebellum middle class, see Stephen Nissenbaum, *Sex, Diet, and Debility in Jacksonian America: Sylvester Graham and Health Reform* (Westport: Greenwood Press, 1980).

<sup>45</sup>Katherine Redington Morgan, *My Ever Dear Daughter, My Own Dear Mother: The Correspondence of Julia Stone Towne and Mary Julia Towne, 1868-1882* (Iowa City: University of Iowa Press, 1996), 81.

Leo Frank knew that he would have to regulate his dietary intake if he hoped to avoid ailments like dyspepsia. Without the proper regulation of his diet, then, Frank feared that his condition would worsen.<sup>46</sup> Happily, these self-prescribed remedies seem to have been effective, for in a letter written two weeks later by J. B. Armstrong, one of Frank's many supporters, Armstrong wrote how he had been heartened "to learn you are improving in health."<sup>47</sup>

Frank, like many other early twentieth-century middle-class individuals, had begun to describe his physical condition in terms of nutrition, diet, and personal health. An entire language of nutrition, based upon an emerging science of the body and diet, affected the way the middle class viewed the preparation and consumption of food. By the second decade of the twentieth century, middle-class Americans had become widely familiar with these concerns and many began to rely on a language of nutrition to better understand their bodies and physical conditions. Indeed, notions of nutrition and physical self-control spread rapidly throughout American society. The middle-class southerner, just like his counterpart in the North, had certainly been made aware of these developments. By the early twentieth century, then, the importance of proper diet and bodily regulation had become firmly embedded cultural characteristics of the middle class. There were, however, other avenues with which one could take in order to exhibit self-control.<sup>48</sup>

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<sup>46</sup>Leo Frank to Lucille Frank, June 23, 1915, box 2, reel 1, BRAN.

<sup>47</sup>J.B. Armstrong to Leo Frank, July 14, 1915, box 1, folder 1, AHS.

<sup>48</sup>Terms like "diet," "natural diet," and "physical regimen" were commonly heard throughout middle-class circles during the nineteenth century and represented how the preparation and ingestion of food -- or caloric intake as it would come to be termed -- was gradually being transformed by the application of scientific rationalism and reason. See James C. Whorton, " 'Tempest in a Flesh-Pot': The Formulation of Physiological Rationale for Vegetarianism," in Judith Walzer Leavitt and Ronald L. Numbers, eds., *Sickness and Health in America: Readings in the History of Medicine and Public Health* (Madison: University of

By the eve of the Civil War, there were literally dozens of advice books, guides, and pamphlets that discussed bodily and emotional self-control. This growing collection of proscriptive literature was meant to guide middle-class men, women, and children through the treacherous journeys associated with nineteenth-century life. Etiquette books, with titles like *Advice to Young Men on Their Duties and Conduct in Life* (1847) and *Etiquette for Ladies: A Manual of the Most Approved Rules of Conduct in Polished Society* (1838), comprised a number of these publications. Many other books discussed ways to control and prevent certain inappropriate habits from forming. By the middle of the nineteenth century, guides discussed issues like phlegm, flatulence, table manners, and rules of comportment. Middle-class advocates and authors found these problems unnerving and offensive and many openly discussed them. They intended their perorations to influence other middling types because many felt that uncontrollable urges were perverse, debilitating, or worse, deadly.<sup>49</sup>

By the early twentieth century, middle-class Americans spoke a language of self-control that had gradually emerged throughout the nineteenth century. While many continued to advocate the

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Wisconsin Press, 1978), 315-30. Also see Rima Apple, *Vitamania: Vitamins in American Culture* (New Brunswick: Rutgers University Press, 1996).

<sup>49</sup>On mid-nineteenth-century etiquette and advice literature, see John F. Kasson, *Rudeness and Civility: Manners in Nineteenth-Century America* (New York: Hill & Wang, 1990). On a related topic, see Judy Hilkey, *Character is Capital: Success Manuals and Manhood in Gilded Age America* (Chapel Hill: University of North Carolina Press, 1997). By the late nineteenth century, Victorian women were utilizing birth control methods in yet another attempt to regulate their bodies and prolong life. Indeed, despite the fact that Leo and Lucille Frank had been married for three years prior to Leo Frank's arrest, the couple had no children. More than likely, the two used some form of birth control. On these issues, see David Pivar, *Purity Crusade: Sexual Morality and Sexual Control, 1868-1900* (Westport: Greenwood Press, 1973); Patricia Branca, *Silent Sisterhood: Middle-Class Women in the Victorian Home* (Pittsburgh: Carnegie-Mellon University Press, 1975).



importance of physical self-control, many more emphasized the significance of emotional and intellectual self-control. Middle-class Americans frequently used words like “civilized,” “composed,” and “poised” to describe a culture of calm, rational, and reasoning individuals. These words, and the meanings they imparted, described what middle-class Americans believed was an advantageous way to conduct and comport oneself throughout life. Middle-class people like Leo Frank took this emerging form of emotional self-control seriously, and they hoped to influence others around them who were also in the slow process of adapting to middle-class standards of etiquette, comportment, and self-restraint.<sup>50</sup>

#### **H. The Problem of Self-Control in the South**

While urban, middle-class southerners like Frank were beginning to think in new terms, they could also be heard loudly criticizing other southerners who failed to follow their lead. Frank and his many friends usually characterized their various antagonists as atavistic, self-indulgent people who not only refused to maintain poise and self-control but were, in fact, incapable of doing so. Writing several months after his trial, for instance, Leo Frank described what he considered to be the real reason he had been prosecuted and convicted. Frank was convinced that a mob spirit, driven by uncontrollable passions and inflammatory rhetoric, had unfairly influenced his legal proceedings.

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<sup>50</sup>In the process of explaining the importance of self-control, psychologists and sociologists began to use a medical, clinical approach to their analyses of deviant or uncontrollable behavior. See Dorothy G. Ross, *G. Stanley Hall: The Psychologist as Prophet* (Chicago: University of Chicago Press, 1972); Ross, *The Origins of American Social Science* (New York: Cambridge University Press, 1991); Joseph F. Kett, *Rites of Passage: Adolescence in America, 1790 to the Present* (New York: Basic Books, 1977); Francis G. Gosling, *Before Freud: Neurasthenia and the American Medical Community, 1870-1910* (Urbana: University of Illinois Press, 1987); Abelson, *When Ladies Go A-Thieving*; Odem, *Delinquent Daughters*; Mark S. Micale, *Approaching Hysteria: A Disease and its Interpretations* (Princeton: Princeton University Press, 1995).

"Still the public, so easily *aroused* here in the South," he wrote J. H. Gould, one of his college friends, "conceived a vicious animosity and vindictive hatred towards me, aided and abetted by racial prejudice and getting the man higher up." Frank continued by describing how "discretion and intelligence," two central characteristics of the self-controlled middle class, had been "thrown to the winds and unreasoning mob rule took its place." An anxious and embittered Frank concluded that "A dwarfed and cowardly judiciary, in spite of the truth and facts, lent its ear to the popular outcry; hence my present predicament."<sup>51</sup> Frank posited a correlation between cowardice and a lack of self-control; if only the jurors had remained firm in their conviction and fair in their deliberations they would have seen the folly of the situation. Instead, Frank believed that the southerners who had comprised his jury had allowed their uncontrollable emotions to alter the outcome of his proceedings.

As the Leo Frank case drew close to its conclusion, many middle-class Atlantans expressed a growing sense of disillusionment with the institutions that were meant to serve and protect them. Many worried aloud that in the heated animosity directed at Frank, all forms of institutional and societal control were quickly disintegrating. Courts, judges, and juries appeared to be easily corrupted by emotional protests and demagogic appeals. "We are helpless here," explained Luther Rosser, Leo Frank's defense attorney. "The papers will not attack [Tom] Watson, nor does it seem that any disinterested citizen will do so.... Certainly in the State courts nothing can be done." In their helplessness, Leo Frank's middle-class allies saw themselves surrounded by a corrupt system. Many concluded that Frank's courtroom had been hostile and uncontrollable and that justice had

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<sup>51</sup>Leo Frank to J.H. Gould, October 29, 1914, Leo Frank Folder, American Jewish Committee Archives, New York City, New York, (emphasis added).

been subverted. Furthermore, many believed that sheriffs and judges had been more interested in appealing to the emotions of the mob than in preserving fairness or justice.<sup>52</sup>

The institutional fabric of middle-class society seemed to be unraveling before their very eyes. The resulting fears reached new heights after Governor Slaton commuted Frank's death sentence. As mobs roamed Atlanta's streets and threatened to exact revenge on their governor, many middle-class southerners responded with amazement. Robert Patterson, a native Georgian and one of Frank's many friends, wrote from Europe and expressed shock at the news of Atlanta's mob action. Surrounded by war and violence in Europe, Patterson described Atlanta's mob behavior in deeply personal ways. The mob had made him "very much ashamed of my fellow countrymen to think that such a disgraceful thing could happen in so highly civilized a country as the United States." For middle-class southerners like Patterson and Frank, the deterioration of institutional control, coupled with the rise of uncontrollable mob behavior, had created many problems.<sup>53</sup>

Several of Leo Frank's middle-class supporters shared Frank's fear of the uncontrollable mob. They especially feared the potential power that a mob wielded over reasonable people. Herbert Lasher, another of Frank's friends, wrote a letter to the defendant and discussed the extent to which he loathed what he termed the "hot headed Southerner." "I would charge the South," he wrote, "or rather Georgia and Alabama as unsafe for the northerner." Lasher was convinced that southerners "don't know the war is over." Such ignorance, he suggested, made them irascible and dangerous. Lasher had many reasons for despising uncontrollable southerners. "I detest their snobbishness," he exclaimed. "I hate their superior airs and that I am better than thou attitude and

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<sup>52</sup>Luther Z. Rosser to Henry L. Scheuerman, August 19, 1915, box 45, folder 13, GDAH.

<sup>53</sup>Robert Patterson to Leo M. Frank, August 11, 1915, box 1, folder 2, AHS.

their general laziness.” In the process of criticizing Frank’s southern opponents, Lasher had enumerated a litany of values middle-class Americans eschewed. Without doubt, Frank’s friend had noticed how traits like laziness and snobbery remained prominent features in the lives of so many poor, “uncontrollable” southerners. Ultimately, Lasher believed that these indolent, self-indulgent southerners acted irrationally and that blind passions, not reasoned thought, dictated their actions. “Honor,” he concluded, “there is not such a thing among the native Georgia cracker.”<sup>54</sup>

Some members of the South’s traditional elite shared Lasher’s attitudes toward the southerner who raged out of control. Like their middle-class brethren, some elite southerners complained bitterly that the image of the uncontrollable southerner did little to enhance the region’s economic growth. In fact, many believed that such images were detrimental. Most worried how those images might affect northern commercial investors. These elite southerners and their middle-class allies attributed the rise of the uncontrollable southerner to disparate individuals and elements in the South. Southern spokesmen like Tom Watson, for example, casually fanned the flames of racial discord and advocated lynch-law; church leaders often spoke out in favor of extralegal forms of retribution; and a culture of honor, predicated in large measure upon the liberal use of violence, led many rural southerners to commit unpredictable and often inexplicable acts of brutality. Certain elite southerners noticed these developments and reacted to them in the same ways that middle-class southerners did.<sup>55</sup>

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<sup>54</sup>Herbert Lasher to Leo Frank, November 5, 1914, box 1, folder 8, AHS.

<sup>55</sup>On the belief that the uncontrollable southerner might prevent northerners from investing in southern commercial pursuits, see Nina Silber, *The Romance of Reunion: Northerners and the South, 1865-1900* (Chapel Hill: University of North Carolina Press, 1993), 153-6.

Within southern society, then, there were certain members of the elite who detested the incomprehensible belligerence of southern mobs. P. Brooks Ford, a wealthy Georgia landholder, chose his words carefully when he wrote Governor Slaton to discuss mob disorder and its relation to the state's highly publicized legal case. In large measure, Ford was attempting to distance himself from others in southern society who at the time were calling for Frank's lynching. Ford began his correspondence by assuring the governor that he believed Frank was in fact guilty, stating that "There are only twelve men under Heaven qualified to pass upon the guilt of Frank, and their verdict is a matter of public record, having been duly affirmed by the highest courts of the nation." Ford further stressed the need to rely on the evidence of the case, "which is convincing," and not the extraneous words or threats that followed the culmination of Frank's legal appeals. Ford followed these comments by noting that the ugly appeals or antisemitic slurs that many throughout the state leveled against Frank had not tinged his conclusions. "Our family and our connections are among the largest landowners in the county," Ford concluded, "hence this is not the wail of one of Tom Watson's wool hat boys." In comparison to the uncontrollable and passionate "wool hat boy," Ford appreciated institutional restraints and the mechanism of control that they made possible.<sup>56</sup>

Besides the "wool hat boys" and Tom Watson -- their main spokesman -- church leaders also helped shape their rural congregants' views. In so doing, many encouraged their constituents' uncontrollable behavior. Many influential southern Christian leaders, including L. O. Bricker, Mary Phagan's pastor, discussed the significance of Leo Frank's crimes and the need to reassert home rule through well-executed acts of violence. Some religious leaders advocated lynch-law and many

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<sup>56</sup>P. Brooks Ford to John M. Slaton, May 20, 1915, box 45, folder 10, GDAH. On the state's Populists and the image of the "wool-hat boys," see Barton C. Shaw, *The Wool-Hat Boys: Georgia's Populist Party* (Baton Rouge: Louisiana State University Press, 1984).

ignited mob passions when they spoke publicly. After Leo Frank had been brought to trial and convicted, L. O. Bricker wrote that “the whole city was in a frenzy. We were all mad-crazy, and in a blood frenzy.” Bricker concluded that “Frank was brought to trial in a mob spirit. One could feel the waves of madness which swept over us all.” Bricker, however, was not the only religious figure in Atlanta who had been affected by the heightened emotion surrounding Frank’s murder trial. According to J. Henley, a concerned correspondent who wrote to the Georgia Prison Commission in 1915, clergymen like the reverend A. Hendley were sanctioning mob violence and encouraging mob rule. “When [Hendley] gathers 4,000 people on state grounds to stir up turmoil[,] criticize Atlanta’s ministers and tell the people Leo Frank should die,” wrote a troubled Henley, “He is the one who is stirring up and inviting mob law.” The minister’s uncontrollable and, as Henley would write, “queer” behavior was clearly cause for concern. “He uses State pride as sort of a patriotism,” concluded Henley, “to goad the good people of Georgia on to take this man’s life.” Influential voices like those of both Bricker and Hendley agitated an already restless segment of the population to commit acts of extralegal violence. Middle-class Atlantans had little recourse other than to wait and hope that the furor caused by Frank’s legal troubles would somehow naturally dissipate and be replaced by reason. Throughout, notions of self-control characterized the middle-class southerner and distinguished him from others in southern society.<sup>57</sup>

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<sup>57</sup>L. O. Bricker, “A Great American Tragedy,” *The Shane Quarterly* 4(April 1943), 90; J. Henley to the Georgia Prison Commission, June 7, 1915, box 35, folder 14, GDAH. Response to the turmoil surrounding Frank by Frank’s middle-class allies supports their “wait and see” attitude. See Samson to Leo Frank, July 11, 1915, box 3, folder 1, AHS, in which he writes “In the meantime you must keep up your courage, although I think that advice is needless. Let the other side sweat. Their fury tells against them. Had proof been needed of the intensity and unreason of the feeling against you, the action of those brave, unbiased, just gentlemen, who tried to harm Georgia’s governor, furnished it. Think of it! Americans for lynching a Governor for doing his duty! Do you believe that such carrion as formed those mobs can permanently

## I. Expressing Emotions and Seeking Enjoyment

Did middle-class Americans at the turn of the twentieth century, many of whom fervently believed in self-control, lack spontaneity? Were they incapable of expressing themselves emotionally? Did their desire to maintain self-control prevent them from enjoying life? Was the middle class, as some historians assert, a coercive force in American life? Some scholars have written portraits of American middle-class experience with these blanket statements in mind. Images of the prudish, sexless Victorian or early twentieth-century middle-class woman and her overbearing, joyless husband have been prominent. These images, however, are unfair.<sup>58</sup>

Middle-class southerners like Leo and Lucille Frank enjoyed life as much as anyone in their communities and they frequently wrote about the pleasures they experienced over the course of their lives together. The Franks took and distributed photographs of one another, purchased and played recordings (especially jazz records) on their victrola, enjoyed riding throughout the countryside in what Lucille Frank playfully termed their “machine” (automobile), and regularly gathered with family and friends. Leo Frank was a master bridge player; his wife made periodic trips to Atlanta’s opera house (in fact, she saw Enrico Caruso perform one evening during the week that preceded Mary Phagan’s death); and the couple attended numerous social events and galas at the various clubs and fraternal organizations they patronized. “Aunt Annie asked me to her house for supper Wed[nesday] & to the club,” wrote Lucille. She had been asked to accompany her aunt “to a prize

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prevail?”

<sup>58</sup>Recent studies of social groups in America that focus on the coercive side of the American middle class include Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995); David J. Langum, *Crossing Over the Line: Legislating Morality and the Mann Act* (Chicago: University of Chicago Press, 1994).

bridge [tournament] afterward.” In the same letter, Lucille also asked her husband to “tell me what you think about the movies.” Thus, the Franks took advantage of the many opportunities for enjoyment that existed in Atlanta. These forms of amusement and recreation, like so many others that escaped public recognition, created a distinctly human side to the “coercive,” faceless middle-class southerner.<sup>59</sup>

At the same time, there was an important emotional side to middle-class life that helped define middle-class culture. Like other social groups in turn-of-the-century urban America, the middle class experienced life’s many offerings: love, loss, hope, fear, promise, failure. However, unlike many Americans, middle-class people discussed and described the emotional impact that these events had on their lives in the diaries they kept and the letters they sent. “Was carried ‘transcendentally’ to the seventh heaven of happiness and joy by the receipt of your letter [the other day],” wrote Leo Frank after Lucille had complained that his letters lacked a certain depth of emotion. These words may not have made for interesting or satisfying poetry, but to Frank they were entirely heartfelt. As Frank reminded his betrothed in an earlier letter, “I am not much on the sentimental letter writing. Read between the lines and see if you can feel the warmth of the writer’s feelings for you.” Other middle-class southerners expressed their emotions in similar ways. Leon and Caroline Marks, middle-class residents of early twentieth-century New Orleans, described the

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<sup>59</sup>Both quotations are found in Lucille Frank to Leo Frank, July 7, 1915, box 1, folder 1, AHS. On middle-class forms of recreation, see Donna R. Braden, “‘The Family That Plays Together Stays Together’: Family Pastimes and Amusements, 1890-1930,” in Jessica H. Foy and Thomas J. Schlereth, eds., *American Home Life, 1880-1930: A Social History of Spaces and Services* (Knoxville: University of Tennessee Press, 1992). Among other forms of amusement, Braden discusses board and parlor games and the importance of music in the middle-class home. Also see Dale A. Somers, “The Leisure Revolution: Recreation in the American City, 1820-1920,” *Journal of Popular Culture* 5(1971): 125-47.



“gamut of human feelings” that both had experienced with the other. Another middle-class Georgian sadly concluded that her work left her precious little time to express her emotions to her beloved children. “I love them,” she wrote in the pages of her diary, “but these days it seems I’m too busy, too overtaxed, too downright worried lots of the time to show them that I do love them.” Emotional expressiveness was an attribute, and middle-class southerners considered it one of their most valued traits. Their emotional worlds, just like their personal and professional ambitions, created a significant culture in the urban, modernizing South.<sup>60</sup>

#### **J. Notions of Race in a “Classless” Southern Society**

Middle-class southerners created a vibrant culture around a number of shared values. They cared deeply about the importance of nonmanual work and personal careers, honesty, frugality and emotional expressiveness. In contrast to the Victorian middle class of the North, which was clearly distinguishable from the northern working class, middle-class southerners did share important characteristics with southerners of social classes and occupations other than their own. The southern middle class was different from its counterpart in the North because its members accepted culturally meaningful southern racial views and an unbending social hierarchy. In the South, where belief in a form of *Herrenvolk* democracy was pervasive and encouraged at every level of society, racial distinctions became supremely important. In a society based primarily on race and racial considerations, southern whites, rich or poor, shared a self-conscious belief in their unity and superiority over all people of color. White middle-class southerners were no exception. The belief

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<sup>60</sup>Leo Frank to Lucille Selig, June 16, 1909, box 2, reel 1, BRAN; Leo Frank to Lucille Selig, box 2, reel 1, BRAN; Leta Weiss Marks, *Time's Tapestry: Four Generations of a New Orleans Family* (Baton Rouge: Louisiana State University Press, 1997), 15; Le Guin, *A Home-Concealed Woman*, 58.

in a classless system of white unity became especially significant toward the end of the nineteenth century when a southern black middle class began to take shape and challenge the strict social and race-based codes of the South. Whites of all classes responded to this "crisis" with vigilance and lynch-law. North of the Mason-Dixon Line, middle-class whites had almost no need to exhibit similar forms of extralegal violence against the blacks in their midst. In contrast to a southern race-conscious society, northerners tended to base their judgements of others in society -- regardless of their skin color or ethnic origin -- on merit, ability, and accomplishment. This distinction separated a class-based society like that of the North from a race-based society that developed in the South.<sup>61</sup>

Southerners of every social class expressed racial views, fears, fantasies and anxieties in several important ways. Derogatory language, for example, separated the races and amplified racial distinctions. Like Americans of all social classes and ethnic backgrounds in the early twentieth century, Leo Frank used unsavory, racist language and in many letters to and from Frank, racially-charged language appears frequently. "When I was in the South last year," wrote Homer Sackers, one of Frank's house mates from his years at Cornell University, "I saw another similar case [of mob hysteria and violence]. A night watchman had been set upon by some niggers and badly beaten up, a posse was formed and immediately began hunting for the offender. The first nigger that was caught that looked as though he might have been in a fight recently, was grabbed, dragged behind

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<sup>61</sup>On *Herrenvolk* democracy, see Pierre L. van den Berghe, *Race and Racism: A Comparative Approach* (New York: Wiley, 1967); George Fredrickson, *White Supremacy: A Comparative Study in American and South African History* (New York: Oxford University Press, 1981). On the distinctions between the southern person of "honor" and the northern person of middling status, see Edward Ayers, *Vengeance and Justice: Crime and Punishment in the Nineteenth-Century American South* (New York: Oxford University Press, 1984), 19-20, 24, 25. On the symbiotic relationship between the formation of the black middle class and the introduction of *de jure* segregation in the South, see Hale, *Making Whiteness*, 31; Greenwood, "Bittersweet Legacy," 460-527.

an automobile for a mile or two, and badly injured. Then afterwards," he concluded, "it was discovered that he was the wrong man."<sup>62</sup> Sackers's letter is interesting for two reasons: first, he is ultimately describing a blatant case of abuse of power. It obviously appalled him to have witnessed the excesses of an uncontrollable southern mob that had been out of control and out for blood. Second, and equally as important, is Sackers's use of the word "nigger." In this context, it appears to be casual, common language. It was common practice during Leo Frank's lifetime to use racial epithets to distinguish racial, religious, and ethnic groups. Indeed, few Americans questioned the use of such language. As another correspondent to Frank wrote sarcastically, had Christ come to Georgia during Frank's trial, he would have found himself convicted "on the oath of a criminal, characterless nigger[.] And then they would proceed to glorify the black wretch."<sup>63</sup> There was simply little reluctance to use such language, and there is no indication that racially-charged language made Leo Frank, his friends, or his counsel uncomfortable in the least.<sup>64</sup>

If the language middle-class southerners like Frank used to describe racial distinctions in their own community was typical of that articulated by most Americans, the attitudes they expressed about African Americans were not. Middle-class southerners accepted the validity of popular images and generally stereotypical representations of African Americans. From them, many adopted common southern assumptions and agitated for the social and political segregation of the races. The

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<sup>62</sup>Homer Sackers to Leo Frank, December 16, 1914, box 2, folder 2, AHS.

<sup>63</sup>Henry Kowalsky to Leo Frank, November 21, 1914, box 1, folder 8, AHS.

<sup>64</sup>Indeed, throughout the nineteenth century, a word like "nigger" was prolific in American English. As a prefix the word was used to designate everything from wealth to work and there were few limitations to its use, North or South. See definitions of "nigger" in the *Oxford English Dictionary* where applications include "nigger-worship," "nigger-killer," "nigger-lover," and "nigger-luck."

white middle-class southerner, like other southern whites, believed that the black man posed an obvious threat to society, could not be trusted, and was inherently a brutish and bestial creature -- one barely considered human. White southerners spread images of the African American, which included notions of the "drunken criminal Negro," the inveterate liar, or the superstitious, ignorant, clownish and docile child, throughout society. These characterizations affected middle-class southerners just as much as they did rural or working-class southerners and this shared sense of racial demarcation and identification gave merit to many stereotypes. When, for example, Magnolia Le Guin, a white woman from Georgia, needed to hire a girl to help around her home, she wrote in her diary how "We are going to try to get a white girl to live with us next year[.] I reckon Negroes are such a bother -- no principal [*sic*] -- so little to be trusted and such trials." Jane Stafford, another white southern woman, grew up surrounded by black maids. She reminisced about her mother's particular habits of segregation and the racial undertones that motivated them. "The separate silverware and bathroom -- that was done because they [her black servants] were a different race." Stafford felt that her mother barred use of certain facilities because she believed that "a lot of [her servants] had syphilis and TB...." White southerners like Stafford's mother assumed that in addition to being indolent, blacks were potentially diseased as well.<sup>65</sup>

Many southerners argued that because they believed in the truthfulness of these images, it was then necessary to devise strict codes of interracial social conduct and segregation and enforce each with as much vigilance as southerners thought appropriate. In his memoir of life in the South, Clarence Cason discussed these themes:

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<sup>65</sup>Le Guin, *A Home-Concealed Woman*, 24; Susan Tucker, *Telling Memories Among Southern Women: Domestic Workers and Their Employers in the Segregated South* (New York: Schocken Books, 1988), 177.

[T]his conviction that the black man must now and then be intimidated, in order to keep him from forgetting the bounds which southern traditions have set for him, is firmly rooted in the consciousness of many southern people. So unquestioned is this philosophy that at times lynchings are planned and carried through -- not under the fierce compulsion of mob hysteria --[but] by men who have calmly resigned themselves to the performance of a painful duty, which, according to their lights, is necessary for the good of society.<sup>66</sup>

For the “good of society,” most southerners believed that the races implicitly knew their position vis-a-vis one another. Leo Frank inherently appreciated this belief. He viewed blacks as fundamentally inferior to himself and other southern whites.<sup>67</sup> Accordingly, Frank, like most southerners, presumed that southern black society was divided into two distinct groups: “good darkeys” who could be trusted and “bad niggers” who could not. “Good” blacks knew their place and remained as unobtrusive and as invisible as possible. In contrast, “bad niggers” were those who in one way or another offended white sensibilities. Blacks often “offended” whites in slight and subtle ways. An African American who inadvertently touched a white man, failed to defer to a white woman, spoke inappropriately to either, or was slow to apologize to both caused white anger. When blacks acted in unmistakably criminal ways, however, whites responded with excessive, swift, and often deadly reprisals.

For most southern whites, the “bad niggers” that exhibited criminal behavior required the most brutal forms of punishment. In contrast, northern life appeared to be very different for blacks.

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<sup>66</sup>Cason, *Ninety Degrees in the Shade*, 111.

<sup>67</sup>Neil McMillen has argued convincingly that from the 1880s to the 1930s, black and white Mississippians shared a series of unspoken social rules that dictated how race would be defined in the state. He suggests that whites shared a certain mind-set regardless of class that allowed them to see themselves as a unified social group. It seems clear to me that a parallel situation developed in Georgia during those same years. See Neil R. McMillen, *Dark Journey: Black Mississippians in the Age of Jim Crow* (Urbana: University of Illinois Press, 1989).

Life in the North, from the perspective of one anonymous northern-based African American who had lived in the Jim Crow South, was basically free of white violence and the excesses of “southern” racial etiquette. “I do feel so fine... with the aid of God I am making very good[,] I make \$75 per month.... [I] don’t have to mister every little white boy [who] comes along... I can ride in the electric street and steam cars any where I can get a seat... And if you are first in a place shopping you don’t have to wait until the white folks get through trading.” In *Making Whiteness*, historian Grace Hale argues that middle-class southerners publicly legitimated the myths involved with the “good darkey” and “bad nigger” through their tireless involvement with and membership in associations like the United Daughters of the Confederacy and other groups. These groups, and their predominantly middle-class clientele, argues Hale, sought to propagate images of the “Lost Cause,” the “Old South,” and the “good ol’ slave days” by erecting Civil War monuments and displaying Civil War memorials. Such images, she concludes, ultimately perpetuated the bifurcation of southern society along racial lines and welded white middle-class southerners with white southerners of other social classes. Ultimately, Hale’s argument helps explain why men like Leo Frank adopted the racial views that other southerners expressed.<sup>68</sup>

Southern whites based their conclusions about their region’s black population on the images they projected. Southern blacks became easy targets of white prejudice and hate because whites often presumed that blacks were predisposed to heavy drinking and illicit or carnal forms of pleasure.

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<sup>68</sup>Hale, *Making Whiteness*, the quoted passage is found on pps. 28-9. On middle-class involvement with Confederate memorial agencies, see p. 53. Hale also quotes Katherine Lumpkin, a well-known Georgian at the turn of the century, who writes: “We can be certain that from the time I could sit in my high chair..., my ears saturated with words and phrases at all times intimately familiar to Southern ears...: ‘white supremacy,’ ‘inferiority,’ ‘good darkey,’ ‘bad darkey,’ ‘keep them in their place.’ As time passed, I myself would learn to speak these words perhaps with special emphasis....” See p. 95.

Middle-class whites openly criticized Jim Conley, the chief witness for the prosecution, for his excessive drinking and the lewd conduct he demonstrated around the working girls at the National Pencil Company. These individuals characterized Conley as a “bad nigger” or “a negro of the lowest type,” as Gustave Haas, one of Frank’s supporters, described him. Writing on behalf of Leo Frank to the Georgia Prison Commission, Haas described Conley as “a liar, a thief, a jailbird, a drunkard. a several times self-confessed perjurer.... The State of Georgia,” he concluded, “has neither a legal nor a moral right to execute anybody on the say-so of a drunken criminal Negro.”<sup>69</sup>

As a “bad” or “worthless” black, Conley was also thought likely to commit certain “Negro crimes.” The “Negro crime” fit another assortment of images that white, middle-class southerners held. “I consider that I am somewhat of a judge of human nature,” wrote J. H. Becker to the Georgia Prison Commission, “and the crime committed is a negro’s crime and not that of a white man.” Indeed, argued an anonymous Methodist preacher in another letter to the Commission, “if Frank murdered the little girl he is a fool and should be in the mad house. No sane man who could commit a crime of that kind would take a negro[,] an ex-convict[,] into his confidence in order to assist him in disposing of the body....” Many southerners believed that blacks took part in activities and exhibited particular mannerisms that distinguished them from whites. Views such as these resonated deeply throughout southern society. Leo Frank accepted their validity, often claiming himself that Conley was little more than a “drunken criminal negro.” Like their rural southern brethren, then,

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<sup>69</sup>Gustave Haas to the Georgia Prison Commission, May 29, 1915, box 35, folder 8, GDAH.

middle-class southerners shared abiding racial and social beliefs and acted when someone challenged their legitimacy.<sup>70</sup>

There were certainly many in the North who would have agreed with all or most of the ways southerners characterized their region's African Americans. However, such considerations rarely influenced large numbers of northern whites to act with such obvious intolerance and violence toward the blacks in their midst (that is, until blacks began migrating to the North in large numbers after World War I). In the North, where a commercial environment had been constructed well before any similar development had transpired in the South, middle-class and working-class families or groups had other more pressing concerns on their mind than a need to maintain a rigid racial hierarchy. This is not to suggest that racial hatred and bigotry did not exist in the North, only that they were expressed differently there.<sup>71</sup> Unlike in the North, where issues of class often outweighed those of other concerns, in the South issues related to race proved primal and prominent. Assumptions about race became second-nature among southerners. Quite simply, southerners had taken the identification and social stratification of the races so seriously for so long that few knew any other way of life. Indeed, there were obvious perimeters in the South that were not to be crossed for any reason. This form of social intransigence was a dominant feature of southern life; it allowed

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<sup>70</sup>J.H. Becker to the Georgia Prison Commission, May 12, 1915, box 35, folder 14, GDAH; an anonymous Methodist preacher to the Georgia Prison Commission, May 10, 1915, GDAH. Of course, despite Conley's reputation as a "bad nigger," he was a most persuasive witness against Leo Frank. This, I argue, had more to do with Frank's racial designation -- southern Jew -- than with Conley's. For a discussion of this problem, see chapter six of this work.

<sup>71</sup>As blacks migrated in ever-increasing numbers to northern cities during the second decade of the twentieth century, racially-motivated hostilities became more frequent. See William Tuttle, Jr., *Race Riot: Chicago in the Red Summer of 1919* (New York: Atheneum, 1984).



middle-class southerners to share racial views and a social superiority with other southerners regardless of their socioeconomic position. And while middle-class southerners shared few values with their rural or working-class counterparts, racial assumptions often acted as the glue that held southern society together. White middle-class southerners like Leo Frank rarely sought social interaction with the working girls who labored for them or the factory boys or farm families who were their social inferiors. Nevertheless, these same southerners continued to share an abiding sense of racial superiority with their white social underlings despite the obvious disparities that existed between them.

#### **K. Concluding Remarks**

In a letter to Governor Slaton, J. R. Jenkins, the president of Wesleyan Female College, located in Macon, Georgia, sought to impress upon the governor his desire to have Frank's death sentence commuted. "I simply desire to assure you that *the best people of the state* will stand by you in the conscientious discharge of your duty." There was no doubt in the mind of this college president about who comprised the "best people" of the state of Georgia. They were the thoughtful, intelligent southerners who valued self-control, well-planned action, and decisiveness. Earlier in his letter, Jenkins also alluded to the importance of honesty and restraint. These were other significant features of middle-class culture in the South. And they were the values of an increasingly important segment of southern urban society. Gradually, and in spite of the resistance that poor and elite southerners often displayed, a new middle class of professionals and managers exhibited values that would slowly but steadily redefine the customs and traditions of southern life. And in the process, a middle-class culture would come face to face with southern honor. The meshing of these two cultures caused friction because middle-class southerners like Frank and traditional, honor-bound

southerners like his enemies simply did not share the same values. This chasm increasingly characterized southern urban life as the decades of the early twentieth century passed by.<sup>72</sup>

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<sup>72</sup>C.R. Jenkins to John M. Slaton, June 14, 1915, box 45, folder 4, GDAH, (emphasis added).

## **VI. “Should Jew Money be Allowed Against Georgia Virtue?”: Myths and the Leo Frank Case**

### **A. Myths and Myth-Making**

On August 17, 1915, Leo Frank was lynched in Marietta, Georgia. Following the event, a poster, entitled “3 Views of Leo M. Frank -- The Jew Who Murdered Little Mary Phagan,” was circulated throughout Georgia’s countryside. Although an anonymous production, the work offers historians valuable insight into the minds of those who despised and perhaps even murdered Frank. It includes two photographs of Frank’s lynching, each showing his hanging corpse surrounded by the faces and figures of those who either observed or participated in the killing. One photograph includes a brief description of the scene: “The end of Leo Frank, hung by a mob at Marietta, Ga., August 17, 1915.” Next to the pictures of the lynching is an engraving of the devil. The figure’s physical features -- be-deviled horns, menacing wings, and animal-like face enveloped in flame -- reveal one of the common associations that led to Frank’s lynching. There are also several important artifacts attached to the poster. First, there is a leaf, presumably taken from the oak tree where Frank had been hanged. Next, there is a lock of hair like one discovered near the site of Mary Phagan’s murder. Lastly, there is a dark, black cross in the upper right-hand corner that clearly explains the significance of southern evangelical religion and its influence throughout Frank’s entire legal and extralegal ordeal. The meaning of these images needed little explanation to most southerners, particularly those who dwelled in Georgia’s rural areas. Taken together, these images are provocative and their messages, overt or hidden, suggest that a number of popular beliefs played an especially significant role throughout the last two years of Leo Frank’s life. An explanation of those mythic beliefs -- their relation to the prosecution’s case against Frank, the growing hostility shown

Frank during his appellate process, and the actual lynching of the man -- forms the basis of this chapter.<sup>1</sup>

For centuries, powerful leaders, social groups, and institutions have all, at one time or another, created and propagated myths to incite discontent, provoke rage, or promote murder. As varied as the participants themselves who have proliferated these myths, so too are the factors that have motivated those who create and shape myths. There is no one direct path to the development and maturation of a myth. Instead, they often emerge gradually over time, wedding themselves to an individual or group consciousness in either dramatic, explicit ways or more hidden, subtle ways. Ultimately, most myths are based upon and driven by fear. Fears engendered by economic uncertainty, changing social mores, status anxiety, or challenges to religious orthodoxy all have helped spawn myths. During the two years when the Leo Frank case became both a *cause celebre* in the South as well as a nationwide event, southerners constructed myths about characters and types who played an important role throughout this event. And they relied on those myths to explain the peculiarities of the case and its violent aftermath.<sup>2</sup>

The myths these southerners developed help explain several prominent features of the Frank case. On the one hand, they explain how Leo Frank, an ordinary middle-class superintendent, was literally transmogrified into a perverted, wealthy, "libertine" Jew -- one whose diabolical ways, as many believed, resulted in the death of an innocent, white southern girl. On the other hand, they also explain how a certain ideology, fundamentally grounded in social and racial constructions, came to

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<sup>1</sup>The collage is located in box 7, miscellany, AHS.

<sup>2</sup>On the construction and cultural uses of myths, see the collection of essays in Geoffrey Hosking and George Schopflin, eds., *Myths and Nationhood* (New York: Routledge, 1997).

play such an important role during the Frank case. Throughout Mary Phagan's murder investigation and Leo Frank's legal travails, southerners instinctively resorted to alleged racial characteristics and physical features to convince themselves of Frank's inherent guilt and Phagan's innate purity. Needing immediate answers to the crises that Phagan's murder produced, southerners found solace in the myths they spread when evidence itself appeared insufficient. What, then, were those mythic beliefs and why did they influence the events surrounding the Frank case?

During the weeks following the murder of Mary Phagan, and in the months following Leo Frank's trial, several important myths -- especially those involving Jews, Jewish traits, and Jewish-gentile sexual relations -- took on special meaning in Georgia. Rural residents of Georgia's countryside voiced some of these myths while other beliefs found resonance in the cities among church leaders and political figures. Tom Watson, a former Populist who had become fiercely reactionary by the second decade of the twentieth century, was one of the most important spokesman for these beliefs. The myths that he and others voiced focused on two contentious and conflicting constructions: one was based on the notion that southern white women were inherently pure, innocent, and virtuous. As a result of this myth, many southerners believed that southern white women deserved protection from the foreign elements and "modern" forces in society that, they presumed, were arrayed against them. The other set of myths -- and the focus of this chapter -- was developed around the belief that certain southern Jews were responsible for the proliferation of those "modern" forces and institutions. Many went one step further and constructed a conspiracy between invisible ties to monied interests and their connections to "modern," morally reprehensible forms of sexual expression. Jews, they argued, were engaged in bringing devastating change to traditional southern society -- and for many, this was an unacceptable situation that demanded action.

The myths that surfaced during the Leo Frank case had been part of southern rural culture for quite some time, though each had a distinct history all its own. Some of the myths, like those pertinent to Frank and his Jewishness, developed gradually over time. Indeed, the myths related to southern Jewry remained mostly dormant until certain seemingly ungovernable situations, like the discovery of Mary Phagan's corpse and the rising animosity against Leo Frank, brought them out of their slumber and into the public arena. In contrast, the myth of the virtuous white southern female had been powerful throughout the nineteenth century and remained a lasting remnant of Old South glory and folklore well into the twentieth century. These myths shed light on the reasons why Georgians reacted as they did to news of Phagan's murder and why a few chose to ease their anxiety by lynching Leo Frank. Until these myths were loudly voiced, they remained understood but unstated, assumed but unspoken. This has been one of the least appreciated facets of the Leo Frank case or its violent conclusion.<sup>3</sup>

Many of those who have been interested in the perplexing legal drama that was the Leo Frank case have failed to examine the subtle meanings of the myths surrounding the event. Leonard Dinnerstein, for example, suggests that antisemitism -- a blatantly biased expression against Jews -- first appeared on a grand scale in Atlanta during Leo Frank's trial. He further argues that, from that point on, antisemitic attitudes among rural southerners and their like remained constant and charged. According to Dinnerstein, Georgia's Jews and gentiles basically co-existed peacefully for decades until the Frank case inexplicably and mysteriously caused the emergence of an "irrational" explosion

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<sup>3</sup>On the myths constructed around images of southern white womanhood, see Anne Firor Scott, *The Southern Lady: From Pedestal to Politics, 1830-1930* (Chicago: University of Chicago Press, 1970); Gaines M. Foster, *Ghosts of the Confederacy: Defeat, the Lost Cause, and the Emergence of the New South, 1865-1913* (New York: Oxford University Press, 1987), 136.

of hatred. Thus, following Dinnerstein's lead, many historians have argued that the lynching of Leo Frank represented a natural, almost predictable culmination to a sudden infusion of antisemitism in southern life; it was an anomaly, most suggest, nothing more and nothing less.<sup>4</sup>

This misinterpretation leaves many questions unanswered. It also does not follow logically from the facts of the case. The antisemitic tirades directed at Frank and the mob action against Georgia's Jews that followed his lynching were not concomitant parts of a linear progression. Antisemitism surfaced sporadically and in response to various events and episodes, particularly the agitation voiced by southern figures like Tom Watson. On the other hand, antisemitism was not new. Some of Georgia's Jews, and certainly many southern Jews, had felt its effects for years prior to the Leo Frank case.<sup>5</sup> Along with outright antisemitism, however, rural Georgians also showed how much they distrusted and, at times, disdained Frank and other southern Jews in a number of more subtle and seemingly innocuous ways. Almost imperceptible at times, this form of prejudice materialized in the way gentiles voiced stereotypical assumptions about Jews and Jewish

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<sup>4</sup>On the antisemitism demonstrated in Atlanta during the Frank case, see Leonard Dinnerstein, *The Leo Frank Case* (Athens: University of Georgia Press, 1968), 32-3, 116; Dinnerstein, "Atlanta in the Progressive Era: A Dreyfus Affair in Georgia," in Frederic Cople Jahar, ed., *The Age of Industrialism in America* (New York: Free Press, 1968): 127-57. Other historians who have followed Dinnerstein's lead include Albert Lindemann, *The Jew Accused: Three Anti-Semitic Affairs* (New York: Cambridge University Press, 1991); Robert Seitz Frey and Nancy Thompson-Frey, *The Silent and the Damned: The Murder of Mary Phagan and the Lynching of Leo Frank* (Lanham, MD: Madison Books, 1988).

<sup>5</sup>In 1868, for example, a southern mob lynched S.A. Bierfield, a Jewish dry-goods store operator, in Franklin, Tennessee. The motivation behind the extralegal slaying is not clear. However, considering that many southerners often accused Jewish merchants and peddlers of participating in exploitative purchasing and selling practices during the Civil War, it is likely that the residents of Franklin who participated in the lynching did so because they felt Bierfield had exploited them. On the Bierfield lynching, see Anti-Defamation League Bulletin, June 1958, Leo Frank Folder, Anti-Defamation League, New York City, New York.

“peculiarities.” I refer to attitudes of this nature as Judaeophobia; that is, a basically apolitical dislike of Jews that rarely led to episodes of physical intimidation, economic sanction, or actual violence but which, when ignited, paved the way for more antisemitic activities. This was the raw material, unduly distributed in the South, that Watson and others could utilize and also influence. Indeed, Judaeophobic views had crept into the southern psyche by the early twentieth century, and as the transformation of the agrarian South began to take shape, those views, and the subtle fears they engendered, began to play an important role in southern life. The distinction, then, between Judaeophobia and antisemitism -- and its connection to the myths spread about Jews -- warrants investigation and has been noticeably absent from the literature on the Frank case.<sup>9</sup>

#### **B. Myths and Racial Constructions**

Southerners based the myths they spread about Jews on a popular and widespread construction of racial attitudes in southern society. Racial designations, and the assumptions that developed from them, had shaped southern attitudes for many centuries prior to the Frank case. Southerners predicated many of the myths they spread about Jews on the notion that the South's Jews comprised a race of individuals who were clearly distinguishable from those of the dominant white culture. Furthermore, both urban and rural Georgians actively supported these myths. Both groups often assumed that the Jews who populated their communities were physically, morally, even emotionally different from themselves. Ironically, religious observance rarely factored into the

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<sup>9</sup>On the distinction between Judaeophobic assumptions and antisemitic economic or political repression, see Richard S. Levy, *Antisemitism in the Modern World: An Anthology of Texts* (Lexington: D.C. Heath, 1991), 2-11. Also see Gavin Langmuir, *History, Religion, and Antisemitism* (Berkeley: University of California Press, 1990), 301-10.



equation. Aside from the fear that Jews performed bizarre and foreign religious rituals, including the unsupported fear that Jews used Christian children in sacrificial rites, the typical southern conceptualization of “The Jew” had more to do with racial considerations than with anything especially religious.

“The Jew” in the South was labeled this way because of a combination of mythical beliefs. Southerners believed, for example, that Jews had particular physical features and mannerisms that made them unique. Some presumed that Jews were only interested in making money through barter, trade, or other potentially exploitative financial maneuvers. Others often suspected that Jews had an innate ability to exploit gullible gentiles. Indeed, throughout the South, an image of the cunning Jew, one who manipulated his unsuspecting gentile audience into anything from the purchase of shoddy merchandise to the sexual exploitation of his womenfolk, was potent. Southerners based these beliefs on racial considerations, and the fears that came from them drove southerners to see the Jews in their midst as both a separate people and an entirely distinct racial entity. Accordingly, many white southerners believed that Jews could not be trusted or relied upon in times of need because they saw Jews as so different from themselves. To legitimate these fears, white southerners established subtle but important social rules of conduct and comportment between themselves and their Jewish neighbors just as they had with their region’s African Americans. Though Jews were rarely persecuted with the same ambition or effectiveness that whites went after southern blacks, they nonetheless remained separated and compartmentalized along social, and hence, racial lines. These

racial trends continued into the second decade of the twentieth century when Leo Frank, a southern Jew, stood trial for the murder of Mary Phagan, a southern white girl.<sup>7</sup>

When historians of the South have discussed race, they have typically focused their attention on the trials of particular African Americans, the interrelations between whites and blacks (especially the political, economic, and social attempts by whites to segregate blacks from white society), or some similar topic. However, throughout much of the nineteenth century and continuing well into the early decades of the twentieth century, southerners subjected Jews, like blacks, to theories of racial, not religious analysis. These analyses, and the values they helped to develop and promote, enabled southerners to regard Jews as a foreign and distinguishable "race" with customs that were wholly separate from those of the dominant white southern society. In reconsidering the Leo Frank case of 1913-1915, it is important to understand the assumptions that Georgia's whites held regarding Jews as an alien race in the South.<sup>8</sup>

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<sup>7</sup>On the cultural construction of the cunning, intelligent Jew, see Sander L. Gilman, *Smart Jews: The Construction of the Image of Jewish Superior Intelligence* (Lincoln: University of Nebraska Press, 1996).

<sup>8</sup>Historians of the South have almost always associated the study of "race" with the study of the region's African Americans. Recent studies include Osha Gray Davidson, *The Best of Enemies: Race and Redemption in the New South* (New York: Scribner, 1996); Edward J. Larson, *Sex, Race, and Science: Eugenics in the Deep South* (Baltimore: Johns Hopkins University Press, 1995); Diane Roberts, *The Myth of Aunt Jemima: Representations of Race and Region* (New York: Routledge, 1994). Southern Jews have rarely been the focus of race studies in the South. Few historians have examined how Jews have been historically perceived by their white neighbors as an alien race. For exceptions, see Eric L. Goldstein, "'Different Blood Flows in Our Veins': Race and Jewish Self-Definition in Late Nineteenth-Century America," *American Jewish History* 85(March 1997): 29-55; Michael Lerner, *Jews and Blacks: A Dialogue on Race, Religion, and Culture in America* (New York: Plume, 1996).

### C. Defining the Racial Jew

Race played an important role during and after Leo Frank's legal troubles. The cultural construction of race in the South at the turn of the twentieth century is an important factor that few historians contemplating the Leo Frank case have considered. The case -- occurring as it did in the South -- represents perhaps the first recorded instance when the testimony of a black factory hand, Jim Conley, was manipulated by a white southern prosecutor in order to convict a white factory superintendent. However, if the white man were a Jew living in the early twentieth-century South, as Leo Frank was, should he not have expected to receive the same treatment as that accorded to virtually all other white southerners of his time? Although Leo Frank defined himself as a southern white man, his "racial" demarcation -- southern Jew -- distinguished him from other white southerners and prevented him from receiving the same treatment that other whites could expect. The myths about Jews introduced earlier in this chapter were simply too culturally significant in the South -- even the urban South -- of the 1910s. Southerners constructed images of "the Jew" that linked together by association the stereotypical images of "the black" and "the criminal" (or, in this case, "the brute" who defiled white womanhood). These constructions took on new meaning, albeit at varying states of intensity, during the two years between the discovery of Mary Phagan's corpse and the lynching of Leo Frank.

Throughout Frank's entire ordeal, southerners transformed the defendant's particular physical features -- including the impression made by his bulging eyes (caused by the glasses he wore) or his slender, hunched build -- into distinct racial characteristics. Rural southerners used these features against Frank in order to convince themselves that the superintendent was nothing more than a Jewish brute whose menacing presence posed a danger to southern white females. Few southerners,

it appears, believed that Frank was dangerous based solely on the evidence brought against him. This simply was not enough. To fully explicate how menacing Frank was, it became necessary to label him a dangerous “Jewish” presence. This designation clarified whatever confusion white southerners felt and helped them demonize Frank as the ultimate evil within their society. Subsequently, the diminutive, rather shy Frank became publicized as the sexual brute, the vicious beast, and the greatest enemy Georgia’s female population had in their midst. Bearing these observations in mind, then, few white southerners would have disagreed with Tom Watson’s characterization of Frank when he wrote: “Robust animals, like Conley, do not commit the crime of Sodom: that is the vice of the degenerate, and Leo Frank’s *face looks the part to perfection!*” A central element of Watson’s description involved Frank’s face: the Jewish face with widely recognizable features. And describing Frank’s suspicious Jewish face triggered a knee-jerk reaction among many other Georgians. The Jewish face, after all, was presumed sinister, just as the Jew’s mind was presumed to house exploitative desires and sadistic fantasies. When southerners actually saw Frank’s face, many concluded that it was the face of a degenerate who had committed acts of sexual outrage against an innocent girl. In southern society, these physical and intellectual characteristics became racial features that had the power to convince individuals of many things.<sup>9</sup>

As a group in southern society, Jews were considered a “race” well before they were thought of as a religious denomination. While Leo Frank was a Jew of Germanic origin who practiced a fairly liberal brand of Judaism, few southern Christians could distinguish between Frank’s form of

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<sup>9</sup>For Watson’s quote, see Thomas E. Watson, “The Celebrated Case of the State of Georgia vs. Leo Frank,” *Watson’s Magazine* 21 (August 1915), 219. On Judaeophobic assumptions and their relation to Jewish physical features, see Sander L. Gilman, *The Jew’s Body* (New York: Routledge, 1991).

religious worship and the more conservative orthodoxy of the Eastern European Jews who had been pouring into America since the 1880s. Clearly, rural southerners often obfuscated religious idiosyncracies because many found such distinctions ultimately meaningless. To most southerners, a Jew was a Jew and the nuances of one's particular religious observation had little bearing on the construction. Moreover, in a section of the country like the South, which was dominated by endless talk of race, religion wielded even less influence than it did in the North.

How, then, did southerners define Jews as a race? A letter from Elsie Tinnell, a teenage girl from the Georgia countryside, to the Georgia Prison Commission begins to answer this difficult question. After asking how the state of Georgia could hang a man she believed was innocent, Tinnell wrote: "If you knew for sure he was guilty it would be different, but you have no evidence but that of a *black negro*, and that [Frank] is a *Jew*." She concluded by asking, "Men[,] would you rather believe a negro than a Jew?" While Tinnell had already drawn her own conclusions concerning the innocence of the accused, the terminology she applied to her query is more telling for purposes of this discussion. In her plea, Tinnell distinguished between the "black" negro and the "Jew" without ever alluding to Frank's "whiteness." Was this a mere oversight, or was something more meaningful occurring? For Tinnell, Frank was not white, he was a Jew -- a separate racial designation. Unlike the "black negro," Frank was not the "white Jew." Indeed, it is probable that Tinnell, like most others of her relatively modest social position, saw Frank as a southern Jew whose racial demarcation, while not as clearly recognizable as that of a southern black, was certainly distinguishable from white southerners like herself. In the process of making her distinction,

moreover, Tinnell was clearly separating Frank from whites like herself and amplifying Frank's tenuous position in southern white society.<sup>10</sup>

Elsie Tinnell was employing a coded language that described a social hierarchy widely familiar to most southerners, and one that was based on a combination of racial considerations and a popular construction of honor. In every southern community, even a southern city like Atlanta, where southern whites held racial distinctions in such high regard, white southerners always assumed the mantle of authority and superiority. In addition to racial considerations, however, southern whites also spoke of their connection to an honor culture when they highlighted these distinctions. Divisions across class and gender lines may have complicated southern society a bit, but not enough to affect the importance of *Herrenvolk* democratic traditions. Although white southerners were a more diverse lot than some have suggested, virtually all believed in their innate superiority over non-whites. Among southern women, a division along class lines also played a role in developing a working social hierarchy. Despite these various fissures, however, southern whites believed in a racially-constructed unity among themselves. Furthermore, most believed that their superiority atop such a pyramid remained a truth that few could openly challenge.<sup>11</sup>

For decades prior to the Frank case, ethnic southerners like Leo Frank had been increasingly complicating the South's nineteenth-century racial composition. Since the turn of the twentieth

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<sup>10</sup>Miss Elsie Tinnell to the Georgia Prison Commission, May 17, 1915, box 2, reel 1, BRAN, (emphasis added).

<sup>11</sup>On *Herrenvolk* democracy, see Pierre L. van den Berghe, *Race and Racism: A Comparative Approach* (New York: Wiley, 1967); George Fredrickson, *White Supremacy: A Comparative Study in American and South African History* (New York: Oxford University Press, 1981). Wilbur J. Cash argued that the South was comprised of like-minded individuals and little diversity. See Cash, *The Mind of the South* (New York: Vintage Books, 1941), 36.

century, the migration of a small but increasing number of Eastern European Jews into the South had compounded the issue of race and forced white southerners to realign their racial hierarchy to some degree. Most southerners continued to see the Jews in their midst as not quite white or black -- a strange "other" that belonged in another realm of society. Within a slightly shifting conceptualization of racial superiority, then, southern Jews found themselves typically placed somewhere between the South's white population and the region's African Americans. There were exceptions to this general observation -- like Moses Frank, Leo's uncle who owned the pencil factory where Frank worked, and who, as a Confederate veteran, had received deference from non-Jewish southerners -- but this was still a precarious positioning for many Jews. In fact, despite his relation to Moses Frank, these racial issues further illuminated Leo Frank's own dubious status in southern society when he became the main suspect in the investigation of a white girl's murder. Thus, for southern Jews like Frank, their status could change at a moment's notice. Indeed, while middle-class Jews like Leo Frank often considered themselves both white and socially prominent figures in southern society, it is equally clear that the majority of their gentile neighbors did not share this view.<sup>12</sup>

In Leo Frank's case, his central predicament was whether or not southern whites would see him as a nominal white man. In the process, would they allow him all the privileges and exemptions normally accorded to one of such color in the South? Or would Frank's "Jewishness" transcend his white skin? Would the myths that focused on traditional stereotypical images of Jews be too potent

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<sup>12</sup>On the introduction of ethnic groups into southern society, see George B. Tindall, *Natives and Newcomers: Ethnic Southerners and Southern Ethnics* (Athens: University of Georgia Press, 1995); Roland T. Berthoff, "Southern Attitudes Toward Immigration, 1865-1914," *Journal of Southern History* 17(February 1951): 328-60.

among southerners? Or would southerners rise above their mythic fears and treat Frank, the Jewish defendant, as simply Frank, the white defendant? By 1915, after Frank had exhausted over a year seeking official exoneration from the highest tribunals in Georgia as well as the United States Supreme Court, it became increasingly clear that the majority of Georgians were not yet ready to place Leo Frank upon the pedestal of southern whiteness.

#### **D. Leo Frank and "Whiteness"**

In contrast to the qualms that his southern brethren articulated, Leo Frank had no problem defining himself as a white man. Indeed, Leo Frank considered himself a well-adjusted, college-educated, white middle-class factory superintendent. Frank was also a Jew, however, who had been born in Texas but reared in Brooklyn, New York. He had been raised to speak English but he also understood a smattering of Yiddish as well. Frank took his Judaism seriously only insofar as it affected him socially -- and, unlike the middle-class work he performed, it was never as prominent a feature in his life. True, Frank held a number of ties to Atlanta's German Jewish community. For example, he not only joined the B'nai B'rith Gate City Lodge in 1907, but within five years became its president. At the Lodge, Frank made a number of important social contacts and many good friends, most of whom supported him throughout his legal battles. Aside from its social impact, however, there is little evidence that religion -- or Frank's affiliation with the Gate City Lodge -- influenced the superintendent's life the way his work at the pencil factory did. In fact, evidence suggests that religion was a light subject with Frank and his immediate family.<sup>13</sup>

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<sup>13</sup>In a letter from Frank's mother, Rhea Frank found it humorous to note that Leo Frank's wife, Lucille, had broken her Yom Kippur fast by eating pears. An orthodox Jew would have found such a breaking of the fast ultimately disturbing. See Rhea Frank to Leo Frank, October 2, 1914, box 1, folder 3, AHS. In another letter from Frank's mother, in which she discussed her own attendance at Yom Kippur services, she wrote her son to tell him that "The music was just



Frank believed that he was a productive and important member of Atlanta's white middle class. To some degree, Frank respected his Jewish past, but he also appreciated its basic irrelevance in a country where middle-class principles -- particularly those based on a thorough understanding of and appreciation for the English language and its powers of communication -- increasingly meant the difference between "getting ahead" in the world of business or lagging behind. As part of that emerging middle class, Frank also understood that while traditional customs remained vitally important in the South, conditions were changing slowly and gradually. A rising commercial economy was transforming the complexion of southern cities like Atlanta. This economy relied on the activity of businessmen and managers like Leo Frank. And Frank took those responsibilities quite seriously. Thus, as his professional status rose, Frank continued to consider himself part of Atlanta's white elite -- an individual who deserved respect and applause for the benefits he brought to the larger community.<sup>14</sup>

There were some subtle differences between Frank, the Jewish middle-class superintendent, and his non-Jewish, middle-class counterparts in the South. Frank alluded to these differences at times, though I argue that those distinctions, as distasteful as they sometimes were, failed to hamper his career aspirations or business-related successes. For example, Frank found access to many of the city's more prestigious social clubs denied to him solely on the basis of his religion. These were

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splendid and the singing great." Again, an orthodox Jew would not have made these activities such a central feature of religious life. See Rhea Frank to Leo M. Frank, October 1, 1914, box 1, folder 3, AHS.

<sup>14</sup>On nineteenth-century middle-class culture and the rising importance of formal education and standardized forms of communication, see Burton J. Bledstein, *The Culture of Professionalism: The Middle Class and the Development of Higher Education in America* (New York: W.W. Norton & Company, 1978), 47-8.

clubs reserved predominantly for Christian participation. However, this predicament did not prevent Frank from maintaining memberships with other important organizations like the Hebrew Benevolent Congregation, the Jewish National Fund Bureau, the Jewish Publication Society, or the Progress Club (a German-Jewish social club). Frank was disturbed when he was barred from certain organizations in the city, but he never became distraught. "There was some sort of an affair at the Club last night," Frank wrote Lucille Selig, his betrothed, while she was away on vacation, "but as you know, I did not attend. As I am not a member, I don't much care to go around and enjoy their entertainment." Though Frank never specifically mentioned what type of social club he was referring to, there remains a bitterness to his tone. Could he have been discussing an all-Christian social club? Perhaps so. Regardless, these issues did not overwhelm Frank who, as superintendent of an Atlanta factory, continued to refer to himself as a successful white man living in the modernizing South.<sup>15</sup>

Frank's "whiteness" is mentioned several times in correspondence to and from Leo Frank, family members, and friends. After reading these letters, it is clear that it was important to the Franks that they define themselves as white Americans. Assimilating oneself into American societal cultural patterns often brought comfort and a sense of belonging to middle-class ethnics like the Franks. Consequently, while they maintained cultural ties to Judaism, they were more likely to devote space in their letters to discussing their connection to American culture. They eagerly

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<sup>15</sup>On Frank's memberships in various social and professional associations, see Atlanta Miscellany, box 6, folder 7, AHS. On Frank's disappointment with an Atlanta social club, see Leo Frank to Lucille Selig, June 18, 1909, box 2, reel 1, BRAN. On Atlanta's social clubs and their anti-Jewish membership policies, see Clifford M. Kuhn, Harlon E. Joye, and E. Bernard West, *Living Atlanta: An Oral History of the City, 1914-1948* (Athens: University of Georgia Press, 1990), 255.

described their role in quintessential American activities like the enjoyment of popular amusements, the thrill of shopping, or the intrigue of politics. It is true that Frank's family members made allusions to various religious rites and often employed Yiddish slang in their letters. However, this evidence appears peripheral in relation to other, more important concerns.<sup>16</sup> When recounting a Christian wedding she had recently attended, for example, Rhea Frank described the bride, Ada Maud Soper, as "of the Gibson type[:] tall and thin and stylish looking." Her use of the term "Gibson type" was a direct reference to the Gibson Girl, a popular icon that advertisers in the early twentieth century used to help convince American women what to wear and how to be more stylish. Rhea Frank would not have used such a popular term without understanding its meaning in America's changing consumer society. Furthermore, Rhea Frank told her son how she ventured to a "Church in [the] Midwood section of Brooklyn," where she witnessed "a real impressive wedding and no pains [money] was spared to make it a thoro [sic] success." She did not see how attending such a "gentile" event could be improper; she had simply received an invitation from a family friend and had decided to be present.<sup>17</sup>

Just as Rhea Frank often alluded to her position in white society, Leo Frank did not hesitate to describe himself as a white man. He relayed as much by implication when he wrote a return letter to Dr. David Hawkins, one of Frank's many supporters. The doctor had requested that Frank send

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<sup>16</sup>On Jewish assimilation in early twentieth-century America, see Jenna Weissman Joselit, *The Wonders of America: Reinventing Jewish Culture, 1880-1950* (New York: Hill & Wang, 1994), 22-6; Neil M. Cowan and Ruth Schwartz Cowan, *Our Parents' Lives: The Americanization of Eastern European Jews* (New York: Basic Books, 1989), 39-73.

<sup>17</sup>Rhea Frank to Leo Frank, October 21, 1914, box 1, folder 3, AHS. On the Gibson Girl, see William E. Leuchtenburg, *The Perils of Prosperity, 1914-1932* (Chicago: University of Chicago Press, 1993), 173-4.

him a copy of the infamous notes found at the scene of Phagan's murder and Frank was more than willing to oblige. "Beg to state that the negro Conley is short, stout and coffee colored; the reverse of the negro described in the notes," wrote Frank. "He first denied his ability to write; then after it was known that he could write, he stated that he did not write the notes. Subsequently he wrote one of the notes at my dictation and I wrote the other one, and then finally stated that he wrote both of them at my dictation." An exasperated Frank concluded: "Of course you will readily see that it is preposterous for any *white man* of average common sense to leave anything behind any crime." Only a criminal black, implied Frank, would be as foolish as to have left behind such essentially damaging evidence. Frank had distinguished between the white man of "average common sense" and the black man whose criminal antics often led him into trouble. And Frank saw himself as the former.<sup>18</sup>

The notion that black criminal behavior could be distinguished from white illegal activity was important to Frank's entire equation. By virtue of his "whiteness," Frank reasoned that he could only be capable of committing certain "white crimes." Moreover, many southerners believed that the crimes committed against Mary Phagan were "black crimes." Many whites throughout southern society presumed that blacks were criminal by nature. When Luther Rosser, Leo Frank's defense attorney, described Jim Conley as a "drunken criminal negro," he assumed quite naturally that the jury would understand these remarks and consider them thoroughly plausible. In a society where blacks were considered criminally inclined, these viewpoints shocked virtually no one. Accordingly, such designations as "criminal negro" and "worthless black" must have further convinced Leo Frank

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<sup>18</sup>Leo M. Frank to Dr. David B. Hawkins, May 18, 1915, box 1, reel 1, BRAN, (emphasis added). On Frank's "whiteness," also see Leo M. Frank to Colonel Yeomans, July 19, 1915, box 6, folder 13, AHS, in which he writes: "The warden and his staff have treated me white."

that as a "white man," it would be impossible for any southerner to doubt his word against that of his black accuser. Since Frank did not consider himself anything but white, he found it hard to believe that southerners could imagine him responsible for the crimes. Since most southern whites did not see Frank as a white man, however, most were inclined to believe that Frank was just as capable of committing a "Negro crime" as was Jim Conley, Frank's African American sweeper.<sup>19</sup>

Rudolf Frank, Leo Frank's father, expressed similar views about race in southern society and its relation to his son's "whiteness." In a letter, Rudolf Frank wrote that "in all the annals of jurisprudence in the South, there never was the word of such an unnaccount[able] roustabound and criminal *shocheres* [individual] as J. C. [Jim Conley], taken in preference to that of a *clean* and *honorable white man* as in our case. It seems too ridiculous to consider even for a moment." To many interested observers throughout the United States, Leo Frank's growing plight did appear surprising. It was obvious to many that Conley was a disreputable individual who had fabricated an interesting and titillating tale. A more fascinating problem, however, and one Rudolf Frank never broached, was whether or not white southerners could believe that Leo Frank was as "clean," "honorable," and preferred to his black accuser as did his father. This is certainly not clear.<sup>20</sup>

As more and more southerners began to learn of Leo Frank, few found themselves willing to trust the Jewish superintendent. As stories of Frank's alleged sexual trysts and immoral habits

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<sup>19</sup>On Rosser's comments regarding Conley, see Dinnerstein, *The Leo Frank Case*, 45-8; for a similar example, see Gustave Haas to Georgia Prison Commission, May 29, 1915, box 35, folder 8, GDAH, in which Haas writes: "Who dictated the notes? We don't know. We have to accept the testimony of Conley, a negro of the lowest type -- a liar, a thief, a jailbird, a drunkard, a several times self-confessed perjurer. The negro's testimony is unreliable at the most."

<sup>20</sup>Rudolf Frank to Leo M. Frank October 8, 1914, box 1, folder 3, AHS, (emphasis added).

began to percolate among these provincial southerners, most chose to ignore Frank's white skin and focus instead on the defendant's "racial" heritage. Consequently, southerners replaced an image of Leo Frank, the white superintendent, with an image of the dirty, dangerous Jew. In the process, these people equated Frank's "Jewishness" with the most reprehensible characteristics popularly associated with the southern black male. As this transition occurred, the issue of Leo Frank's whiteness -- and the trust, honor, and purity that were unconditionally associated with the term -- clearly changed as well. Southerners who had begrudgingly accepted the reality of Frank's white skin (and all that such "whiteness" meant culturally) changed their stance and adamantly refused to consider Frank even remotely "white." By the end of Frank's trial, Leo Frank had become thoroughly despised throughout Georgia and was typically regarded as the lustful Jew who had murdered little Mary Phagan. However "white" Frank may have considered himself -- and whatever benefits he thought came with such a designation-- the distinction no longer seemed to have much relevance for most southern whites. In the eyes of his white accusers, then, Frank had become as dark -- and as dangerous -- as any African American who walked among them.

#### **E. The Myth of Jewish Sexual Transgression**

In the same way that black males were reviled as oversexed brutes, so too were Jews like Leo Frank. Throughout the two years of Frank's bitter legal dispute, southerners routinely maligned Frank and labeled him a sexual infidel who had ravaged his young white victim before murdering her. Despite convincing evidence that no sexual violation of Mary Phagan had occurred, most southerners would not allow themselves to believe otherwise. "Of all the dirty wretches that have ever disgraced the State of Ga[.] by committing crimes therein or living within her borders this Leo M. Frank, is the dirtiest most low down of them all," wrote L. R. Roberts to a representative of the

Georgia Prison Commission. Roberts was not only certain that Frank had raped Phagan, he was sure that other, even darker crimes, remained hidden. "The half of his low down dirty deeds will never be known for they were too dirty to besmirch the human mind with." For southerners like Roberts, Frank's lechery was almost beyond imagination. Georgians like these were easily convinced that Frank was an unwelcome menace with a history of sexual degeneracy. And for some, like L. G. Morgan and W. R. Pearson, two ordinary, rural Georgians, Frank was a "Demon Brute" who had defied law and common tradition when he "commit[ted] rape upon poor girls...."<sup>21</sup>

The term "brute" had special meaning for turn-of-the-twentieth-century southern whites. The "brute" was a sexual beast -- the black beast rapist -- that physically overwhelmed his white female victims. For decades prior to the Frank case, southerners had shown little difficulty voicing their fears of the black brute. Many of the myths associated with this caricature emerged during the era of Reconstruction, when white southerners formed mythical ties around images associated with "Black Republican rule." By the early twentieth century, the image of the black beast rapist had become so popular that one variation or another could be found almost daily in any southern newspaper. Numerous newspaper stories, under headlines like "mob hangs black who killed girl" and "woman attacked by five negroes," appeared each week. These stories detailed violence perpetrated by "black beasts" against white women. White southerners thus attached distinctly evocative African American characteristics to the Jewish defendant when they designated Frank the

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<sup>21</sup>L.R. Roberts to the Georgia Prison Commission, June 2, 1915, box 35, folder 15, GDAH; L.G. Morgan to John M. Slaton, May 31, 1915, box 45, folder 10, GDAH; W.R. Pearson to John M. Slaton, May 27, 1915, box 45, folder 10, GDAH. On the cultural construction of Jewish sexuality and the fears it had the potential to generate among gentiles, see Sander L. Gilman, *Difference and Pathology: Stereotypes of Sexuality, Race, and Madness* (Ithaca: Cornell University Press, 1985).

“demon brute” or “brute rapist.” Many Atlantans who perused the city’s daily papers and freely associated racial similarities between southern blacks and Jews assumed that the latter were just as capable as the former of gross sexual impropriety.<sup>22</sup>

In the letters they wrote, many southern rural parents emphasized their fear of Jewish sexual interaction with southern white girls and women. The potential for “miscegenation” between these two “races” galvanized white southerners and resulted in their intense desire to protect their daughters and wives from Jewish lusting. “What will become of the wives and daughters of the State of Georgia?” asked W. S. Lancaster. “The people are not appealing to you for sympathy but for justice.” As far as the Leo Frank case was concerned, Lancaster believed that justice could only come in the form of a public execution. Only by executing Frank could a stern message be sent to other nefarious racial inferiors who, like Frank, needed to be reminded of their separate position in southern society. Lancaster hoped that such a message would prevent further episodes of Jewish-gentile sexuality from occurring. “Dear Gov[ernor],” Lancaster concluded, “our wives and daughters are at stake and it lies with you in the end [to protect them].”<sup>23</sup>

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<sup>22</sup>At least four stories appeared during the month of January, 1913, involving crimes committed by blacks against white women. See *Atlanta Constitution*, January 8, 1913, p.10; January 9, 1913, p.2; and January 18, 1913, p.1, which details two separate stories of interracial violence. On the image of the “Black Republican,” see Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890-1940* (New York: Pantheon Books, 1998), 5; Leon Litwack, *Been in the Storm So Long: The Aftermath of Slavery* (New York: Vintage Books, 1979), 548-9. On Reconstruction, see Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877* (New York: Harper & Row, 1988). On white images of the “black beast rapist,” see Lawrence J. Friedman, *The White Savage: Racial Fantasies in the Postbellum South* (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1970), 68, 65.

<sup>23</sup>W.S. Lancaster to John M. Slaton, December 29, 1914, box 45, folder 10, GDAH. Southern whites often believed that lynch violence sent an explicit and effective message to other potential racial transgressors. On lynching as a form of social protection, see Stewart E. Tolnay and E.M. Beck, *A Festival of Lynching: An Analysis of Southern Lynchings, 1882-1930* (Urbana:



White southern men rarely considered the Jews in their midst white. Thus, it became especially important to these men that white women receive protection against Jewish sexual transgressors. Part of the reason for this fear stemmed from the way rural southerners perceived Jews. Provincial southerners often saw Jews as a foreign people: swarthy, dirty, and clearly different from themselves. Many further believed that Jews, like southern African Americans, craved sexual gratification from southern white women because those women represented the “forbidden fruit” that was off limits to them. These same individuals concluded that pedestaled, porcelain-skinned women were too great a temptation among those who were meant to stay removed from white female life. Accordingly, white southern men needed to monitor the behavior of non-white men, including Jews, for any and all discretions. Why fear southern Jews? John Wellington, one rural correspondent, intended to answer this question when he wrote to the governor. “Have you got any good looking daughters?” he asked. This outraged Georgian only wished to remind the governor that “Jews are choice in their Gentile victims.” To Wellington and others like him, Jews craved white gentile women and would stop at almost nothing to get them. And since Slaton had failed to protect the working girls of Georgia by commuting “the Jewish brute,” this correspondent wondered how long it would be before Frank, or other Jews like him, began to take even more liberties with the white women they lived among.<sup>24</sup>

Southern men like John Wellington expressed many fears in the letters they wrote to Slaton and the Georgia Prison Commission. These often focused on the emerging modern cities in the South where extravagances of all varieties appeared limitless. Indeed, rural Georgians commonly

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University of Illinois Press, 1995), 90-93.

<sup>24</sup>John H. Wellington to John M. Slaton, June 24, 1915, box 4, reel 2, BRAN.

believed that cities were thriving dens of iniquity. In these often misunderstood locations, working girls from the state's back country introduced themselves to new forms of entertainment, recreation, and vice. Many parents worried how their daughters would fare in such an overcharged atmosphere. One cause for these developing fears was a growing awareness among rural Georgians that for years white slave traffic had supposedly been on the rise. A newspaper story, entitled "41 girls lured to dens of ruin by millionaires," appeared in the *Atlanta Constitution* on April 22, 1913. Readers were told of a California residence "known as 'The Jonquil,' where many young girls, gathered from [the city's] department stores, restaurants, and other places of employment, were alleged to have been lured to meet wealthy men." Rural parents, whose own daughters had gone to Atlanta to work in similar surroundings, naturally grew increasingly wary as they read stories like this. Many read how the "den" was home to "millionaires and prominent residents of the city [who] cavorted with underage girls." The article concluded by warning readers that "the millionaires involved had a complete organization." Rural southerners often presumed that "foreign elements" organized and ran such ventures. They were also convinced that these "foreign elements" -- a euphemism for immigrants, ethnics and un-American outsiders, many of whom included Jews -- easily manipulated and swayed their womenfolk. The fear that southern white women daily risked imprisonment in a world of forbidden lust and illicit sex was a recurrent theme among rural white southerners.<sup>25</sup>

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<sup>25</sup>On the newspaper story, see *Atlanta Constitution*, April 22, 1913, p.1, 13. On Jews and the white slave traffic, see Burton J. Hendrick, "The Great Jewish Invasion," *McClure's Magazine* 28(January 1907): 307-21; Hendrick, "The Jewish Invasion of America," *McClure's Magazine* 40(March 1913): 125-65. Jews often found themselves frantically trying to refute claims of their deep involvement with such illegal trafficking. See Maurice Fishberg, "White Slave Traffic and Jews," *The American Monthly Jewish Review* 4(December 1909): 4, 23; "Jews and the White Slave Traffic," *The Temple* 2(February 25, 1910): 176. For historical interpretations of this problem, see Edward J. Bristow, *Prostitution and Prejudice: The Jewish Fight Against White Slavery, 1870-1939* (New York: Schocken Books, 1983); David J. Langum,

These same southerners also assumed that Frank's position as superintendent of a factory gave him too much authority over his female subordinates. Most agreed that with that much authority, Frank likely took liberties with his southern white working girls. The southerners who felt this way had been swayed by frightful tales of city life, urban squalor, and factory managers whose activities appeared to be equally as lecherous as Frank's.<sup>26</sup> By the time Leo Frank was convicted of murder, many stories of his alleged trysts had been widely circulated and the image of Frank as a sexually depraved animal had become, for many, an unquestioned reality. During the days leading to Frank's trial, newspaper articles appeared alleging that Frank had cavorted with several women other than his wife. It was even suggested that Frank kept another wife in Brooklyn, New York. During his trial, moreover, Frank endured hours of testimony about his alleged sexual peculiarities and habits. Apparently, Frank had a habit of wandering into the ladies dressing room. Frank countered these allegations by arguing that he only looked into the dressing room when he felt the girls he employed were loafing. Several of the girls who testified against Frank challenged this stance. One in particular testified that Frank made periodic, unannounced visits to the room while the girls were undressing. "Miss Emily Mayfield and I were undressing in the dressing room when Mr. Frank came to the door," testified Irene Jackson. "He smiled or made some kind of face. Miss

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*Crossing Over the Line: Legislating Morality and the Mann Act* (Chicago: University of Chicago Press, 1994).

<sup>26</sup>Many of these tales appeared in "nickel-novels" and "dime-store" novels and were based on a growing concern with the "girl problem" in America's cities. On the "girl problem," see Ruth M. Alexander, *The Girl Problem: Female Sexual Delinquency in New York, 1900-1930* (Ithaca: Cornell University Press, 1995); Mary E. Odem, *Delinquent Daughters: Protecting and Policing Adolescent Female Sexuality in the United States, 1885-1920* (Chapel Hill: University of North Carolina Press, 1995). Also see Joanne J. Meyerowitz, *Women Adrift: Independent Wage Earners in Chicago, 1880-1930* (Chicago: University of Chicago Press, 1988).

Mayfield had her top dress off and she had her old dress in her hand to put it on. He just walked in, and turned and walked out.” Frank’s apparent freedom to walk among the women he employed, whether they were dressed or undressed, greatly disturbed many rural Georgians and Atlantans as well.<sup>27</sup>

Based on Frank’s supposedly perverse nature, southerners justified an investigation into Leo Frank’s physical features and mental capacity. Frank was literally probed by a panel of expert physicians who were searching for any indication that he was physically or emotionally abnormal. This committee of local physicians examined Frank’s “potential” for perversion in order to qualify the extent to which Frank was “abnormally perverse.” Hoping to determine whether Frank “was, or had ever been, *addicted* to perversion, or had any traits of a pervert,” professional neurologists found he bore no such signs. They further stated that a series of examinations proved that Frank was “a strictly normal, healthy man, with not a single trace or taint of anything common in degenerates or perverts.... [H]e is in no sense a pervert, and has never been addicted to, or practiced, perversion.” The conclusions drawn by this body of medical scientists failed to appease most rural Georgians. Many remained suspicious and apprehensive when it came to accepting the findings of any group of educated “experts.” After all, most southerners believed that experts could easily manipulate their findings in order to serve specific needs. As such, most continued to believe that Frank was a perverse brute who had sexually assaulted Mary Phagan before murdering her in a fit of passion.

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<sup>27</sup>On newspaper stories of Frank’s alleged trysts, see *Atlanta Constitution*, May 1, 1913, p.1; Dinnerstein, *The Leo Frank Case*, 17-8. The quoted material is from Brief of Evidence at 172, *Leo M. Frank v. State of Georgia*, Fulton County Superior Court at the July Term, 1913. Atlanta Miscellany, Special Collections, Robert W. Woodruff Library, Emory University.

The fear of Jewish sexuality, with its mythic link to fears of “miscegenation” and its presumed connection to a distinctly “Jewish lust” for gentile girls, had proved to be too strong.<sup>28</sup>

**F. Big Hebrew Money and its Mythical Connections**

Another important myth that played a significant role throughout the Leo Frank case focused on the imaginary interplay between Jews and monied interests. Unlike the myths developed around fears of Jewish sexuality, which white southerners had helped fashion largely on the basis of their interaction and experience with African Americans, the myths associated with Jews and money were constructed free from any distinctly racial influences. Indeed, few white southerners of any social position imagined that blacks controlled secret reserves of wealth or manipulated banking and financial interests. Jews, however, were any story altogether. Many southerners presumed that Jews were cunning, mathematical, and analytical by nature. Furthermore, they saw the Jew’s ability to accumulate wealth as a distinctly modern asset; and because they believed that Jew’s computed numbers and manipulated calculations with ease southerners also argued that Jews were the ultimate money changers. These views found acceptance among provincial southerners who had little direct access to or knowledge of modern financial transactions or commercially-oriented career choices.

For centuries, Jews had been historically associated with money lenders and middlemen. Popular folklore, developed as it was throughout the ages, viewed Jews both as ruthless creditors who charged exorbitant interest rates and vicious cutthroats who took advantage of an individual down on his luck. In the South, these mythical, folkloric expressions held weight among most

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<sup>28</sup>Medical Communique to Georgia Fulton County, May 20, 1915, box 35, folder 16, GDAH, (emphasis added). On southern provincialism and a lack of formal education among southerners, see Steven Wayne Wrigley, “The Triumph of Provincialism: Public Life in Georgia, 1898-1917,” (Ph.D. diss., Northwestern University, 1986), 61.

southerners. Ultimately, few southerners had much physical contact with Jews of any kind. This did not prevent many, however, from reaching certain conclusions about the Jews who did live among them. Predominantly, southern Jews were peddlers, small merchants, and local proprietors who provided goods and services to southern farmers. Where Jewish peddlers roamed the countryside with their vast assortment of goods and wares, these peripatetic salesmen became symbolic of the South's limited consumer and commercial development during the last half of the nineteenth century. While these peddlers tried to remain as unobtrusive as possible, their presence still enabled southerners to conjure up any number of popular stereotypical images about them. Consequently, southerners often viewed the Jews in their midst as petty shysters, floaters, lenders, thieves, and hustlers, and this continued despite the fact that many southerners relied extensively on Jewish peddlers and merchants for the mass-produced goods they often bought.<sup>29</sup>

In order to better understand how southerners drew these conclusions about Jews, it is necessary to appreciate the assumptions that many southerners brought with them when they contemplated the Jews in their midst. Several memoir accounts written by southern Jewish peddlers discuss these assumptions as well as the southern provincialism that allowed them to mature. One peddler, Oscar Solomon Straus, explained the way in which the southerners he lived amongst viewed Jews as racially -- and physically -- distinctive individuals. "We were the only Jewish family in the town," writes Straus. "This at first aroused some curiosity among those who had never met [Jews] before. I remember hearing someone doubt that we were Jews and remarking to my father, who had

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<sup>29</sup>On the Judaeophobic stereotypes built around images of the Jew as middleman, money lender, and grafter, see Frank Felsenstein, *Anti-Semitic Stereotypes: A Paradigm of Otherness in English Popular Culture, 1660-1830* (Baltimore: Johns Hopkins University Press, 1995), 3, 33-4, 80.

very blond hair and blue eyes, that he thought all Jews had black hair and dark complexion.” Morris Witcowsky, another Jewish peddler who traveled throughout the South in the 1890s, described his encounters with southern gentiles, white and black. “Many times a customer on my route, Negro or white, would ask me questions about the Bible.” These customers routinely asked Witcowsky to solve biblical arguments or explain various religious discrepancies. One farmer “would tell me the argument was about Daniel in the lion’s den, or maybe it was about Jonah, and he would ask me to settle the argument....” Witcowsky was convinced that these situations occurred “because I was a Jew and they all looked at me as an authority [on religious matters].”<sup>30</sup>

Just as many southerners presumed that Jews had particular, dark physical features or intimate knowledge of various religious texts, many also believed that Jews were a distinctly commercial people with complex and secret connections to monetary institutions. Such conspiratorial fears had the power to generate a great deal of resentment among southern whites. Provincial southerners, for example, often leveled exhaustive criticism on southern Jews when economic difficulties in southern society arose. During the Civil War, for instance, many southerners responded to the economic maladies they experienced by attacking the Jewish peddlers and small businessmen in their midst. Isidor Straus described merchants, Jew and gentile alike, “who were engaged in this perfectly legitimate enterprise [peddling cotton and dry goods] and were denounced as extortionists, speculating on the necessities of the people....” Straus then emphasized how “the Jews were singled out as if they alone were the perpetrators of what was [*sic*] termed iniquitous practices.” Straus was ultimately describing a gradual shift in blame that slowly affected

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<sup>30</sup>Jacob Rader Marcus, *Memoirs of American Jews, 1775-1865* (Philadelphia: The Jewish Publication Society of America, 1955), 294; Irving Howe, *World of Our Fathers* (New York: Harcourt, Brace, Jovanovich, 1976), 78.

many southern Jews. He concluded by describing how “a prejudice against the Jewish merchants was inaugurated that found utterance in official and semi-official quarters. So it occurred that a great jury... referred to the evil and unpatriotic conduct of the representatives of Jewish houses who had engaged in this nefarious business.” Straus had described a dramatic change -- from socialized Judaeophobia to outright antisemitism -- that had been based entirely on economic conditions and fears of Jewish monied interests.<sup>31</sup>

Leo Frank was not a peddler, however, nor was he a small-town merchant. Frank was the superintendent of an Atlanta factory and many southerners assumed that, as a result, Frank had numerous hidden connections to monied interests. These individuals often suspected that Frank received aid from “Big Money,” “Big Hebrew Money,” or “Jewish Money.” Unlike family ties and land holdings that gave elite southerners their status, many southerners believed that the financial sources connoted by pejorative terms like “Big Hebrew Money” functioned quite differently from traditional avenues of wealth. “Big Money” had tentacles that branched throughout the world and connected Jewish interests to an unseen global conspiracy. “Big Jewish Money” was presumed to be international in nature because its scope was thought to be enormous, its capacity limitless, and its influence boundless. “I hear that Frank had his millions at his back,” wrote T. B. Hogan, a suspicious southerner. “Should money cut any ice when it comes to justice?” Hogan asked Governor Slaton. The implication was clear: monied interests, with their limitless network of agents, had prevented justice from being served. “We believe it is Jew money that got some ... in Atlanta to go

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<sup>31</sup>Marcus, *Memoirs of American Jews*, 303-4.



to Frank's help," added W. F. Dumas, another rural Georgian. Without it, he implied, why would anyone have helped Leo Frank, the lecherous Jew?<sup>32</sup>

Many white rural southerners reasoned that Jews only responded to crises when money was at issue. Since Jews were presumed to have hidden access to wealth, it was further assumed that Jews saw money as some type of universal, assimilating agent. In fact, some southerners occasionally believed that Jewish ties to monied interests could be advantageous and beneficial to small southern communities.<sup>33</sup> However, when that money was thought to have been used to save a dangerous rapist and murderer (like it had during the Frank case), then southerners saw "Jewish money" as nothing more than an invasive and unwanted influence in their society. H. J. Sandlin, a typical rural Georgian writing in the summer of 1915, summarized the concerns of many southerners when he asked his governor: "Should Jew Money be allowed against Georgia virtue, will we of the good old state of Georgia who represent the very best element of Southern manhood submit[?]" Another Georgian echoed these sentiments: "There is a very strong feeling among the country people, that is almost prevalent to a man," wrote F. N. Reeves, a bank cashier, "that outside influences and big money are trying to dictate to our State and brow-beat our courts. The masses of

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<sup>32</sup>T.B. Hogan to John M. Slaton, May 25, 1915, box 35, folder 1, GDAH; W.F. Dumas to Slaton, May 27, 1915, box 35, folder 1, GDAH.

<sup>33</sup>Historian Louis Schmier writes: "Economic considerations were an added inducement for the Gentiles to accept the Jewish arrival [and his wealth], for in the period after the war, when merchants and commodities were scarce, [various Jewish merchant families] and their 'connections' were greeted as significant contributors to the revival of the town." See Schmier, "Jews and Gentiles in a South Georgia Town," in Samuel Proctor, Louis Schmier, and Malcolm Stern, eds., *The Jews of the South* (Macon: Mercer University Press, 1984), 2.

the people resent very strongly this effort to influence our officials from outside people by other states who know nothing of the official records of the case...."<sup>34</sup>

Many of those whom southerners considered "outside people" were northerners residing in New York City. In many letters, southerners expressed a unique bias against the northern metropolis. Wall Street, in particular, was often a target of criticism. Wall Street, so went the familiar and woeful tale, had been home to millionaires and manipulators, and southerners had developed a long and storied animosity for the street, its financial houses, and the city it was surrounded by. Many southerners assumed that throughout the Leo Frank case, various New York institutions worked in collusion and banded together to embarrass and disable Georgia's citizens. Angry Georgians like Mrs. J. Smith wrote to Governor Slaton to let him know how "it is a crime to let N[ew] Y[ork] papers rule Georgia...." Others, like L. F. Roberts, wrote of more generalized concerns: "It is sincerely hoped by nine out of ten of every good men [*sic*] in the state of Georgia that your honorable body will pay no attention whatever [*sic*] to the silly excuses being sent by all kinds of foreign people residing outside the State.... I think that the people of Ga[.] know what they want and are fully competent to manage their own affairs without the aid or consent of the thousands of fools scattered all over the United States." For many southerners, New York City's Jews -- many of whom appeared willing and ready to subsidize Leo Frank's mounting legal fees -- comprised some of those "thousands of fools." For those still unconvinced, however, Tom Watson wrote how "the rich Jews [dispersed throughout the country] formed a Finance Committee" that had allowed them to influence the governor and control the outcome of Leo Frank's commutation plea. To most

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<sup>34</sup>H.J. Spradlin to Georgia Prison Commission, June 2, 1915, box 45, folder 14, GDAH; F.N. Reeves to John M. Slaton, June 4, 1915, box 45, folder 10, GDAH.

southerners, this was further proof that both Leo Frank's representatives in Atlanta as well as wealthy Jews stationed in New York City and throughout the country had manipulated insidious "Jewish money" for their own diabolical ends.<sup>35</sup>

Jim Conley, the chief witness against Leo Frank, took the stand during Frank's trial and told the jury that Frank had said "why should I hang [for Phagan's murder]. I have wealthy people in Brooklyn." Though the testimony was offered by a southern black man who had a poor reputation among his white co-workers, white jurors accepted it without question. Most had assumed all along that a wealthy Jewish elite existed in the North and that their finances were used to save fellow Jewish transgressors like Frank. It hardly mattered to most that Frank's mother had testified under oath that her family had only modest resources. Nor did it matter that Frank's father had worked his entire life as a traveling salesman -- a position that surely did not earn him excessive wealth. Regardless of these circumstances, many southerners continued to believe that when Jews like the Franks applied economic or political pressure, they always received the compensation they intended to collect from their "victims." Letters written by many of Georgia's rural dwellers discuss this particular fear of "Jewish money" and its influence in their state. "The Jews have started out at the first," wrote W. F. Dumas, "to show the people of Ga. that they had too much money to hang a Jew in Ga." Another message from Good Hope Local Union #593 begged that Slaton remember how "all sorts of Money is being used in every way possible for the benefit of the convicted Prisoner." H. O. Durham, yet another concerned southern man, wrote that "to set this judgement aside at the request of big Hebrew money and Political pressure will be ... to establish a precedent of a law for

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<sup>35</sup>Mrs. J. Smith to John M. Slaton, June 22, 1915, box 4, reel 2, BRAN; L.F. Roberts to John M. Slaton, box 35, folder 15, GDAH; Thomas E. Watson, "The Celebrated Case of the State of Georgia vs. Leo Frank," *Watson's Magazine* 21(August 1915), 222.

the wealthy criminal Jew and another for the Gentile.” Even at Frank’s trial, witnesses who testified on Frank’s behalf were routinely asked if they knew anything about the defendant’s alleged connections to northern monied interests. Southerners were convinced that no one in Georgia -- from members of the print media to high political office holders -- was safe from the influence of “Big Jewish Money.”<sup>36</sup>

“The maddening thing to the people of Georgia,” wrote Tom Watson after Leo Frank’s death sentence had been commuted, “is, not that one man’s life has been spared, but that Jew Money has done for a foul Sodomite and murderer, a thing that shatters all precedents, nullifies the highest law, sinks juries and courts into contempt, brings upon us a sickening consciousness that our public men and our newspapers are for sale, weakens the defenses of every poor man’s home, and adds to the perils that beset every poor man’s child.” Watson’s comments touched Georgia’s rural constituency. For them, perhaps the most disconcerting aspect of “Jewish money” was the way it crept into Georgia’s political infrastructure and corrupted its most honored individuals. Indeed, countless Georgians believed that Governor Slaton had been “bought off” by greedy manipulators. By all accounts, Slaton’s action was an abomination to their culture of honor. “What kind of slice did you get for the cut off you coward?” J. H. Christian demanded to know of Slaton. In another letter, a broken-hearted woman simply asked: “How much did you get for it[?]” Yet another correspondent

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<sup>36</sup>On Jim Conley’s statement, see Dinnerstein, *The Leo Frank Case*, 44. On the Frank’s financial status, see Brief of Evidence at 125, *Leo M. Frank v. State of Georgia*. The southern correspondents include W.F. Dumas to John M. Slaton, May 27, 1915, box 35, folder 1, GDAH; Good Hope Local Union #593 to John M. Slaton, May 15, 1915, box 35, folder 1, GDAH; H.O. Durham to R.E. Davison, June 1, 1915, box 35, folder 1, GDAH. On the testimony from witnesses who were asked about Frank’s connections to northern money, see Brief of Evidence at 143, *Leo M. Frank v. State of Georgia*.

labeled Slaton "Judas Iscariot" and admonished him to "take your thirty pieces of silver and go hang yourself."<sup>37</sup>

When most Georgians contemplated whether their governor had "sold them out," the resulting stress and humiliation became almost unbearable. Few could imagine an officer of their state succumbing to such a temptation. "They think our officers is greedy for gold," wrote a hopeful W. H. Thomas to Slaton prior to the governor's commutation decree. Once large numbers of southerners began to suspect that Slaton had been involved in some type of conspiracy and money had exchanged hands, however, most reacted by sending him hate-filled letters. "I [know in] my mind," wrote "A Friend of the Just," "I don't believe rich Jews could have bought over Joseph M. Brown [the governor who preceded Slaton]. Thank God your term of Govoner [*sic*] is at a close. May we be blessed with a Gov[ernor] that money can not [*sic*] bribe to pardoning Frank[.] which will be the next step of your brutes." Another Georgian, writing only days before Slaton's famous commutation, listed "lawyers, technicalities of the law, News papers [*sic*] for hire, officers for sale: these are the withering curse of our land." He then added that "this does not apply to honest lawyers, not honest papers, for they are exceptions to the rule, and I refuse to believe that you belong to the class who serve for hire." J. P. Berrong, another correspondent to Slaton, suggested that if the governor needed an example of one such honest lawyer, he should look no further than his own Fulton County Solicitor. "I still hope there is plenty of good men that cannot be bought with Jewish *money*. Hugh M. Dorsey has made a reputation that will elevate him to any office he may ask [for]

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<sup>37</sup>Watson, "The Celebrated Case of the State of Georgia vs. Leo Frank," 230; J.H. Christian to John M. Slaton, n.d., box 4, reel 2, BRAN; Mrs. J. Smith to John M. Slaton, June 22, 1915, box 4, reel 2, BRAN; John Wellington to John M. Slaton, June 24, 1915, box 4, reel 2, BRAN.

in Ga. [H]e is certainly one man that can't be bought." These common southerners ultimately had more faith in a man who possessed reputation and integrity than one who possessed mere wealth, especially if they believed that such wealth had been earned through disreputable dealings.<sup>38</sup>

According to many early twentieth-century Georgians, "Big Jewish Money" had the potential to corrupt institutions, tarnish reputations, and destroy the careers of beloved individuals. It seemed to these people that Jewish-dominated monetary houses had a hidden, though effective control over southern institutions. The South was becoming commercialized, Atlanta was modernizing, and a thriving consumer culture had emerged in the South by the early decades of the twentieth century. As the southern landscape experienced one transformation after another, and modern institutions supplanted traditional ones, rural southerners altered their lifestyles not out of habit, but force.<sup>39</sup>

Confused and dispirited, many looked to blame the strangers in their midst for the social problems they experienced. They focused much of their disdain on newly arrived Jewish migrants from the North, whose Eastern European ways and dark complexion essentially made them easy targets. To the southerners who criticized the Jews in their midst, "Jewish money" had been responsible for many unwelcome modern changes, including the construction of the factories and office buildings that dotted Atlanta's landscape. These changes created a number of unpredictable problems for many southerners. To the disappointment of many southern men, for example, white southern women went to these sites in search of employment. Consequently, these women worked

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<sup>38</sup>W.H. Thomas to John M. Slaton, n.d. box 35, folder 1, GDAH; "A Friend of the Just" to John M. Slaton, June 22, 1915, box 4, reel 2, BRAN; P.A.B. to John M. Slaton, June 15, 1915, box 45, folder 10, GDAH; J.P. Berrong to John M. Slaton, box 45, folder 10, GDAH.

<sup>39</sup>On consumer culture in the South, see Gregory A. Waller, *Main Street Amusements: Movies and Commercial Entertainment in a Southern City, 1896-1930* (Washington, DC: Smithsonian Institution Press, 1995), 65-95, 219-47.

in close proximity to some Jews. This situation bothered many southerners. And the anxiety this situation created fostered the myths and fears they spread about Jews. One fear, that of sexual relations between Jewish men and gentile women, was most prominent among them. Southerners expected that Jews who ran city establishments coveted white women, exploited those who worked for them, and took sexual liberties with those who were too naive or foolish to know any better. And how could "The Jew" get away with such things? Southerners presumed that he used whatever assets he had at his disposal -- like wealth, power and position -- to fulfill his darkest fantasies. This was thought to be the nature of the cunning, devious Jew. In the end, the myths associated with "Big Jewish Money" and "Jewish sexuality" were the unfortunate by-products of greater Judaeophobic fears. Sadly, when crises like the murder of Mary Phagan occurred, southerners transformed these views into antisemitic hate and violence.

#### **G. Spreading Judaeophobia and Antisemitism Throughout the South**

Various institutions and individuals were responsible for proliferating Judaeophobic beliefs about southern Jews. These same groups were also responsible for leveling antisemitic attacks against Leo Frank and his advocates during and after Frank's trial. Christian leaders and political zealots comprised the bulk of those who articulated Judaeophobic and antisemitic myths. Each group -- be they Christian leaders stationed in Atlanta or throughout Georgia, or political spokesmen like Tom Watson -- was motivated to attack Frank or other southern Jews for quite different reasons. Some were motivated by blatant fears of Jewish-Christian sexual relations or the anguish caused by the influence of "Jewish money," while others acted out of simple political expediency. For some

southerners, attacking Frank made good political sense; for others, however, Frank was an “outsider” -- or “foreign element” -- whose presence not only necessitated, but justified warning.<sup>40</sup>

One historian of the Frank case has concluded that until Leo Frank was lynched in the summer of 1915, Georgia’s ministers and their southern Christian periodicals remained publicly silent about the case. The few insights that Christian leaders offered before Frank was lynched generally condemned Frank for the ghastly murder of Mary Phagan. Others defended the state of Georgia from what they perceived were inexcusable attacks by northern publications, Christian and secular alike. Southern Christians often argued that only Georgians knew best how to handle the developing crisis that was the Frank case. Only after Frank had been lynched and mob rule had been allowed to roam unmolested did Georgia’s Christian spokesmen reluctantly challenge the wisdom of their state’s mobs.<sup>41</sup>

Despite the few protests that southern Christian leaders voiced in the wake of Frank’s lynching, however, most helped to promote certain stereotypical fears and assumptions about Jews among their Christian co-religionists. These Judaeophobic assumptions were related to a number

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<sup>40</sup>While I argue that Watson’s attacks on Frank were motivated by a need to enlighten his rural constituency to the presence of a serious conspiracy, some contemporaries saw a political motivation behind his actions. An anonymous correspondent wrote “The Solicitor was about to ‘throw his hat into the ring’ in the early summer of 1914 while the case was still in the courts, but was restrained by older politicians....” Ex-governor Brown and Tom Watson “planned to [force] the case to Slaton [to settle a political score], and frighten him into passing it to Gov. Harris, by this they hoped to accomplish two things, to brand and publish [*sic*] Slaton as a coward, and [prove] that Gov. H[arris] would allow Frank to hang.... The [illegible] was to run for Gov and Brown for U.S. Senator -- and Watson [was] to control the machine.” See anonymous “day letter” to an anonymous source, undated, box 49, folder 3, GDAH.

<sup>41</sup>On southern Christian leaders and their various responses to the Frank case, see Robert Seitz Frey, “Christian Responses to the Trial and Lynching of Leo Frank: Ministers, Theologians, and Laymen,” *Georgia Historical Quarterly* 71(Fall 1987): 461-76.



of prominent medieval myths about Jews. Among others, they included the belief that Jews had been responsible for the murder of Jesus Christ, that Jews sacrificed unsuspecting gentile children in order to maintain their bizarre religious rituals, and that Jews controlled secret networks of religious conspirators who were bent on destroying traditional social institutions through their gradual introduction of increasingly modern methods and organizations.<sup>42</sup>

In large measure, gentiles perceived Jews in these ways because most believed that Jews represented quintessential outsiders. They viewed Jews as a nomadic people who lived without a well-established homeland. To some southerners, moreover, the questionable status of the Jews in their midst made Jews seem inherently untrustworthy and dangerous. Jews appeared to lack any social restraints and could come and go as they pleased. In discussing "the wandering Jew," for example, one rural correspondent wrote to Slaton to tell him that one "real staunch Christian" felt "so bad about your unjust decision in favor of Jews he could cry aloud." Other rural southerners described their misery over the Frank case by using similar religious terms and themes. For many, Slaton had become Georgia's "Judas Iscariot," the "King of the Jews," and the greatest traitor Georgia's Christians had ever known. All the while, Leo Frank -- the wandering Jew -- was seen as the ultimate outsider who lacked any tangible connection to southern Christian life or culture. "Frank may not believe in Christ our intercessor," concluded a letter from "A Mother" to Luther Rosser, "but he will surely have to face him guilty or not guilty." Thus, Frank's separation from

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<sup>42</sup>On medieval myths about Jews, see Felsenstein, *Anti-Semitic Stereotypes*, 6; Gavin Langmuir, *Toward A Definition of Antisemitism* (Berkeley: University of California Press, 1990), 301-10. Also see Rosemary Ruether, *Faith and Fratricide: The Theological Roots of Anti-Semitism* (New York: Seabury Press, 1974), 205-13.

Christian society and apparent disrespect for southern cultural institutions provoked and angered many southern gentiles.<sup>43</sup>

Other attitudes accompanied religious perspectives in the shaping of Judaeophobia and antisemitism in the South. European antisemitic views, for example, also played a role in shaping southern Judaeophobia. Several components formed the basis for these views, including a presumed interrelation between "blood" and "race," questions concerned with nomadic migratory patterns and permanent settlement, and the transparency of cultural assimilation. These concerns, and the fears they engendered, had gradually been transferred to America during its protracted era of colonial settlement. By the nineteenth century, moreover, these views had taken new forms and had new meaning in the United States. "Know-Nothing" political campaigns and American forms of nativism became popular by mid-century. Though these forms of discriminatory activity mostly affected Irish Catholics, other Americans also felt the impact of nativist thought. And as Jewish immigrants flocked to American shores in the last half of the nineteenth century, American Judaeophobia literally blossomed. To some extent, this was aided by the nativist precedents that had already been established earlier in the century. Indeed, such views had seeped into the very social fabric of American society; and southern society, with its provincialism, was especially suited for this development. The manifestation of those views had the potential to turn ugly when occasions appeared to warrant such a transformation.<sup>44</sup>

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<sup>43</sup>J.H. Christian to John M. Slaton, n.d., box 4, reel 2, BRAN; "A Mother" to Luther Rosser, n.d., box 3, reel 1, BRAN. On similar themes, see "A Georgian" to John M. Slaton, June 23, 1915, box 4, reel 2, BRAN.

<sup>44</sup>On the development of European antisemitic thought, see Richard S. Levy, *Antisemitism in the Modern World: An Anthology of Texts* (Lexington: D.C. Heath and Company, 1991). On the influence of European ideological beliefs on the development of American antisemitism, see

The Leo Frank case was one such occasion when many southerners felt that a challenge to their traditional lifestyles warranted a response. During the tumultuous crisis, at least one influential Atlanta minister was greatly affected by the Judaeophobic myths that proliferated throughout society. L. O. Bricker, Mary Phagan's pastor, described the potency of these myths in a retrospective piece he wrote thirty years after Frank's lynching when he alluded to racial views, the biases he held, and Judaeophobia. "My own feelings, upon the arrest of the old negro nightwatchman, were to the effect that this old negro would be poor atonement for the life of this innocent little girl." Bricker then described the chain of events that eased his anxiety in 1913. "But, when on the next day, the police arrested a Jew, and a Yankee Jew at that, all of the *inborn prejudices against the Jews* rose up in a feeling of satisfaction, that here would be a victim worthy to pay for the crime." According to Bricker, the southern black male had been an unworthy suspect. After all, blacks could be lynched with impunity for their transgressions. The murder of a white girl, contended Bricker, demanded a more "valuable" victim. In Bricker's estimation, the Jew, with his presumed connection to wealth and power, became a more worthy target. Here was an opportunity to exact revenge upon one of the South's most resented ethnic groups. Bricker suggested that southerners viewed Jews as little more than an insidious, sly group of people whose trickery enabled them to dupe unsuspecting gentiles. In addition, Jews had a connection, tenuous though it might be, to white society and thus they appeared immune to the extralegal violence of a southern lynch party. Consequently, to many

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David A. Gerber, *Anti-Semitism in American History* (Urbana: University of Illinois Press, 1986); Leonard Dinnerstein, ed., *Uneasy at Home: Anti-Semitism and the American Jewish Experience* (New York: Columbia University Press, 1987). On the "Know-Nothing" party and American nineteenth-century nativism, see Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War* (New York: Oxford University Press, 1995), 226-60.

southerners, the “legal lynching” of Frank meant that they had defeated their erstwhile opponent. Somehow, he asserted, they had gotten even.<sup>45</sup>

Christian leaders and church spokesmen were not the only people in southern society who propagated Judaeophobic views. In fact, Tom Watson did much to spread them. Watson had been a popular figure in Georgia for several decades prior to the Leo Frank case. As a Populist leader in the 1890s, he had attacked northern monetary institutions and fought for the rights of southern agricultural interests. When his power began to weaken in the early years of the twentieth century, Watson’s public political life began to slightly diminish as well. Accordingly, he began to channel his energies elsewhere. Watson devoted much of his time to his profitable law practice; he also edited and published two periodicals that had a wide readership among rural Georgians. In the pages of *Watson’s Magazine* and *The Jeffersonian*, Watson wrote blatantly anti-Catholic diatribes and edited equally vicious, controversial articles. For example, Watson had become convinced that a “Popish conspiracy” had developed in America. He argued that American Catholics were more likely to obey the wishes of the Pope than they were those of “true” or “100%” Americans. Letters to and from Watson often discussed “Romanists,” “Papists,” and related issues. Though his writings were often discredited by many sources, his views found legitimacy among his rural supporters.<sup>46</sup>

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<sup>45</sup>L.O. Bricker, “A Great American Tragedy,” *Shane Quarterly* 4(April 1943), 90, (emphasis added). On the idea of a southern “legal” lynching, see George C. Wright, *Racial Violence in Kentucky, 1865-1940: Lynchings, Mob Rule, and “Legal Lynchings”* (Baton Rouge: Louisiana State University Press, 1990).

<sup>46</sup>On Watson’s political career and extracurricular activities, see C. Vann Woodward, *Tom Watson: Agrarian Rebel* (New York: Oxford University Press, 1977), especially pp 396-450; Fred D. Regan, “Obscenity or Politics?: Tom Watson, Anti-Catholicism, and the Department of Justice,” *Georgia Historical Quarterly* 70(Spring 1986): 17-46. For letters to and from Watson on issues relating to Catholics, see Tom Watson to Robert L. Rodgers, n.d., Robert L. Rodgers Papers, box 5, folder 41, Georgia Department of Archives and History; Grover

When the Leo Frank case emerged to become an important local issue, Watson was slow to respond. He began to comment on the particulars of the case only after it had become a nationwide story with far-reaching implications. From 1914 on, Watson wrote increasingly bitter polemics against Frank, Frank's northern friends, and southern Jews in general. He often wrote about the "machinations of Big Money" and the adverse effects it had on various honored institutions and prominent political figures in Georgia. He also emphasized the existence of an underworld of treacherous Jewish conspirators and rich manipulators. These groups of "rich Jews formed a Finance Committee, headed by [Herbert] Haas [a close friend of Frank's] of Atlanta," wrote Watson. "Contributions were poured into its treasury; and even the Jewish clerks were assessed on their wages." Watson added how "The Burns Detective Agency [which Frank had hired to independently investigate the case] spent money like water ... and, in every direction, lawyers, politicians, and hack-writers were enlisted." Watson was beginning to lay the foundation for a master conspiracy that, he concluded, was taking shape in Georgia. According to him, the conspiracy involved not only Frank's allies, but also important political office holders in Georgia as well.<sup>47</sup>

Watson was supremely confident that he alone had unmasked this terrifying conspiracy. He saw it as his duty to warn the people of Georgia against Jewish exploitation and perfidy. To do so, Watson felt it was necessary to outline and detail the peculiar circumstances that had marred, among other events, Frank's commutation hearing. By writing about such a conspiracy, Watson hoped to prepare his rural readers for what he believed was the distinct possibility that they, the rightful heirs

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Edmondson to Tom Watson, January 15, 1923, Robert L. Rodgers Papers, box 5, folder 42, Georgia Department of Archives and History.

<sup>47</sup>Watson, "The Celebrated Case of the State of Georgia vs. Leo Frank," 222.

to the state of Georgia, were slowly losing grasp of their state's most significant institutions and traditions to a "foreign" presence. The conspirators not only had access to wealth, he told his readers, but they apparently had enlisted the support of Georgia's governor as well. "To fully comprehend the infamous betrayal of the State of Georgia, by Governor Slaton," Watson began, "you must keep in mind the astonishing fact that he joined [Luther] Rosser's firm, after that firm had been employed to defend Frank, and had publicly taken part in the case." Watson went on to describe the most contemptible element of this partnership: "A Governor cannot practice law openly; and in June, 1913, John M. Slaton was to be inaugurated for a term of two years. Why, then," asked Watson, "did he, in May, join a firm with which he could not openly act, until after June, 1915?" Watson answered his own question with the explanation that a clandestine and corrupt association between Slaton and Rosser had been formed for the sole purpose of saving Leo Frank from the gallows. According to Watson, Slaton was nothing more than a hired gun who would answer to the rich Jewish elite he served.<sup>48</sup>

Watson outlined other evidence that supported his claim that a conspiracy raged throughout Georgia. Watson reminded his readers, for example, that trial testimony clearly showed the existence of a nefarious partnership between Frank and his black accuser, Jim Conley. To those who

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<sup>48</sup>*Ibid.*, 209. The desire to protect unknowing masses against an unseen enemy has a long history. Its ties to European antisemitism, for example, can be traced to two particular works. See Richard Wagner, "Modern," in *Bayreuther Blätter* (March 1878): 59-63, in which Wagner writes: "The free-thinking Jewish and Christian world has completely conquered modern journalism and romanticism. I say the free-thinking Jewish world, advisedly, for, in fact, German Jewry works so energetically, so colossally, so untiringly within modern culture and science, that the greatest part of Christendom is being led, consciously or unconsciously, by modern Jewry. With few exceptions, there is no newspaper or piece of literature which is not directly or indirectly presided over by Jews." Also see Wilhelm Marr, *The Victory of Jewry Over Germandom* (Bern, 1879).

remained skeptical, Watson offered the following observation: "[T]he Jew was talking in a secretive, confidential manner with the negro, on the sidewalk, where he thought he was unobserved -- and the negro had been his trusty for two years!" Since Watson presumed that Frank and Conley shared similar racial characteristics, it made sense to him that the two had conspired together. They were each in their own way lowly southerners -- easily distinguished from southern whites -- who had challenged traditional white southern society. While Watson was convinced that Conley stood little to gain from the arrangement, he believed differently when it came to analyzing Frank's position. "Frank belonged to the Jewish aristocracy," he wrote, "and it was determined by the rich Jews that no aristocrat of their race should die for the death of a working-class Gentile -- 'nothing but a factory girl.'"<sup>49</sup>

The impact that these observations had on ordinary southerners is beyond dispute. Letters to *The Jeffersonian* included lengthy discussions of "Jewish Money," conspiracies of all sorts, and treachery perpetrated by Jews at every level. One correspondent discussed how Jews had allegedly gathered together on the eve of Leo Frank's commutation to celebrate their apparent victory. Other contributors congratulated Watson for his ceaseless attacks. One even begged Watson to "keep it up and we'll give a whoop for T. E. W[atson]." Perhaps R. W. Daniel, a rural Georgian who wrote to the Georgia Prison Commission in May, 1915, best summarized the Judaeophobic views that southerners who supported Watson's vilification of Leo Frank held. "Have you ever studyed [*sic*] the Jew[?]" he asked in all seriousness. "[H]ave you ever known why Russia kills the Jews[?] [H]ave you ever known why England banishes the Jew[?] [S]ee with your own eyes [and] then you will know why." Southerners like Daniel believed that Jews were racially distinct from whites, had

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<sup>49</sup>Watson, "The Celebrated Case of the State of Georgia vs. Leo Frank," 187, 222.

access to secret sources of wealth, coveted white women, and manipulated those in authority who could best serve their purposes. In many important ways, then, the Judaeophobia expressed by southern Christian leaders and spokesmen like Tom Watson shaped southern viewpoints. Indeed, the explosion of antisemitism that followed Frank's commutation was linked to the Judaeophobia found throughout southern society and explains how that violence came about. Without the inborn hostilities and anxieties that many southerners either felt or expressed, Leo Frank would not have met the fate that awaited him at an old oak tree in Marietta, Georgia on August 17, 1915.<sup>50</sup>

#### **H. Concluding Remarks**

Judaeophobia affected virtually all those who lived in the turn-of-the-century South. For some, this could be seen in the language and slang they employed to describe various situations, like when they "Jewed down" a prospective business client or unfairly cheated an individual. Others expressed Judaeophobic assumptions in the way they described certain appreciable "Jewish" traits, whether they be physical features or social characteristics. In both cases, these assumptions or actions were basically benign. At other times, however, Judaeophobic assumptions became something far more brutal and repressive -- antisemitic hate and violence. Irrational and inexplicable fear drove this transmogrification. These fears -- which included the belief that Jews were mendacious, crafty, and greedy, would do anything for monetary gain while they held ties to monied interests, and were sexual infidels -- enabled many southerners to draw conclusions about Jews that would ultimately justify their various forms of repression. The myths that supported these

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<sup>50</sup>On the correspondent who alleged a conspiracy on the basis of a party he witnessed, see letter to the editor, Watson, "The Celebrated Case of the State of Georgia vs. Leo Frank," 231. On the Georgian who "whooped" it up for Watson, see letter to the editor, *The Jeffersonian*, September 23, 1915, p.11. R.W. Daniel to R.E. Davison, May 22, 1915, box 35, folder 4, GDAH.



conclusions were deep-rooted among rural Georgians and had been taught them at an early age. In one particularly insightful letter to the Georgia Prison Commission, M. M. Parker described how he viewed the Jews in his midst. In one form or another, each element of Parker's conceptualization was based on potent myths about Jews. Indeed, many southerners simply knew no other way to regard the Jews who lived among them. "I have a few good Jew friends and I believe there is some good Jews. But if you watch them you will find there is two things most of them will do. One is [that they] will steal or make or have money [and] the other [is that they will] do everything possible all through life to seduce Gentile girls and women. Watch and see if I am not right."<sup>51</sup>

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<sup>51</sup>M.M. Parker to Georgia Prison Commission, May 31, 1915, box 35, folder 4, GDAH.

## VII. CONCLUSION

### A. Culture and Extralegal Violence

A lynching is often a complex and confusing historical event.<sup>1</sup> What makes Leo Frank's lynching so difficult to explain is that while his lynch party planned Frank's execution for some time, the actual killing was an unanticipated event. Despite the passions and anger that Frank's trial and appellate process aroused throughout the state of Georgia, few people could have honestly predicted or even believed that Frank would meet the fate that he did. True, there was a great deal of angry rhetoric surrounding the defendant and his alleged crime(s), but words -- as violent and threatening as they might be -- do not always lead directly to action. In this case, however, they did. And those words tell us much about how certain southerners imagined and viewed their world and the intrusive elements (like Frank) that entered it. Ultimately, Frank was executed without much warning or notice on August 17, 1915. But from the evidence that has survived, it is apparent that notions of honor, ambition, and race (especially as racial fantasies and fears pertained to the cultural construction of southern Jewry by the white southerners who murdered Leo Frank) played a vital role in the events leading up to and including that slaying.

Aside from the unpredictable nature of the event, other factors further complicate our understanding and explanation of Frank's trial and lynching. One involves notions of race and

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<sup>1</sup>In a recent article, Vincent Vinikas argues that "Reconstructing bygone realities is difficult, not least because the past is captive to the coverage it received by contemporaries. For this reason, among others, the study of lynching offers peculiar challenges." See Vinikas, "Specters in the Past: The Saint Charles, Arkansas, Lynching of 1904 and the Limits of Historical Inquiry," *Journal of Southern History* 65(August 1999), 539. When Vinikas attempted to "reconstruct" a brutal, week-long murder spree that local authorities defined as a single "lynching," he began to discover the difficulty that historians face as they piece together fragmented evidence from a gruesome event like a lynching.

extralegal violence in the South at the turn of the twentieth century. Countless historical analyses of southern lynchings overwhelmingly indicate that African Americans were lynched in disproportionate numbers to whites. In this case, however, a lynch mob murdered a white man. Moreover, while some ethnic transplants and native-born whites died at the hands of lynch mobs between the last quarter of the nineteenth and first quarter of the twentieth centuries, few of these victims were as economically comfortable or as socially positioned as was Leo Frank. Indeed, prominent white members of southern society (and we must, in all fairness, place Leo Frank among this social category) were almost never lynched by mobs in the South. Despite his white skin and strong social standing, however, Leo Frank was murdered in this way. At the same time, white southerners chose to ignore Jim Conley -- Frank's black sweeper, Mary Phagan's likely murderer, and a key witness for the prosecution -- and focus on Frank instead. Why neglect Conley, the type of disreputable black man whom southern whites could, and often did, lynch with impunity, and go after a white man like Frank? Ultimately, the answer to this question lies in the fact that among the whites who hanged Frank, race was a secondary concern to other matters. Indeed, in its most traditional sense, race was not a motivating factor behind Frank's violent slaying. Race played a role, especially in the way that southerners constructed theories of race around southern Jews, but it remained peripheral. Instead, cultural issues related to notions of honor and ambition fueled the anxiety that led to Frank's death.

Why, then, was Leo Frank lynched for a murder he did not commit? This question has puzzled historians and social commentators for decades. And it continues to fascinate ordinary Americans now, just as it did when Frank's lynching took place in the summer of 1915. Some historians believe that antisemitism directed at Frank by a spirited and vicious mob led to his brutal

slaying. Others believe that Frank was murdered by those who wished to restore Mary Phagan's reputation and honor. And some further suggest that Frank's captors lynched him because they felt he had violated a sacred principle of southern society -- namely, that he had attacked the purity and virtue of southern white femininity when he violated a young white girl and took her life. While I agree with these assessments of the Frank case and its aftermath, I also argue that to fully understand the events that led to Frank's lynching we must consider the importance of cultural values like honor, ambition, and the construction of racial assumptions. To do this, we must understand as thoroughly as possible the social groups -- their value systems, common concerns, and motivations -- that converged and created this event. Only through a careful cultural analysis of the value systems at play, can we comprehend why a mob took an innocent man's life when its participants lynched Frank from an oak tree in Marietta, Georgia in August 1915.

How might a cultural analysis shed light onto the complex relationships that shaped the Leo Frank case and its violent conclusion? I argue that the values (that is, both the assumptions and the elements that compelled individuals to make sacrifices) expressed by different southern social groups prompted each to act and respond in particular and important ways. For example, those who preached the sanctity of the honor culture believed that Frank's destructive behavior had directly challenged their honored institutions and ways of life. Many felt entirely humiliated by Frank's alleged crimes and responded to the insult they perceived with threats and eventual violence. Indeed, many believed that, in accordance with the rituals and rules constructed around notions of honor, violence was the only appropriate response to outrageous acts of impropriety. Moreover, these same southerners found it difficult to reconcile Frank's culture, what I term a culture of ambition, with the values that comprised their own, more provincial culture. Still, other southerners, especially middle-

class southerners, perceived Frank's ambitious way of life as the natural and fitting role for an urban society like Atlanta in the throes of much change. As a commercial metropolis, Atlanta was no place to exhibit the outdated rituals of the southern honor culture, or so these individuals contended. Or was it? In fact, the contest between those who chose to embrace an ambitious, modern society and those who remained content to live by a code of honor created the tense environment that led to Frank's lynching. And all the while, white working girls like Mary Phagan wrestled with the meanings -- and their own relation to -- an urban culture in transition. While many had been taught to respect the traditions of the honor culture, many others saw the opportunities that existed in the city as a chance to improve the material standard of their lives. This cultural battleground created the anxiety that eventually led the "Knights of Mary Phagan" to kill Leo Frank.

The southern social groups that played such an important role throughout this event defined themselves in appreciably different ways. They clung to different value systems, expressed themselves in especially distinctive ways, and were motivated by different concerns. Mary Phagan and her "people," for example, defined themselves by the racial and social distinctions that characterized southern life, the fatalism of their everyday lives, and the forms of immediate gratification that brought occasional joy to those lives. Leo Frank, on the other hand, defined himself by the work he accomplished and the personal and professional ambitions he extolled. Like other middle-class southerners, Frank spoke about his career aspirations and future improvement through the plans he formulated and the goals he often articulated. At the same time, qualitative economic differences helped middle-class southerners feel entirely more secure about the state of their lives and futures than did working girls like Mary Phagan or "lintheads" like Phagan's stepfather, J. W. Coleman. And lastly, southerners as diverse as Hugh Dorsey, Atlanta's chief prosecutor, Tom

Watson, Georgia's self-proclaimed spokesman of the common folk, and R. E. L. Hammond, an ordinary Georgian of limited means and education, lived by a code of honor that dictated social interaction and propriety. In 1913, when Mary Phagan was murdered and Leo Frank convicted of the crime, social tensions drawn from these cultural differences boiled over and reached a climax.

Those tensions and anxieties were rooted in a number of beliefs: Judaeophobia and antisemitism motivated some individuals and groups to express their otherwise hidden anger. Fears of modernization and the loss of innocence (especially among white working girls) caused others to act as they did. And all the while, conflicts created by those who espoused honor and those who espoused ambition set the stage for further animosity and eventual violence. Why did these cultural differences prove to be so important during the case and at its tragic ending? When a young white girl was found murdered in a factory operated and managed by an ambitious, northern-bred, middle-class Jew, inborn prejudices and anxieties surfaced and created a good deal of bitterness and resentment. For many rural Georgians and southern traditionalists alike, here was an example of all they feared: the modern, invasive factory system, the exploitative capitalist entrepreneur, the insidious influence of "foreign elements" like Jews, and the destruction and deflowering of southern white womanhood. Southerners who had not directly benefitted from these developments responded to these circumstances with emotional tirades, violent threats, and finally a lynching. All of these fears and threats came together during the two years when Leo Frank was first prosecuted and then lynched for Mary Phagan's murder. This dissertation has tried to make sense of these many cultural factors and different motivations. And ultimately, it explains the nature of this event by examining the conflation of these peculiar value systems and their deep-rooted importance.

## B. Concluding Remarks

One southern social commentator who expressed widely shared views throughout the South wrote an article in 1917 entitled "Lynching and Race Relations in the South." Aside from positing the many relationships that this author felt existed between notions of race and racially-motivated violence in the South of his day, he also suggested that "more than anywhere else in America the Southern [white] people are homogeneous." He further concluded that, in addition to the color of their skin, white southerners shared "common beliefs, common convictions of right and wrong, a general agreement on the standards of conduct and behavior proper to each state of life to which it pleases God to call one, a general acceptance of the rights of person and property, mutual trust and regard, and general conformity to established usages." Which white southerners was this critic alluding to? Was he describing urban, middle-class professionals, or rural farmers and small townsmen, or working girls, or a combination of all these groups? By proclaiming the uniformity of white life in the New South, this typical commentator had unwittingly opened a Pandora's Box of sorts.<sup>2</sup>

This observer may have been correct to assert that large numbers of southern whites shared certain abiding characteristics or values, surely it is more accurate to argue that these same southerners lived in a heterogeneous society, especially in a city like Atlanta that represented the modernizing, urban South. The "Gate City's" diverse population, which grew enormously during the decades at the turn of the twentieth century, was one of its most significant characteristics. An

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<sup>2</sup>Thomas Walker Page, "Lynching and Race Relations in the South," *North American Review* 206(August 1917), 243, 245. There is apparently no familial connection between Thomas Walker Page and other southern critics, like Thomas Nelson Page and Walter Hines Page, with whom he shares the same last name.

array of different people from distinct social classes -- each maintaining values that others often did not share -- lived and worked together in the city. When these social classes confronted one another, each with its own conception of honor and ambition, the friction that followed created many problems. And those problems were tied to the differences each group held sacred. Leo Frank, while quite representative of the "new," urban, southern middle class, was as different from Tom Watson, the fiery orator and editor, as the latter was from Mary Phagan, an ordinary southern working girl. These southerners may have shared the same geography, an understanding of racial hierarchies, and a nearly identical pigmentation, but that is where the similarities came to an end. The events swirling around the Leo Frank case made these differences more pronounced. And it was the collision of these cultural factors that helps explain this important legal and extralegal event more clearly. When middle-class ambition "met" southern honor in the emerging southern city, an innocent man lost his life. And while many factors explain his death, cultural differences between Frank and his executioners offer the most compelling explanation of this remarkable episode in southern history.



## **LIST OF ABBREVIATIONS**

<b>AHS</b>	Atlanta Historical Society, Leo Frank Collection
<b>BRAN</b>	Brandeis University, Special Collections, Leo Frank Correspondence
<b>GDAH</b>	Georgia Department of Archives and History, John Marshall Slaton Collection

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## VII Unpublished Dissertations

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Wrigley, Steven Wayne. "The Triumph of Provincialism: Public Life in Georgia, 1898-1917." Ph.D. dissertation, Northwestern University, 1986.

## VITA

**NAME:** Stephen Alan Brown

**EDUCATION:** B.A., History, State University of New York at Binghamton, Binghamton, New York, 1989

M.A.T., Social Studied Education, State University of New York at Binghamton, Binghamton, New York, 1990

Ph.D., History, University of Illinois at Chicago, Chicago, Illinois, 1999

**TEACHING EXPERIENCE:** School of Liberal Studies, Roosevelt University, Chicago, Illinois, Adjunct Faculty, 1995 to the present

Department of History, University of Illinois at Chicago, Chicago, Illinois, Teaching Assistant, 1993-1998

**AWARDS:** Howard L. Millett Memorial Award for Excellence in Teaching, Roosevelt University, Chicago, Illinois, 1997-1998

Robert V. Remini Award, University of Illinois at Chicago, Chicago, Illinois, 1997-1998

**PUBLICATIONS:** "Middle-Class Culture in Early Twentieth-Century Atlanta: Re-Evaluating Leo Frank," in Robert Johnston and Burton J. Bledstein, eds., *Explorations in the History of the American Middle Class* (New York: Routledge Press, forthcoming)

"'A Thing So Illogical' in Georgia: Race, Myth, and the Lynching of Leo Frank Reconsidered," in *The Southern Albatross: Race and Ethnicity in the American South* (Macon: Mercer University Press, forthcoming)

**PROFESSIONAL MEMBERSHIPS:** Organization of American Historians  
American Historical Association  
Southern Historical Association  
Georgia Historical Society