THE FRANK CASE.

In a short while the issue of the life or death of Leo Frank will be fought out before the supreme court of the state.

He will not approach the court as a Jew or a Gentile, a beggar or a millionaire. He will be simply a man in legal peril of his life.

The six justices who sit upon the bench are men of unimpeachable character. Their professional equipment is unquestioned. At every angle they are qualified to administer the law with minds single to justice and closed to all extraneous influences.

There are many who are wholly sincere in their belief in Frank's guilt. Many believe with unshakable faith that Frank is the innocent victim of circumstances. These two beliefs are, of course, fixedly incompatible. It is between the two that the supreme court must come as final arbiter.

A court of last resort can have nothing in common with prejudice, racial or otherwise. Bias of any nature must be an alien to its counsels. It is and must be concerned solely with the righteous administration of justice under the law and the evidence. It will undoubtedly discharge the function of weighing that evidence with scrupulous impartiality. Where the evidence is sufficient to support the verdict the verdict should stand. If it regards the evidence as insufficient in this case the verdict should be set aside, and the accused be given a new trial.

And it is before a court with these exalted attributes that the supreme legal fight of the Frank case will be staged. The supreme court of Georgia will come as near finding the justice of this mysterious case as can be expected of any tribunal ruled by human beings. It is fully competent to pass upon the many troublous issues here involved. If the court writes its indorsement to the death warrant it will be because it believes the guilt of the defendant has been legally proven. It will not permit him to go to the gallows unless it is satisfied his guilt has been established beyond a reasonable doubt.

The first guarantee of the constitution is that a man shall have a fair trial for his life. The supreme court must say whether or not Frank has had such a trial. If he has, the verdict stands. If he has not, and if the verdict is not justified by the evidence, he is entitled to and he will receive a new trial.

The proponents and the opponents of Frank may be assured the court will act with ultimate conscientiousness. In full knowledge that whatever verdict it reaches will be cited in Georgia for many generations, it could not do otherwise.

All that is asked by anybody—everybody—is that absolute justice be done. If Frank is guilty beyond a reasonable doubt, and it is so proven to the satisfaction of the court, he should pay the penalty of crime. If not, he should have a new trial. The supreme court must say!