

# The Jeffersonian

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## The Final Confession of Leo Frank's Guilt.

A BRIEF news item appeared in the Atlanta Constitution last week announcing the settlement, outside of court, of the suit for damages, which Mary Phagan's mother had brought against the National Pencil Factory, of which Leo Frank was superintendent, and in which the little work-girl was assaulted and killed.

*Settled out of court!*

I presume you know the legal meaning of the words.

The suit was not dismissed, it was not tried, it was privately settled, and the costs thrown the defendant company, by law.

Now, if you will reflect upon the matter, and recollect the history of the famous case, you will realize that the Hebrews who owned the factory, and who were the employers of Leo Frank, have done that which is equivalent to a confession of Leo Frank's awful guilt.

Remember the criminal prosecution of this man; remember that he had the best lawyers money could secure; remember that his case was not called for trial until he had had ample time for preparation; remember that the trial itself lasted nearly a month; and remember that there were Jews on the Grand Jury which accused Leo Frank of the murder of Mary Phagan.

Remember, too, the tremendous pressure that was brought upon poor Judge Roan to induce him to grant a new trial; remember how the Supreme Court decided against Frank, saying that the evidence of his guilt was sufficient.

Remember how Burns and Lehon and Burke were then brought into the case, and the Haas Finance Committee acted as cashier for the most systematically infamous campaign that ever was inaugurated for the criminal purpose of manufacturing testimony in favor of the condemned man, and destroying the evidence on which he was convicted.

It all failed: Solicitor Dorsey watched Burns with lynx-eyed vigilance, and countered on him at every move in the game.

To save Frank and defeat the Law, nothing was left except one recourse, provided for in advance, and held in reserve for the very last.

Leo Frank's own lawyer set aside all the courts, annulling the legal sentence, and substituting another which was hailed by the backers of Frank as a prelude to his liberation "in a short while."

When the lawyer who had done this thing, fled the State, and the Vigilantes had executed upon the condemned man a capital sentence which had never been lawfully set aside, floods of scurrility poured upon the State, and upon the whole South.

The undertone of the whole press-agent propaganda in behalf of Leo Frank had been—

"Give him another trial! He can clear himself if you will only let him have another chance."

Frank himself was engaged at the State Farm in writing letters to the same effect.

His vindication was certain to come soon: so said Luther Rosser, as well as Leo Frank.

After the execution of Frank, the newspaper war commenced again.

You remember how it raged, and you remember at whom it was chiefly aimed.

During all that time, the civil docket contained the official entry of the damage suit brought by Mrs. Coleman—Mary Phagan's mother—against Frank's pencil factory.

There was the case which would re-open the whole matter, and afford the champions of Frank and Slaton the amplest opportunity to vindicate both Slaton and Frank.

The mother of the murdered girl could not possibly win her case, unless she proved to the satisfaction of another jury that Leo Frank was the guilty man.

True, she did not have to make out his guilt beyond a reasonable doubt, as Dorsey had had to do in the criminal case, but in order to win her suit she would have had to prove Frank's guilt, by a preponderance of the evidence.

In any event, the civil action for damages, offered to the family of Frank—the father, the brother, the wife, the mother, and the uncles—a magnificent opportunity to rehabilitate his character and vindicate his memory.

Incidentally, it afforded the Atlanta Journal a chance to show why Frank should have had a new trial, and why his execution under the decision of our Supreme Court would have been "judicial murder."

The civil case also opened the way for the Burns Agency to prove innocence of attempts

(CONTINUED ON PAGE NINE.)

## Some Things to Remember in Connection With the Mexican Situation

FIFTY years ago, the Fenian bandits got themselves together in the United States, and made a raid across the border into Canada.

These Fenian bandits meant to excite a rebellion in Canada which would overthrow the government.

These Fenian bandits were encountered by the Canadian troops, and the "Battle of Ridgeway" was fought.

It wasn't much more of a battle than that of Parral, Mexico; and the loyal Canadian troops easily routed the Fenian bandits.

When these marauders had been whipped, what did they do?

Fled back across the border, and took refuge in these United States.

That was in 1866.

Who were those Fenian bandits that used our country as a military base for the raid into Mexico?

They were Irish Catholics.

Who was one of their principal leaders, their Villa?

O'Donovan Rossa, the Irish Catholic jail-bird.

Did Great Britain demand redress from our Government, and threaten us with a punitive expedition?

No!

Why not? Because the British statesmen had sense enough to know that our Government had no connection with the Fenian raid, and could not be justly held responsible for it.

The Fenian bandits acted without the knowledge of our Government, and contrary to its policy, when they dashed across the frontier, and carried havoc and bloodshed into Canada.

At that time, Uncle Sam was in the same position that General Carranza is, now; neither one could have foreseen or prevented the raid.

Neither Uncle Sam's Government nor General Carranza's was responsible for the raids.

Why, then, do we now apply to Mexico a harsh, illegal rule that Great Britain did not even speak of applying to us?

Not only was there not a scintilla of evidence against the Mexican government, but we had abundant testimony that it was exerting every resource to capture and execute Villa.

Moreover, it is a general belief that Villa was the hired tool of re-actionary interests—financial and Romanist—to make an attack across our border which could be seized upon as a pretext for invading Mexico, overthrow-

ing Carranza, and re-establishing the iron rule of the Spanish land-king and slave-owner, the Spanish high-priest, and the American exploiter.

The plotters plotted well, and President Wilson walked into it, with eyes open, knowing that an Army of the size he sent into Mexico, with Negroes and Apaches in front, was sure to arouse the natives into a frenzy.

How he could fail to see that 12,000 foreign troops on Mexican soil, would naturally create profound distrust of American motives, I am not able to comprehend.

And when the Negro cavalry of this invading force began to shoot down unarmed civilians, white men! in their own villages, in the sight of their wives and children, is it any wonder that we now face a war with Mexico, at the very time we have told Germany that she has kicked us, and spat upon us, long enough?

In the Augusta, Georgia, Herald of April 17, 1916, appears the picture of two of the negro cavaliers who have been shooting white men in Mexico.

These two black Knights Errant have the look that we Southern whites know so well—

(CONTINUED ON PAGE FIVE.)

If Bitter Brittain had not gone upon the floors of the Legislature, to lobby against free text-books, we might have had them several years ago.

Bully Britain and the Trust beat us by the vote, and to my lasting regret, that vote came from Lincoln County, where free school books would be a blessing to the schools.

The man who misrepresented his county and his District, and who voted with Brittain and the Book Trust, was Senator Chenault.

If the people forgive Lobbyist Brittain, they should send Chenault back to the Senate.

One of Brittain's lieutenants in his fight against free school books, was Edward MacMichael, a member of the House.

Edward admitted on the floor that he was in the employ of two masters at the same time; one being the people of his county, and the other being the Book Trust.

Edward proved false to his people, but true to the Trust; and his people discharged him, but his other master took care of him.

If Book-trust Brittain can be pardoned, and re-elected, Edward MacMichael should go back to the Legislature, to try again the old task of serving two masters with equal fidelity.

The Bible tells us that the task is impossible, but Book-trust Brittain apparently entertains a different opinion.

#### COMPULSORY EDUCATION.

In his violent attack upon "Thomas E. Watson," our Book-trust Superintendent was emphatic, in favor of compulsory attendance upon the public schools; and he alleges that Mississippi is the only other State than Georgia without such a law.

Poor old Mississipp!

No wonder she has to put up with such Senators as Vardaman and John Sharp Williams.

The Law already says to Father, "You mustn't smoke but one pipe a day, and mustn't drink more than one bottle of Coca-Cola a day, and must not fail to wash yourself at the public vat before washing your bow, and must not eat more than one hog a month, and must not have more than one pound of powder and one quart of liquor a month, but you must let me enter your family circle and exercise your parental authority over your children.

You do not love your children, and you will not do the right thing by them; and, therefore, my Paternalism of man-made law, shall supercede that of God-made nature."

This sort of thing puts Father in a close place.

In fact, it Prussianizes Father, without the Prussian redeeming practice of feeding the hungry child, freeing him from tuition fees, and furnishing him school house, teacher, furniture, and books.

If Father must be Prussianized, give him the Prussian facilities.

In that event, it will be a pleasant sight, to see 10,000 negro children opening the State's dinner-pail.

To adopt a law forcing the parent to vacate his natural parental position, is a serious proposition; and no State should do it unless it appears that, after FREE SCHOOLS have been opened, in reach of the parents, the children are kept away.

Our people have never had a chance to send their boys and girls to free schools.

The Constitution of 1877 provided for free schools, but the law has been violated.

By this continued disrespect for the highest law, incalculable injury has been inflicted upon our State.

Did Blatant Britain call attention to this in his harangue to the Teachers?

No, he did not.

Therefore, his position is, that he and those supporting him may persist in their violation of the highest law, and may disregard the Father's legal right to a FREE SCHOOL, while they, Brittain and his backers, will enact a law which makes a criminal out of the Father who cannot comply with the terms of a school which is NOT free.

In other words, Brittain may violate the law, but Father mustn't.

A good many "Reformers" are built like that.

In the meantime, I will say this much for the unfortunates who were not given the advantages of education: they are not by any means the most hurtful violators of Law, nor are they our worst citizens.

The most injurious law-breakers are those in office; and our worst citizens are the idle educated rich, who prey upon the daughters of the poor, and who maintain the class-laws which beggar the sons.

There is no personal issue between Boisterous Brittain and his "Mr. Thomas E. Watson," nor has there ever been, nor is there likely to be.

But the official Brittain has been a persistent law-breaker, and his contempt for the Law has done immense harm to a helpless class who were put under his care, and whose best interests should have been his first duty.

Instead of acting as a benevolent Trustee and Guardian for the school children, he has been one of their worst enemies, in that he has sustained, with all his might, the iniquitous system of high-priced text-books, frequently changed.

The only time I ever saw the man was at a public speaking in Wilkes County, where he heard me argue against this cruelly unjust system, and against the confiscation of the value of books which the State had compelled the patrons to buy.

Tens of thousands of dollars' worth of property in books, bought at the mandate of Brittain and his backers, has been confiscated, by the changes ordered; and this confiscated property can be found in the lofts and garrets and book-cases of Georgia, all the way between the Rivers, and all the way from Yonah to the Sea.

It is an infernal shame, and Brittain was a party to it.

Let him not too bitterly revile "Mr. Thomas E. Watson," if that "black beast" of false public servants has at last, at last, got a coal of fire on the terrapin's back.

Move on, "Bre'r Tar'pin!"

It will afford us all great pleasure to see you begin to make tracks.

You were an awfully long time getting started.

P. S.—I feel flattered by Belated Brittain's adoption of my Dog-tax proposition, rashly rejected by the Legislatures of 1882-3.

Since then, times have changed, and so have the dogs.

They don't bark as loud as they used to, because they don't get as much to eat.

Still, I am with my Belated Brother on this subject, provided he will have the law so framed as to require the public servant who dips the cow, for ticks, to dip the dog, for fleas, free of charge, immediately after he washes the cow.

To impose upon the dogs the burden of paying poll-tax and scratching for fleas, at the same time, is contrary to the State's motto of "Wisdom, Justice, and Moderation."

Besides, I don't believe it would be right to compel a poodle to pay as much as a bulldog.

As to cats, however, I am willing to tax them all alike, provided Belligerent Brittain will agree to it. Kittens half-price, of course.

## The Final Confession of Leo Frank's Guilt.

(CONTINUED FROM PAGE ONE.)

to commit the crime of "Subornation of Perjury," of which that corrupt and criminal Agency was accused by perfectly responsible persons.

Did not the civil case likewise provide a legal, convenient method by which ex-Judge Arthur Powell, Commissioner Patterson, ex-Judge Sam Adams, and those Atlanta Doctors of Divinity could be polished up, and made to look better?

Think of what an injustice was done to the Hearst lawyer, Clarence Shearn, who came down here, studied the record carefully, and gave Hearst a certificate to the effect that there was no evidence against Frank!

If the civil case had been left unsettled, and had been tried in court, all the witnesses could have been sifted, and re-sifted, just as though the criminal case had never been tried.

And the defendants stood a better chance to win in the civil suit than in the criminal prosecution, because whatever "mob" had convicted Frank had dispersed: whatever intimidation of Judge, jury, lawyers and witnesses had existed, no longer exerted itself anywhere.

Frank was dead: the girl was dead: the old account was closed and balanced.

Before another Judge, before another jury, within altered circumstances, and under exhausted excitements, the civil case, involving the same issue, could be tried: why wasn't it?

If I had been Leo Frank's father, or brother, or brother-in-law, or uncle, and had believed him innocent, the Coleman case should never have been settled out of court.

Had I been Luther Rosser, John W. Moore, Reuben Arnold, or John Slaton, and had believed my client, Leo Frank, innocent of the murder of Mary Phagan, I would have volunteered my services to Frank's family and uncles, and the civil suit for damages would have been fought to a finish in the courts.

What a splendid opportunity was at hand, to vindicate Truth and Justice!

"Settled out of court," defendant paying the costs!

Why was this, Uncle Sig Montag? Why was this, Messrs. Haas? Why was this, Messrs. Rosser, Arnold, and Slaton?

You know why it was—you who attended the trial, or who read the official evidence published in the September number of our magazine.

You know that the defenders of Frank dared not open the case again, else they would be worse off than the criminal trial left them.

Rather than make a bad situation still more ruinous to them, the case was "settled out of court."

The Strauses will be painfully shocked, no doubt. Adolph Ochs and the Pulitzers will regret the lost opportunity, perhaps.

The Rabbis will groan in spirit, and realize that their confidence was misplaced.

Mr. Hearst must console his Shearn and his Brisbane; for they, too, will marvel at the settlement, which implies confession of Frank's guilt.

The Connollys, the Macdonalds, and the regiment of editors who reviled the courts and people of Georgia because of the regular legal conviction of Leo Frank, may now see the folly of being led astray by rascally "detectives," unscrupulous lawyers, hired press-agents, and hysterical nincompoops—some male and some female.

The settlement of Frank's people with Mary Phagan's mother, "outside of court," is the final, conclusive, incontestible evidence that Frank's own people and his own lawyers KNEW THAT HE HAD BEEN JUSTLY CONVICTED.

### Certificate of Priest Overrides Judgement of a Protest- ant Court.

#### President Wilson's Astounding Pardon of a Romanist.

READ the following item of news:

Washington, D. C., April 12.—W. F. Baldwin, of Wheeling, W. Va., convinced President Wilson that instead of sending counterfeit gold coin by express from Wheeling on a certain day in 1914, he was attending church services at Altoona, Pa., and the President granted him a pardon.

Baldwin has been serving a three-year sentence in the Moundsville (W. Va.) Penitentiary.

In his application for a pardon he forwarded to the President an affidavit by an Altoona priest, certifying to his defense.

This act of the President is simply stupefying.

The man Baldwin was convicted in West Virginia, place and date of trial not mentioned.

He was accused of sending a counterfeit gold coin by express, from Wheeling, same State.

The coin was alleged to have been expressed in 1914.

We are bound to presume that his conviction was in the U. S. Court, and upon sufficient evidence.

We must presume that the record of the express office was produced, and that it showed the sending of such a package by some one of that name.

There could not have been a conviction, without proof of the counterfeit coin.

The Federal Court necessarily tried the man in the District of the crime.

If Baldwin was not in that District and State at the time of the crime, he and the priest both knew it, at the time of the trial, and they could not have been the only ones who knew it.

If Baldwin was worshipping Mary and the pan-cake in Pennsylvania, at the time some malefactor was handling counterfeit gold in West Virginia, there must have been many Romanists of Altoona who would have eagerly testified to the saving fact.

Apparently, the only evidence relied on by President Wilson was the affidavit of the Altoona priest.

Thus the verdict of a jury and the sentence of a Federal judge were annulled, on the word of a Pennsylvania priest who was not produced at the trial, who was not cross-examined by anybody, and whose statement was in utter conflict with the sworn testimony on which the man had been legally convicted.

"W. F. Baldwin, of Wheeling, W. Va.," is a lucky fellow.

His habit of going to another State to attend the Catholic church, is far more endurable than three years in a penitentiary, of his own State.

My understanding has been, that resident Catholics are required to attend service at the church nearest to them; and to this rule is attributed the fact that in cities where the negro church is nearest, the pope's children must worship with the blacks.

However, there are exceptions to all rules, and Baldwin may have had a West Virginia license to eat his God in Pennsylvania.

It does not appear that President Wilson allowed the U. S. Judge, or the District Attorney, or the jury to be heard from in the case.

It does not even appear that he examined the record.

Without knowing what the Wheeling express-agent swore to, or what the express books showed, or what the Government's other witnesses testified, President Wilson read the Pennsylvania certificate of the Penn-

### A Few Reminders to the Readers of the Jeffersonian.

(1.) FRIENDS who send us manuscripts, and who wish them returned if not published, should enclose an envelope addressed to the sender of the MS., and stamped.

(2.) We do not publish articles of a purely theological nature, tending to religious controversy over texts of Scripture, dogmas, &c.

(3.) In no case can we discuss great public issues by private correspondence, or furnish information for essays, debates, school-compositions, &c.

(4.) The editor is not practising law, and cannot give legal advice.

(5.) The editor works at least eight hours a day, with his hands, writing for our two publications. The Company is not able to pay him a salary, or to employ him a stenographer and typewriter: therefore, it is a physical impossibility for him to answer every letter.

He begs our friends to believe that he appreciates every suggestion, every clipping, and every marked copy of papers and magazines, that they are so good and helpful as to send him.

(6.) In no case can the editor undertake to give by private letter, the official record of any public man.

(7.) Zealous friends who bring to my attention the malicious slanders of irresponsible enemies, must expect me to exercise my own judgement in the premises.

Life is too short to waste time on every trifle, and the best answer to the unimportant slanderer, is silence.

It is a great mistake to dignify a person of no consequence, by lowering yourself to his level.

### A Fair Specimen of the Burns "Detectives."

ONE of the lesser lights who shone around The Great Detective, W. J. Burns, at the time he was in the employ of the Haas Finance Committee and was assuring mankind that he was "utterly confident" of clearing Leo Frank, has gone under a bushel.

In fact, he has hidden under 51 bushels, according to the Northern papers.

This lesser light is named Guy B. Biddinger, and while he is a parlous knave, he can't hold a candle to Burns.

Biddinger has been arrested in New York, for 51 crimes committed in Chicago, and he has been manifesting a most violent repugnance to the idea of standing his trial in the Windy City.

Apparently, he much prefers to remain in New York, whose climate is superior in every way to that of Chicago.

The press-dispatches say:

According to dispatches from Chicago, Biddinger is under 51 charges, embracing bribery, extortion, grand larceny and aiding a felon to escape while a member of the Chicago Police Department. These charges have come as a climax to a recent confession by Barney Bertche that the underworld worked with the connivance of certain police authorities. Half a dozen police officials have been convicted in the crusade.

Application to Governor Whitman for the return of Biddinger sets forth three of the 51 charges against him. They allege larceny, bribery and unlawful escape. Another charge alleges the destruction of a warrant of arrest, which is a felony under the Illinois laws. Twenty-one of the complaints allege felonies.

sylvania priest, and cancelled what the U. S. Court had done.

Can a sworn Chief Magistrate of a great Republic have any true conception of his sublime office, when he makes such a mockery of the Courts and such a travesty of Justice?

### EDITORIAL NOTES

By J. D. WATSON

THE Federal Grand Jury in New York at last indicted Capt. Franz von Papen, former military attache, and right hand of Count Bernstorff, the German Minister for attempts to blow up the Welland Canal in 1914.

At this rate of speed, our Department of Justice will, within the next ten years, finally locate the spies who have been blowing ammunition plants, causing the loss of numbers of human lives, setting time-clock bombs on passenger steamers, timed to explode when the vessel was too far out at sea for help reach the drowning women and children.

If our Secret Service has been cunning enough to present the evidence to a Grand Jury that would indict von Papen for an alleged crime committed in 1914, how long will it take them to work up the evidence for a Grand Jury to return a True Bill for one of the explosions or fires caused by spies in 1914?

Our Secret Service seems to be on a par with the other branches of our most expensive Government—under an Administration pledged to strict economy in handing out the people's money.

Now that von Papen has been indicted what are we going to do about Bernstorff?

Von Papen was Bernstorff's assistant in the German Embassy at Washington, and it is foolish for any sensible man to argue that von Papen executed any contracts without the consent and approval of Bernstorff—it is silly to argue that von Papen could have made plots and paid out the money for their execution without Bernstorff knowing all about it.

In other words, whatever money has been furnished to von Papen, and the other German agencies in this country, the German Embassy is well aware of, and the majority of the American people believe that Wilson, Lansing & Co. know it as well as Bernstorff.

It is a case of going after the little fellow and letting the man higher up go—it is the same game that you see the politicians play, it is the same as electrocuting the degenerate gunman, who shoots down his man for a murder, and not prosecuting the man who planned the murder.

Dernberg represented Austria—a comparatively weak nation—and he was unceremoniously kicked out of the country.

Bernstorff represented a strong nation, and we have not only refused to give Bernstorff the same treatment that we gave Dernberg, but we have been permitting Bernstorff to kick us for almost two years.

President Wilson and Secretary Lansing have convinced the whole country that we will take the insults from a strong nation like Germany, while they get their backs up and want to fight like tigers when it comes to a worn out, exhausted, bandit-ridden, bankrupt country like Mexico.

"We are too proud to fight," said the President in his famous Philadelphia speech, later events have proved that the strength of the other nation has a great deal to do with the President's "proudestness."

It may be due to the fact that our officers and soldiers have come to the conclusion that any old war will do, that they have begun to act as crazily as the newspaper reports indicate them as acting on the Mexican border. The following from the New York Tribune graph—one of the most conservative papers on earth, will make the point clear:

An American aeroplane flying over Chicago City was shelled by soldiers garrisoned by Carranzistas hold that city. Carranza simultaneously issued an order forbidding planes over any Mexican city.

In addition, the American expedition refused the use of telegraph or telephone lines. Mexicans detained ten carloads of supplies needed by United States troopers at Satevo.

Official denial, from Mexican sources, was