

trial will be filed in due order, and it will be duly heard. It is now my duty to pronounce the formal sentence of the law upon you, which I will read in open court. Indictment for murder, Fulton superior court, May term, 1913. Verdict of guilty, July term, 1913. Whereupon, it is considered, ordered and adjudged by the court that the defendant, Leo M. Frank, be taken from the bar of this court to the common jail of the county of Fulton, and that he be there safely kept until his final execution in the manner fixed by law. It is further ordered and adjudged by the court that on the tenth day of October, 1913, the defendant, Leo M. Frank, shall be executed by the sheriff of Fulton county in private, witnessed only by the executing officer, a sufficient guard, the relatives of such defendant, and such clergymen and friends as he may desire; such execution to take place in the common jail of Fulton county, and that said defendant on that day, between the hours of 10 o'clock a. m. and 2 o'clock p. m. be by the sheriff of Fulton county hanged by the neck until he shall be dead, and may God have mercy on his soul.

The following protest was issued by the prisoner's attorneys and published in the Atlanta newspapers of August 26:

We deem it not amiss to make a short statement, as the attorneys of Leo M. Frank, to the public. The trial which has just occurred and which has resulted in Mr. Frank's conviction, was a farce and not in any way a trial. In saying this, we do not make the least criticism of Judge Roan, who presided. Judge Roan is one of the best men in Georgia and is an able and conscientious judge. The temper of the public mind was such that it invaded the court room and invaded the streets and made itself manifest at every turn the jury made; and it was just as impossible for this jury to escape the effects of this public feeling as if they had been turned loose and had been permitted to mingle with the people. In doing this we are making no criticism of the jury. They were only men and unconsciously this prejudice rendered any other verdict impossible. It would have required a jury of stoics, a jury of Spartans to have withstood this situation. The time ought to come when this man will get a fair trial, and we profoundly believe that it will. The final judgment of the American people is a fair one. It is sometimes delayed in coming, but it comes. We entered into this case with the profound conviction of Mr. Frank's innocence. The result has not changed our opinion. Every step of the trial has intensified and fortified our profound conviction of his innocence.

L. Z. Rosser,
E. R. Arnold.