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# Georgia Town Is Still Divided Over the 1915 Lynching of a Jew

By JANE GROSS

Correction Appended

**MARIETTA, Ga., Aug. 23**— The oak grove where Leo M. Frank was lynched here 85 years ago, in one of the most infamous cases of anti-Semitism in American history, long ago gave way to suburban strip malls. An inconspicuous commemorative plaque marks the spot, just south of the Big Chicken, a looming metal rooster outside a fast-food restaurant that is the most distinctive landmark in Cobb County.

But if the plaque is inconspicuous, the Frank case is not, especially this summer, when reminders abound.

They include a play about the lynching of Frank, a Jewish factory superintendent convicted amid anti-Semitic frenzy of murdering 13-year-old Mary Phagan, a Web site listing the names of prominent Mariettans said to have organized his lynching and a debate about a statue of a civic leader who fanned the mob.

For some Old Mariettans, or O.M.'s as they are known, this confluence of events is seen as a welcome opportunity for catharsis.

"We have a tragedy that's unique here," said Chuck Clay, a local lawyer and head of the state Republican Party, who acknowledges that his great-uncle was involved in the lynching. "Should we draw our own unique lessons? I hope so. This story always bears repeating. We should never let our guard down and think we've vanquished prejudice."

Others, however, wish the Frank case would just go away. When The Marietta Daily Journal published a letter urging a community apology, the response from other letter writers was uniformly hostile. It is Leo Frank's relatives who should apologize and not the good citizens of Marietta, one letter writer replied. Why stir up old wounds, another asked? Some things are best left for Judgment Day, wrote a third.

The Theater in the Square, a former cotton warehouse 300 yards from Mary Phagan's grave, chose the play "The Lynching of Leo Frank," by Robert Myers, to open its 19th season, in keeping with a philosophy to showcase local themes. It is a stark drama that chronicles the murder, trial, conviction, death sentence and its gubernatorial commutation, and subsequent lynching of Mr. Frank.

The play does not address the question of Mr. Frank's guilt or innocence. But the identities of many of those who orchestrated his lynching, which was viewed by a festive crowd of 6,000 and praised in the local newspaper of the day, have been an open secret here for decades.

Several people -- including Bill Kinney, 75, a columnist at the Marietta Daily Journal, and Dan Cox, 61, founder of the local Museum of History -- have long had lists of the prominent men who organized the lynching and whose descendants are among the elite of Cobb County today. These lists, not identical but with considerable overlap, were assembled from deathbed confessions, notes on the flyleaves of family Bibles and the like. But they were closely guarded until a few months ago, when Stephen J. Goldfarb, a research librarian, posted one version, with 23 names, on the Internet.

The posting caused a flurry of interest in the case, here and across the country. So did an op-ed article this month in *The Atlanta Journal-Constitution* by a law professor at George Washington University, calling for the removal from the State Capitol grounds of a statue of Tom Watson, a newspaper publisher and later a United States senator, whose calls for vigilante justice after Gov. John M. Slaton commuted Mr. Frank's sentence helped fuel the lynching.

Mr. Watson's great-grandson, Tom Watson Brown, a lawyer and part owner of the Atlanta Falcons football team, insists that Mr. Frank was lynched -- and justifiably so, he said in an interview -- not because he was a Jew but because he was freed because the governor was a law partner of Mr. Frank's lawyer. Mr. Brown has been quoted in recent days making remarks so offensive to Jews that a prominent local rabbi, Steven J. Lebow of Temple Kol Emeth, said he was considering lodging a complaint with the State Bar Association and the National Football League.

Marietta and Cobb County have long had reputations as places where intolerance has a comfortable home. But in recent years, they have become far more diverse and less conservative, resembling the average Southern suburb. In the last 10 years, Rabbi Lebow said, his congregation has grown to 900 from 50, and most members "do not feel the presence of anti-Semitism on a daily basis."

Still, there are echoes of the past. When Philip M. Goldstein, a major property owner in town and longtime City Council member, proposed selling a parcel of land on the town's antebellum square for a 12-story mixed-use building, reaction was hostile. But residents at a public hearing responded not just with shouts and foot-stomping, but with anti-Semitic slurs. One elderly man approached Mr. Goldstein's sister and spat out, "Remember what happened to Leo Frank."

Mr. Goldstein, whose grandfather testified as a character witness at the Frank trial and was whisked out of town for safety the night of the lynching, persuaded all but one local reporter not to publish the ugly remark. He also refused to discuss a swastika that was painted on a retaining wall at the disputed property, and painted over by Mr. Cox, a descendant of both slave owners and Klansmen, who said he has unlearned most of what his family taught him. Mr. Cox also said that Mr. Goldstein routinely received hate mail, that his car was once torched and that "if his name was Jones he wouldn't have these problems."

Mr. Goldstein demurred when asked about bigotry here. "Questions of anti-Semitism, I generally don't talk about them," he said. "I don't care to do damage to a city my family has lived in for three

generations."

Rabbi Lebow is saddened by Mr. Goldstein's studied silence. He said Jews in the South, even these days, have a "natural propensity to adopt a protective coloration to blend in" and are "unwilling to stand up and say anything" when faced with the occasional act of anti-Semitism. He blames this fearful silence on the Frank case, which he calls "the original sin of Cobb County."

In recent days, the rabbi said, he has received many phone calls from Jews begging him to keep silent about the issues of the play, the Watson statue and the list of names. "This is self-defeating behavior," he lamented, "because silence always encourages ignorance and bigotry."

Photos: Philip M. Goldstein, above, whose property-sale proposal met a hostile response. Dan Cox, right, founder of the Marietta Museum of History, by the grave of Mary Phagan, killed in 1913. (Photographs by Alan S. Weiner for The New York Times)

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