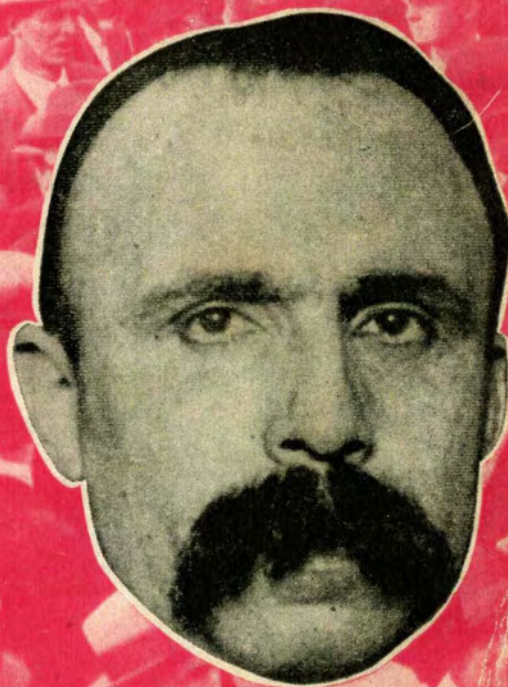


SACCO AND VANZETTI LABOR'S MARTYRS

109
~~25~~¢



BY MAX SHACHTMAN

This (inside front cover)
page was blank in the
original.

ALL pages are enlarged
129% (including front
and rear covers).

— M. Riazanov

Sept. 2010

SACCO *and* VANZETTI
LABOR'S MARTYRS

By
MAX SHACHTMAN

TWENTY-FIVE CENTS

Published by the
INTERNATIONAL LABOR DEFENSE
NEW YORK
1927

SACCO and VANZETTI LABOR'S MARTYRS



NOWHERE can history find a parallel to the case of the two Italian immigrant workers, Nicola Sacco and Bartolomeo Vanzetti. Many times before this there have been great social upheavals, revolutions, profound popular movements that have swept thousands and millions of people into powerful tides of action. But, since the Russian Bolshevik revolution, where has there yet been a cause that has drawn into its wake the people, not of this or that land, but of all countries, millions from every part and corner of the world; the workers in the metropolis, the peasant on the land, the people of the half-forgotten islands of the sea, men and women and children in all walks of life?

There have been other causes that had just as passionate and loyal an adherence, but none with so multitudinous an army.

THE PALMER RAIDS

If the Sacco-Vanzetti case is regarded as an accidental series of circumstances in which two individuals were unjustly accused of a crime, and then convicted by some inexplicable and unusual flaw in the otherwise pure fabric of justice, it will be quite impossible to understand the first thing about this historic fight. Nothing but the blindness of the observer can be explained by such a viewpoint.

To comprehend the profound significance of the case and of all its developments, one must look at this immense canvas of conspiracy and vengeance, crime and punishment, struggle and reaction, knavery, bravery and death, and millions upon millions swirling and milling around two central figures for

seven years, in order to find the social background and basis upon which it was painted. Only thus can the whole case be fully illuminated and the central, logical theme be found.

Sacco and Vanzetti are not the first—nor the last—victims of capitalist class justice. During the world war alone, hundreds of workers were seized and thrown into prison for their opinions and activities in the labor movement. Labor papers by the score were suppressed or hounded out of existence. Many of those who escaped arrest and conviction under the vicious Espionage act, were dealt with by silk-hatted bands of thugs who meted out “justice” in the dark of the moon with tar, feathers, horsewhip and pistol. Not a single instance of a real crime was ever proved against these victims at home of the war for democracy; it sufficed that their activities had earned the enmity of the exploiters. The hysterical, jingoistic atmosphere whipped up during the war was as good a time as any to “get the agitators.”

When the war came to an end, new winds were blowing in Europe and disturbed even the smug “isolation” of the United States. The huge cauldron of Bolshevism, in which the last of the old order of things in Russia was being burned out of existence, boiled tumultuously and threatened to engulf the rest of Europe in a revolutionary overflow. Convulsive upheavals tore gaping holes in the rotten post-war fabric of a whole continent.

And America was not immune! The despised and bestialized Hunkies, Slovaks and Wops, and Yankees too! poured out of the steel mills in hundreds of thousands. Some months before, the workers of Seattle had been masters of the city, and the Mayor came to them on bended knee during the general strike. The labor unions had grown by leaps and bounds. In Chicago, the Communist Party had been formally launched and proclaimed its open support and advocacy of Bolshevism. The masters of America, fattened and sluggish with their newly acquired millions, locked their safes, doors and shutters, looked under their beds, and prayed that the revolution do not overtake them for at least a few months.

The stage was set for a Red hunt. It was necessary to

deflate the growing labor movement, to weaken its ranks and militancy, to rob it of its most conscious and energetic forces. It was important to lay the basis for the "open shop" offensive, the lowering of the rate of wages which had risen during the exigencies of the war situation, and to smash the trade unions. And such a Red scare would give such tenth-rate political hacks as Ole Hanson, Calvin Coolidge and A. Mitchell Palmer the opportunity to pose as the saviours of the sacred temples of law and order. So the campaign was begun and developed under the direction of Attorney-General Palmer whose horizon was topped by his presidential ambitions.

The familiar machinery of provocation and malicious propaganda was set into motion. Bombs and absurdly "desperate" leaflets were distributed in various parts of the country by *agents provocateurs* (surely they were agents, for the bombs never hurt any one seriously, and the combined efforts of the entire police and detective forces of the country were unable—to this day—to fasten the responsibility for them upon a single individual). Spies and *provocateurs* were admittedly sent into hundreds of labor organizations by the Department of Justice. The press, the pulpit, the schools and movies were filled with the most obvious lies and false propaganda about the labor movement and the radicals. Where, during the war, every good patriot had seen a German agent, he now saw a dozen Reds and anarchists. . . .

Then followed the wholesale arrests and deportations. On the night of November 7, 1919, scores of labor meetings and headquarters were raided by police and Department of Justice agents. Offices were wrecked, furniture broken, papers destroyed, men and women beaten and arrested. The *Buford*, the "Soviet Ark," sailed with 249 deportees many of whom were forced to leave their families behind in a destitute condition when they were hurriedly rushed to New York. Scores were held prisoners in various parts of the country, and some more of them were later deported.

On the night of January 2, 1920, a new wave of raids swept over the meetings of members of the Communist and Communist Labor Parties. Almost three thousand workers

were arrested. A group of prominent American attorneys* characterized the whole affair in the following manner:

Under the guise of a campaign for the suppression of radical activities, the office of the Attorney General, acting by its local agents throughout the country, and giving express instructions from Washington, has committed continual illegal acts. Wholesale arrests both of aliens and citizens have been made without warrant or any process of law; men and women have been jailed and held *incommunicado* without access of friends or counsel; homes have been entered without search-warrant and property seized and removed; other property has been wantonly destroyed; workingmen and workingwomen suspected of radical views have been shamefully abused and maltreated. Agents of the Department of Justice have been introduced into radical organizations for the purpose of informing upon their members or inciting them to activities; these agents have even been instructed from Washington to arrange meetings upon certain dates for the express object of facilitating wholesale raids and arrests. In support of these illegal acts, and to create sentiment in its favor, the Department of Justice has also constituted itself a propaganda bureau, and has sent to newspapers and magazines of this country quantities of material designed to excite public opinion against radicals, all at the expense of the government and outside the scope of the Attorney General's duties.

In Massachusetts, the raids were particularly intense and numerous. Highly industrialized, with a large proportion of foreign-born workers, and a creditable radical movement, practically every important center had its raiding scene. One by one, the well-known radical workers were picked off and imprisoned or deported. Galleani, the leader of those circles to which Sacco and Vanzetti belonged, was deported together with a number of others.

THE DEATH OF ANDREA SALSEDO

In New York City, two Italian printers, Andrea Salsedo and Robert Elia, were arrested and held *incommunicado* in the Park Row building of the Department of Justice, instead of, as in the case of the others, being in the hands of the

* R. G. Brown, Memphis, Tenn.; Zacheriah Chaffee, Jr., Cambridge, Mass.; Felix Frankfurter, Cambridge, Mass.; Ernst Freund, Chicago Ill.; Swinburne Hale, New York City; Francis Fisher Kane, Philadelphia, Pa.; Alfred S. Niles, Baltimore, Md.; Roscoe Pound, Cambridge, Mass.; Jackson H. Ralston, Washington, D. C.; David Wallerstein, Philadelphia, Pa.; Frank P. Walsh, New York City; Tyrrell Williams, St. Louis, Mo.

immigration authorities. Reports came that they were being tortured, that attempts were being made to obtain "confessions" from them implicating themselves and their comrades in the so-called Wall Street bomb explosion.

The little Italian labor circles in Massachusetts were worried. Gruesome stories about the third degree methods used against those arrested by the police had reached their ears. Already, one of the Italians deported from Pennsylvania had died *en route* to his native land . . . or been killed. A disturbed conference of these Italian workers in East Boston decided to send Vanzetti to New York to learn the details about Elia and Salsedo and to report back on the situation.

Vanzetti conferred with Walter Nelles, the attorney for the two prisoners, and with his Italian comrades in New York, and returned to his friends with a disquieting report. The attorney had advised the concealment of all their literature, for new raids were expected and it was necessary to do this. All the comrades were to be warned immediately, for the Department of Justice was intent upon new victims and no one was safe. Fear for the fate of the two printers made it imperative that aid be organized forthwith.

Twenty-four hours later, May 3, their fears were cruelly realized. From a window in the Park Row building, fourteen stories high, a body hurtled to the ground and was smashed to a bleeding mass on the pavement. It was Andrea Salsedo. Whether the torture of eight weeks of barbarous persecution had made him seek desperately for immediate death rather than the continuation of living hell, or the fall was caused by the insane anger of the government operatives who, having been unsuccessful in extorting a "confession" from his brave lips, sought to dispose of the evidence of their brutality by flinging him to his death, may never be known. Either way, however, the horrible grimness of the mangled corpse stared the country in the face. The blood-flecked body lay as a tribute to the American government's department, sardonically named "of Justice." The Italian friends of Salsedo (Elia had been rushed out of the country to prevent him from speaking the truth) were filled with consternation and horror.

It was arranged that Vanzetti, who knew more about the case than any of the others, should be the principal speaker at a meeting to be held in Brockton on May 9. Circulars were to be printed, and the workers of that district notified of the meeting. At the same time, they could be told to prepare themselves against raids and arrests, to hide any literature that might be used as "evidence" for imprisonment or deportation. They decided to use the old automobile of Mike Boda, which was then being repaired at a garage in West Bridgewater, for the purpose. This decision probably saved Boda from occupying a place with Sacco and Vanzetti on the death chair seven years later.

For Boda was being watched by the police in connection with an attempted robbery which was one of a series of payroll holdups, bank robberies and similar crimes that had been committed throughout the district for the past year. Boda had been boarding with one of the many friends of Sacco and Vanzetti, Ferruccio Coacci. On orders from Washington, Michael Stewart, Edgewater's chief of police, had arrested Coacci as a dangerous Red, and, after the decision of the immigration authorities, Stewart again seized Coacci, who had been released on bail, and turned him over for deportation. Coacci's house was regarded by Stewart with suspicion, and he had questioned Boda. When he learned that Coacci had been employed by the L. Q. White Company, whose payroll four men in an automobile had attempted, without success, to rob, and that Boda had sent his old Overland car to a repair garage a few days after another one of the holdups and shootings, the idea became fixed in Stewart's mind that Boda and his friends were the criminals.

Stewart decided to arrest Boda, but he could not find him. He left instructions with the garage owners to inform him the moment anyone came to take Boda's car. On the evening of May 5, therefore, when Sacco and Vanzetti arrived at the garage by trolley from Stoughton, and were met there by Boda and Orciani, who had come with the latter's motorcycle, the garage owner's wife, Mrs. Johnson, hastened to a neighbor's telephone and informed the police that the men they

sought had arrived. Johnson himself, who was also working in collaboration with the police, dissuaded the four Italians from taking the Overland because it still had the old, worthless state license for the previous year, 1919. Boda and Orciani returned on their motorcycle, and Sacco and Vanzetti took the trolley back to Stoughton, somewhat disturbed by the suspicious actions of the Johnsons.

As the street car passed into Brockton, a policeman boarded it and placed Sacco and Vanzetti under arrest. With the memory of the recent raids in mind, and the thought of the pulpy, bleeding mass on the sidewalk before the Park Row building, it did not occur to them for a moment that they were being arrested for anything else but their radical beliefs and activities. Orciani was arrested at about the same time. Boda was not found, and has not been heard of to this day.

The theory concocted by Chief Stewart was that the group of Italians that frequently visited Coacci's house were the bandits who were involved in at least two of the number of hold-ups that had recently occurred. The first had taken place in Bridgewater on December 24, 1919, when the payroll truck of the L. Q. White Shoe Company in that city was unsuccessfully held up by four men who, after being outwitted by the truck guards in the midst of running fire, jumped into a waiting Buick automobile and fled. The other holdup, of a particularly cold-blooded nature, was the robbery of the payroll, amounting to \$15,776.51, of the Slater and Morrill Shoe Company, which was being carried through the main street of South Braintree by Frederick Parmenter, paymaster, and his guard Alexander Berardelli, both of whom were fired upon and killed by two of the bandits who seized the payroll and escaped in a gang car occupied by three others.

Stewart triumphantly figured that the five bandits were Coacci, who was supposed to have escaped with the loot, Boda, Orciani, Sacco and Vanzetti. But Coacci's trunk, when seized by police in Italy, had in it neither the loot nor a mark of suspicion that might indicate his connection with the hold up. Orciani, it was found, had been at work on the dates of both the Bridgewater and South Braintree crimes. Sacco had

been at his machine in the factory during the Bridgewater holdup, and in Boston during the South Braintree affair. Vanzetti, who was selling fish, was miles away from the scene of both holdups.

Boda, who could not be found, and Coacci, who was in Italy, were never indicted. Orciani, who had a complete and unassailable alibi, was released a couple of days after his arrest. But Vanzetti was held for both the Bridgewater and South Braintree affairs, and Sacco for complicity in the latter.

Stewart, proud as a peacock for his activities in cooperating with the Department of Justice in deporting Coacci, and later, in the deportation of four Lithuanian workers, had been informed by the Department that Sacco and Vanzetti were dangerous radicals; and for this village genius it was obvious that two radicals, who were lawbreakers by the very nature of their evil and subversive beliefs, would at the same time most likely be guilty of such other crimes as robbery and murder.

So did these two workers step unwittingly into a trap which released its prey only when the two tortured bodies no longer held a spark of life in them.

WHO WERE SACCO AND VANZETTI?

Who were these two workers, at one time as obscure and unknown as the millions of their brothers in labor, whose name became a watchword, and whose cause became a banner that led these millions into struggle?

Bartolomeo Vanzetti was born on June 11, 1888 in Villa Falletto, in the hills of Northern Italy. The Vanzettis were a respected family of farmers. Their son was sent to the local school, and divided his other hours between reading books, improving his religious training and helping his father to till the soil and sell his wine. At the age of thirteen, his father considered that simple farming and book-reading would not lead Bartolomeo to greater things; so he apprenticed his son to the owner of a pastry shop in the city of Cuneo.

An apprenticeship of such a kind was by no means an un-mixed blessing. Vanzetti worked every day in the week for fifteen hours with a three hour vacation twice a month. For

six years he worked in the hot, sultry atmosphere of bakeries and kitchens, going from Cuneo to Cavour, then to Turin, to Courgne, to Turin again, until he was forced to return to Villa Falletto with an attack of pleurisy.

Returned to the peace of his native village, his sister and mother nursed him back to health, sorrowful only because Vanzetti's religious ardor had become cooled in his contact with the young workers and clerks of the cities where he had worked. And soon his mother was stricken with a fatal illness and despite the ministrations of the whole family, she died shortly afterward in the comforting arms of her son. It was a bitter tragedy that drove the entire family to despair.

Young Bartolomeo, barely twenty, determined to go to America. In the course of his work in the larger towns, he had read a good deal of the popular anti-clerical and radical pamphlets which virtually brought to an end his youthful Catholic beliefs and gave him his first glimmerings of the socialist philosophy. In America, it was said, one could find a new land of freedom, progress, learning, opportunity. He tore himself from the tearful parting with his family, and accompanied on the road by the whole town, he departed for the new world.

Millions of American workers can duplicate the story of his voyage and the arrival in the country of hope. The sickening steerage, overbearing and insulting officials, the confusion and bewilderment of the immigrant in the midst of the roar and bustle of the metropolis, and then—the inevitable absorption into the mammoth, blind machine of industrial America. Vanzetti was particularly unfortunate. He had come to New York at a time of a "crisis." Wages were small. Long hours predominated. One was glad to get any kind of a job rather than freeze and starve on the streets.

He worked for eight months in hell. Twelve and fourteen hours a day, with five hours off every other Sunday, food that would be spurned by a healthy dog, and five or six dollars a week in wages, working in a hot, dirty, stinking kitchen. He sought another job, unsuccessfully, and then went to Hartford, Connecticut, with an Italian friend.

But Hartford presented the same bleak canvas of misery as New York, cut to smaller size. Hungry, desperate, disillusioned, he worked before brick furnaces in Springfield; two years of toil in Meriden's stone pits; in pastry shops and iron foundries, digging ditches and building aqueducts—the heavy, body-breaking, thankless work of the Slovak, Hunky and Wop. Yet with every muscle aching, he read omnivorously of Kropotkin, Malatesta, Gorky, Reclus, Marx, Renan, Dante, Darwin, Tolstoi, Zola; history, sociology, natural science, religion, poetry and “the journals of every socialist, patriotic and religious faction.” He

. . . learned that class-consciousness was not a phrase invented by propagandists, but was a real, vital force, and that those who felt its significance were no longer beasts of burden, but human beings.

With other Italian workers in Massachusetts he joined one of the groups that supported the ideas expounded in the little anarchist journal *Cronaca Sovversiva*, edited and published by Luigi Galleani. But his interest in the labor movement was not merely philosophical; it was warm, active, human. And when the workers struck in the Plymouth Cordage Company against their low wages and miserable conditions, in 1916, Vanzetti was in the front ranks of the fight, giving leadership and encouragement. When the strike was ended with the grant of a small wage increase, all the men except Vanzetti were taken back to work. He was blacklisted as a notorious agitator. It was no shock to him. He had already then tasted the biting cut of the lash of American freedom many times.

* * * *

At the other end of Italy, in the tiny southern village of Torremaggiore, the family of Michele Sacco had its home and acres rich with fruits, olive trees, and vineyards. On August 20, 1891, Ferdinando Sacco (who dropped his own surname and took that of his elder brother Nicola when he died) was born. Robust and intelligent, he grew up with an intense interest in tools, machinery and trees. The older Sacco was a staunch republican, and his sons belonged to the republi-

can or socialist clubs of the village. Nicola, with his older brother Sabino, used to discuss the amazing stories about America and dreamed about it with growing desire. When Sabino returned from his period of military service, the two brothers left the native hearth and fields and sailed to Boston, eager to taste of the realities of the image of achievements and possibilities they had conjured up.

Nicola was constantly fascinated by the new and intricate machines all around him and in the places where he worked. He almost played with the steamroller at his first job with a road gang near Milford. In the winter of the year he landed, 1908, he worked in the Hopedale pig iron mills. Then he decided to learn a trade and he paid fifty dollars to a man to teach him how to work an edging machine for shoes. His brother Sabino, unable, like the more vigorous Nicola, to stand the harsh pressure of American industry, returned to Italy at about this time, later to be elected socialist mayor of Torremaggiore. Nicola became a skilled shoe worker and ran a machine in the mills of Milford until 1917.

Sacco continued to read the radical Italian journals, and also joined one of the many circles in which the influence of Galleani was dominant. Out of the discussions and lectures he drew a clearer comprehension of the struggle of the two colossal forces in society which a few years later would engage in furious conflict to determine his fate and that of his comrade.

When the thousands of bitterly exploited Saccos and Vanzettis of the New England industrial machine broke out in revolt, Nicola was found in the ranks of the humble, unnamed workers whose yeoman service stiffens the backbone of every struggle. In the Lawrence strike of 1912, which was so violently contested, Sacco helped in the collection of money to feed the strikers, and to defend their arrested leaders, Joe Ettor, Giovannitti and Caruso. It was while acting in one of the amateur theatrical performances held for this purpose that he met Rosina whom he later married. They named their first child Dante.

The next year, in 1913, the textile machine workers in the

Draper Company Mill at Hopedale, a town adjoining Milford, struck, and Sacco gave every bit of his spare time to the task of aiding in the fight. Before going to work, in the morning, and as soon as he quit, in the evening, he helped to organize the mass picketing, arrange the work of relief to which he himself contributed liberally, and spread confidence among the strikers. And three years later, he was arrested at a demonstration in solidarity with the strike on the Mesaba Iron Range in Minnesota which was organized by the I. W. W.

A year later war was declared against the Central Powers by the United States. The notorious compulsory military service act was passed, calling upon all citizens and aliens to register with the draft boards. Sacco and Vanzetti and many of their comrades opposed the imperialist war with all their conviction. They considered service in the armies of their exploiters as incompatible with their principles.

Some thirty of them fled to Mexico. Sacco met Vanzetti for the first time on the train that took them south. From that time on their friendship was a very close and dear one, combining a fraternal love and comradeship with mutual understanding and common ideas. They remained in Mexico only for a short time, for living was difficult there despite their communal maners and modes; and when they received information from the United States that it was possible to return without being drafted, and that wages were higher and conditions somewhat better, they slipped back across the border.

Sacco worked at a couple of odd jobs until he was employed in a shoe factory at Stoughton. He remained there until his arrest. Vanzetti ended up as a fish peddler in Plymouth, forced by his poor health to refrain from heavier labor.

* * * *

Prior to their arrest, their story is that of two immigrant workers, buffeted about by the sightless winds of American industrial life; two workers, more intelligent than the average, with a growing consciousness of their position, hoping and striving for an ideal quite beyond the mental horizon of the money-mad American ruling class. Such workers do not make

good factory-fodder for they chafe and are unruly under the chains of wage-slavery. Such men are dangerous, for they are filled with a warm love and understanding of life and struggle. They are working class rebels, incorruptible. They have no place in the lexicon of the satisfied ruling class. Therefore they must be destroyed and their places taken by the complacent, wretched, satisfied slave.

VANZETTI'S FIRST TRIAL

It is evident to those who have made even a superficial study of the case that Sacco and Vanzetti were so doggedly persecuted, from the very beginning, because of their radical beliefs, and not on the basis of the ridiculous charges of robbery and murder. But by the time of their arrest, it had become far more difficult to imprison or deport foreign-born workers simply because they read radical newspapers or held heretical opinions. The shocking death of Andrea Salsedo had acted like a sobering cold shower on the inflamed heads of people mad with fear of Reds. In Boston, a short time before, Judge Anderson had rendered his decision in the Communist raid cases, sharply attacking the brutal and arbitrary actions of the Department of Justice.

To see that Sacco and Vanzetti, who "were bad actors . . . would get what they deserved," it was necessary to fasten some major violation of the criminal code to their social opinions, and the Bridgewater and South Braintree crimes were as good as any other, particularly since the police, who were under criticism for their failure to apprehend the malefactors, would thereby have "solved" another couple of mysteries.

But why was Vanzetti tried first for the Bridgewater hold-up? It is the legal custom, followed in Massachusetts also, that in the event of one being accused of a series of crimes, he is tried first for the most serious offense. Clearly, the robbery of some \$16,000 and the murder of two men in South Braintree was of a far more criminal nature than the attempted holdup in Bridgewater. Why was all precedent overthrown, all custom nullified?

Because neither Sacco nor Vanzetti had ever before been accused or convicted of a single criminal act, and the frame-up experts wanted to poison and prejudice the atmosphere of the South Braintree trial, in which a death sentence was involved, by bringing before the jury at least one defendant who would by that time already have been convicted of crime, and of such a crime as would almost automatically prove his guilt in the second case! Subsequent developments proved the truth of this surmise.

Vanzetti was brought to trial a month after his arrest, under Judge Webster Thayer, with the Norfolk County district attorney, Frederick G. Katzmann acting "for the Commonwealth of Massachusetts." The trial was held in Plymouth, where Vanzetti had led the strike against the Plymouth Cordage company a few years before, and he was defended by a lawyer obtained for Vanzetti by a court hanger-on, John Vahey, who shamelessly aided in the conviction of the man he was supposed to defend.

Only the seriousness of the purpose and outcome of the trial prevents it from being characterized as a farce. Professor Felix Frankfurter, of Harvard University, said that

the evidence of identification of Vanzetti in the Bridgewater case bordered on the frivolous, reaching its climax in the testimony of a little newsboy who, from behind the telegraph pole to which he had run for refuge during the shooting, had caught a glimpse of the criminal and "knew by the way he ran he was a foreigner." Vanzetti was a foreigner, so of course it was Vanzetti!

The rest of the trial was on a par with this episode. The attempt to hold up the pay truck had occurred at 7.35 in the morning. As it was on its way to the shoe factory from a local bank, two men on foot began firing at the three occupants of the truck. None of them was injured. The truck drove out of range behind a trolley car, and the bandits ran to a waiting automobile which immediately disappeared. The prosecution maintained that Vanzetti was one of the men who fired at the truck with a shotgun.

It is necessary to recite only a little of the prosecution's evidence to be convinced not only of the baselessness of the

charges against Vanzetti, but of something more significant. It is clear from the testimony of the prosecution witnesses that already at that trial the wheels of the frame-up machine had been set in motion.

One of the men on the paytruck, Benjamin J. Bowles declared at the preliminary hearing that the man with the shotgun had a moustache that was "short and croppy," whereas everyone knows that Vanzetti's moustache was long, thick, bushy. When it became known that other witnesses would testify for the defense that this had been the appearance of Vanzetti's moustache for years, Bowles testified at the trial that the defendant's moustache was "bushy."

Bowles was able to give a most minute description of the appearance of the man with the shotgun, with details of the hair, eyes, face and clothes. And it must be remembered that Bowles, when the truck driver went to pieces with terror at the first shot, helped to steer the automobile around a street car and keep up a running fire of shots—not against the man with the shotgun, but against the other bandit. Six months passed from the time of the attack to the trial testimony. It is not difficult to choose, in estimating the value of Bowles' testimony, between considering him a man of remarkably keen and precise eyesight (the entire period of the attack on the truck was but a minute or two) and accurate memory, or simply a monumental and malicious liar.

Another witness of phenomenal abilities was Mrs. Georgina Brooks. Vanzetti, she said, was the man she saw seated in the bandits' automobile. That is not all that Mrs. Brooks saw, despite the admitted fact that she had been taking treatments for one of her eyes and was able to see objects very dimly from the other. From a window of the railway station she reported that she saw the fire and smoke of a gun at the spot where the attack occurred. Even were the veracious Mrs. Brooks equipped with a portable X-ray machine, it would have been difficult for her to see any such thing, for between the scene of the shooting and the railway station window, there is a two-story frame house *which would completely shut off a view of one from the other.*

The rest of the testimony for the prosecution was just as convincing.

On the other hand, eighteen witnesses, who, except for the fact that they were mostly "a bunch of Wops" were quite reputable, testified without being contradicted that on December 24, the day of the crime, Vanzetti had been some 28 miles from Bridgewater, in Plymouth engaged in selling eels which form the favorite dish of Italian Catholics for whom that day is one of fasting when meat is prohibited and fish is eaten instead. In sharp contradiction to the testimony of the prosecution witnesses, which was halting, uncertain, obviously untrue, and changeable from one hearing to another, that of the defense witnesses was simple, straightforward and manifestly honest.

But what was the weight and influence of the testimony of these foreign-born invaders of the aristocratic state of the Lowells, Cabots and Lodges, when it was being given in the defense of another Italian? The witty Katzmann had intimated that these Italians stick together under all circumstances, and the jury knew what verdict to give irrespective of the confusing and uncertain details of testimony and legal procedure. Of what avail was the testimony of these honest, simple Italian folk given in ridiculous English in behalf of the cheerful, well-liked fish-peddler, when he was a god-damned anarchist who was being groomed for a bigger trial involving the lives of his comrade and himself?

Vanzetti, at least, knew that he was not being tried for any holdups. The night of his arrest, he had been cross-examined by Chief Stewart in the Brockton police station, but not concerning his whereabouts on the dates of either of the holdups. He had been asked if he was a radical, an anarchist, a communist, an I. W. W. And Katzmann knew who it was that he was prosecuting, for he had been in touch with the Department of Justice which had the names of both Sacco and Vanzetti on their list as radical agitators. And Katzmann knew his jury of reactionary farmers. Every little while he could cunningly inject such questions to defense witnesses as:

Have you ever discussed the question of the poor man and the rich man between you?

Have you ever discussed government theories over there between you?

Have you ever heard anything of his [Vanzetti's] political speeches to fellow workers at the Cordage?

And Katzman knew who was the "defense" attorney, Mr. Vahey, who told Vanzetti that he and Sacco would be indicted for the South Braintree crime; who would not allow Vanzetti to take the stand in his own defense because he might speak his social views; Mr. Vahey, who scarcely consulted his client, who failed to arrange for additional witnesses, who neglected even to file a bill of exceptions; Mr. Vahey, who later became the law partner of Mr. Katzmann!

The admirable judicial calm and passionate devotion to equity of Judge Webster Thayer completed the picture. His generous charge to the jury to disregard the second count—"attempt to kill"—and consider only the first—"attempt to rob"—fell on stone, for the ardent jury brought in a verdict of guilty on both counts. Thayer understood what it was all about. "The defendant's ideals are cognate with the crime," he said. Which meant that the crime had been attributed to the defendant because he was guilty of having his ideals.

Thayer never played fast and loose with Sacco and Vanzetti. He began his relationships with the two rebels by giving Vanzetti the maximum sentence of fifteen years in prison for a crime which he must have known Vanzetti never committed. He ended, after seven years of an inexorable, relentless pursuit, trembling with sadistic joy as the switch of death was thrown.

THE TRIAL OF SACCO AND VANZETTI

On September 14, 1920, Bartolomeo Vanzetti, with a fifteen year prison term to be served, and Nicola Sacco, were indicted on the charge of murder in the first degree, in the payroll holdup and slaying of the paymaster and guard in South Braintree. They pleaded not guilty.

The stage was all set for a conviction before the first word of testimony had been heard. Passions and prejudices were skillfully whipped up. Darts of fear were shot into the minds

of every conservative "man of Norfolk" from whom the jury members would be selected. The Plymouth conviction of Vanzetti was utilized to the utmost, as had been originally planned. One newspaper even carried a lurid story in the first days after the opening of the trial which announced that a band of Reds were marching on Dedham, the seat of the court. The first day of the trial, the entrance to the county courthouse at Dedham was guarded by an iron gate and a squad of policemen and deputy sheriffs, who allowed only one man to enter at a time. All visitors to the courtroom, veniremen and newspaper men included, were searched for weapons. Police squads ostentatiously equipped with riot guns were stationed on the courthouse steps for the entire period of the trial, posing ferociously. State troopers rode menacingly through the otherwise idyllic town. And every day the two defendants were taken from the courthouse to their cells, shackled and guarded by twenty-eight heavily-armed officers, while everyone stared with fright at the thought of these two desperadoes ever being released to work their mischief upon a peaceful populace. . . .

Every opportunity was seized to stir the placidity of the local public, to inflame their imaginations, to drive them to a wild hysteria of fear and fury against these two enemies of society. The atmosphere was cleverly created. Only in such a miasmatic air, poisoned with hatred, prejudice and fright was it possible to conduct this brutal burlesque of a trial and successfully accomplish the ends of the raw frame-up.

The jury was selected. They were all cut out of the same bolt of cloth: staid, torpid, highly patriotic, oblivious to progress or a progressive idea, and completely dominated by the foreman of the jury, Walter Ripley, a former Quincy police chief upon whom all the eloquence of the prosecuting attorney was wasted. Ripley had made up his mind to execute Sacco and Vanzetti long before the first witness was called to take the oath.

At the prosecutor's table sat District Attorney Frederick Katzmann, and on the judge's bench sat the other prosecutor who posed as the arbiter of the case, Webster Thayer. The

counsel for Sacco and Vanzetti was fortunately led by Fred H. Moore, a labor attorney who had made his name famous in a number of hard-fought frame-up cases against workers.

The fact of the robbery and murder of Parmenter and Berardelli at South Braintree on April 15, was not contested. The only question that had to be decided at the trial was whether or not Sacco and Vanzetti were two of the bandit gang which was seen to have assaulted the two murdered men. If Sacco and Vanzetti were in any part of the country other than South Braintree at about three o'clock in the afternoon of April 15, 1920, then the entire basis of the state's charges against the two Italian workers would forthwith disappear and the case fall to the ground. Therefore, a court dominated by the fair and pallid abstraction of justice, without prejudice and class aims, would consider only evidence relevant to the decision of the disputed point and hold all other contributions by witnesses or attorneys as superfluous.

Let us examine the evidence.

The contention of the prosecution was that Sacco was one of the two men in the street who seized the stolen payroll and killed its two guards, and that Vanzetti was one of the three others of the bandit quintet who was seated in the automobile into which the money boxes were thrown and in which the bandits swiftly escaped. To identify Sacco and Vanzetti, the prosecution introduced a number of witnesses. Many persons had been in a position, of greater or lesser degree, to observe the principals in the crime. It is doubtful, however, if, during the chaos and terror of the minute in which it all happened, any of the observers was able to see the bandits with such photographic sharpness of detail as to be able to describe them with a fair amount of accuracy fourteen months afterwards.

Most of the witnesses presented to the court by the prosecution were such obvious frauds, and had such manifestly untrue and contradictory stories to tell, that under almost any other circumstances the mass of conflicting testimony would have resulted in a virtually automatic release of the defendants. There was Faulkner, who identified a fellow traveller who

descended at East Braintree from a Cochesett-Boston train as Vanzetti. His memory had been considerably refreshed by the prosecution when it brought him to see Vanzetti in prison. But when the defense attorney asked a courtroom visitor with a bushy moustache to stand up, Faulkner from the witness stand admitted that he might have been the mysterious traveller.

Another identification of Vanzetti, about as dependable as Faulkner's, was given by a railway crossing tender, Austin Reed, who saw an automobile cross the tracks at his post about an hour after the crime. Reed told a fanciful tale about a man, whom he positively identified as Vanzetti, and who had a "stubbled moustache . . . [and spoke] . . . in clear and unmistakable English." Unfortunately for Reed, Vanzetti's moustache is far from stubby, and his English was so poor that both he and Sacco were forced to use an interpreter all during the trial!

A third marvel was a witness named Cole who "thought at first glance that Vanzetti was a Portuguese fellow named Tony" that he knew, and later was positive that it was Vanzetti—his certainty resulting from the right kind of pressure and suggestion from the prosecutors.

Then there was the "identification" by Harry Dolbeare, a piano tuner, who said he saw an automobile with five passengers driven through the streets about four or five hours before the holdup. He identified one of the passengers as Vanzetti. But he could not describe the looks or clothes of any of the other men. The tender reed that supported Dolbeare's testimony was the fact that he had been attracted by the car when it came opposite to him because its occupants seemed to be "a tough-looking bunch," that is, a bunch of foreigners. But Dolbeare agreed that many automobiles containing "foreign-looking" persons passed through there to Holbrook and Randolph from the Fore River shipyards. Dolbeare was one of the two chief identification witnesses of the prosecution.

The other was Michael LeVangie, a gate tender of the New Haven railroad at the South Braintree crossing. He was there, he said, when the bandit car rushed across from the

scene of the murder. As he was lowering the crossing gates, he testified, the car came up, and a man sitting beside the driver pointed a revolver at him and forced him to raise the gates and let the car pass through before the oncoming train. He identified Vanzetti as the driver himself. Prosecutor Katzmann did not flick an eyelash at this bit of testimony, despite the fact that the theory of the state was that the driver *was not Vanzetti*, but a light-haired man wholly dissimilar to the defendant. On the contrary, Katzman brazened it out, protected his witness instead of repudiating him.

They find fault, gentlemen, with LeVangie [said Katzmann, in his summary to the jury]. They say that LeVangie is wrong in saying that Vanzetti was driving that car. I agree with them, gentlemen. I would not be trying to do justice to these defendants if I pretended that personally so far as you are concerned about my personal belief on that, that Vanzetti drove that car over the crossing. . . . You must be overwhelmed with the testimony that when the car started it was driven by a light haired man who showed every indication of being sickly . . . he saw the face of Vanzetti in that car, and is his testimony to be rejected if it disagrees with everybody else if you are satisfied he honestly meant to tell the truth? And can't you reconcile it with the possibility, no, the likelihood or more than that, the probability that at that time Vanzetti was directly behind the driver in the quick glance this man LeVangie had of the car going over when they were going up over the crossing. . . . Right or wrong, we have to take it as it is. . . .

But the defense was able to present as a witness a fireman on the New Haven, Henry McCarthy, who testified that LeVangie had told him a few minutes after the shooting that he had not seen any of the occupants of the car well enough to recognize him again. And another, Edward Carter, who testified that LeVangie told him the driver was of light complexion. And Alexander Victorson, a freight clerk, who heard LeVangie say that it would be hard to identify the men. And John L. Sullivan, who took shifts with LeVangie at the gate crossing, and proved by his testimony that LeVangie was a liar.

LeVangie's evidence was the only bit of testimony that the great Commonwealth of Massachusetts could present to prove that Vanzetti was present at the scene of the holdup!

On the other hand, the defense brought forward almost a dozen witnesses, whom the prosecution was completely unable to contradict or discredit, to give testimony that proved conclusively that Vanzetti was at Plymouth some two score miles from South Braintree on April 15.

Antonio Carbone, of Plymouth, said that he had sold fish to Vanzetti on that date. Miss Lefevre Brini testified that Vanzetti had delivered fish at her home at about 10 o'clock that day. A peddler of woolens testified that he met Vanzetti in Plymouth before noon on April 15, sold him some suiting, and proceeded to the Brini home to show the goods to Mrs. Brini. A half a dozen others substantiated this testimony in numerous ways. Rosen's testimony built many strong bricks of defense for Vanzetti, and if he had not spoken the truth, it would have been comparatively simple for the prosecution to prove that, for Rosen had sold goods to a number of persons that day, including the wife of the chief of police of Plymouth.

SACCO IS ALSO "IDENTIFIED"

Now as to Sacco.

The prosecutor had been chagrined at his inability to try Sacco with Vanzetti in the Bridgewater case, and thus far both of them with the same stick in preparation for the more serious trial for the Braintree murder. Sacco had had a perfect alibi: he had been at work in the factory all of the day that the Bridgewater affair occurred. But in the South Braintree case, Katzmann was able to indict and convict Sacco, not because he had any more proof of guilt than in the Bridgewater case, but because the circumstances were somewhat different and the possibilities existed for false and misleading testimony.

Sacco was also "identified." The prosecution sought to prove that he had shot Berardelli, and shot in all directions after he had jumped into the car to flee the murder scene. To prove this, they presented a number of witnesses who alleged that they were eyewitnesses to the crime.

The Slater and Morrill bookkeeper, Mary Splaine, if she did not have the fluoroscopic vision of the Bridgewater Mrs. Georgina Brooks, was gifted with unusually comprehensive

eyes and a startling reflective memory. At the preliminary hearing she was unable to identify Sacco as the bandit: "I do not think my opportunity afforded me the right to say he is the man." And when she was shown a rogue's gallery photograph in the state police quarters at Boston she said, "He bears a striking resemblance to the bandit." How far can her testimony be credited when it transpired that the photograph, which bore "a striking resemblance to the bandit" was of a criminal who was safely sleeping in a cell at Sing Sing Prison, in New York, on April 15?

But when the trial took place, Miss Splaine had duly reflected, warmed over her memory, furnishing links either from a rich imagination or from her observation of Sacco in his cell (she had been taken there by the police to "identify" him), and she was able to give a graphic and fairly complete description of the bandit, who, she was now positive, was Sacco. It is true she could no longer recall that, as she had testified at the preliminary hearing, Sacco had had a revolver in his hand. Nor did her description of his left hand, "a good-sized hand, a hand that denoted strength," quite fit in with the actuality of Sacco's hands which were smaller than the average. It is true, also, that it has puzzled many—Dr. Morton Prince, professor of abnormal and dynamic psychology at Harvard, has even said that it "was psychologically impossible"—that she should have been able to give so minutely detailed a description of a man whom she saw for from only one to three seconds, in a swiftly moving car, and at such an exciting time. A year after the crime she remembered the height and weight of the man, the length of his hair and the color of his eyebrows!

Another of the company's gifted bookkeepers was Frances Devlin. A month after the murder, she was asked if Sacco was the bandit and answered, "I don't say positively." With her also, either in a fervid ardor for certainty or out of a memory mellowed and cleared by the passage of the year that intervened to the trial, she was able to reply, "No" to the question "Have you at any time had any doubt of your identification of this man?"

Then Louis Pelzer, a shoe-cutter, who worked on the first floor of Slater and Morrill. He was also blessed with an unaccountable revival of memory. A few weeks after the shooting, he said, "I did not see enough to be able to identify anybody." At the trial, he seems to have seen enough to be able to say, "I wouldn't say it was him [Sacco] but he is a dead image of him." It merely added to the farcical nature of the trial when two of his bench mates testified that Pelzer lied. Again, not a tremor from Katzmann; instead, an eloquent presentation of a brass forehead:

He was frank enough here, gentlemen, to own he had twice falsified before to both sides, treating them equally and alike, and he gave you his reason. . . . It is of little consequence.

After the trial, Pelzer wobbled across the limelight twice more; once, four months later, when he recanted his trial testimony in an affidavit, asserting that he had been coerced into making his testimony for the prosecution by the District Attorney; a second time, when he recanted the affidavit and said (in another affidavit, by which he swore as facilely as to all his other statements) that his testimony at the trial was hallowed truth. But perhaps that, as Mr. Katzmann would say, is also of little consequence.

THE HONORABLE AND VIRTUOUS PROSECUTION WITNESSES

The Mooney-Billings case had as two its star prosecution witnesses Estelle Smith, alias Moore, alias Starr, a former prostitute, and Homer Waters, ex-convict, gambler and gunman. Mr. Katzmann brought into his line-up of witnesses two similar paragons. One was Carlos E. Goodridge, christened Erastus Corning Whitney, convicted of grand larceny once, convicted again, serving three years in prison each time, horse-thief, bigamist, swindler of women, general confidence man, and fugitive from justice. The other was Mrs. Lola Andrews, a lady of dubious character and past, who swooned, or threatened to, every time her personal affairs were alluded to during the trial. So what was good enough for District Attorney Fickert in 1917 in San Francisco turned out to be

at least as good for District Attorney Katzmann in 1921 in Dedham.

Goodridge testified that one of the bandits in the passing murder car aimed a gun at him as it drove by the poolroom out of which he had come when the sound of shooting reached him and into which he scurried when the automobile went by. Half a year later, and again, at the trial, he identified Sacco as the bandit. His employer, Andrew Manganaro, testified not only to Goodridge's notorious untruthfulness, but also to the fact that he had told him he was so frightened that he could not possibly remember any of the faces in the car. Three others, one the owner of the poolroom, who spoke with Goodridge, also shattered his false testimony.

The case of Goodridge was too obvious. It can be estimated with final precision when it is known that a short time before Sacco's trial, he had been convicted of larceny and the case was filed upon the request of District Attorney Katzmann so that no sentence was imposed. Katzmann expected Goodridge to do unto him as he had done unto Goodridge.

Then the virtuous Mrs. Andrews. Together with a Mrs. Campbell she walked by an automobile parked near the Slater and Morrill factory. She asserted that she asked one of the men, who was under the body fixing the car the way to another factory. She identified him as Sacco. Mrs. Campbell denied this version of what had happened. They had asked, not the man under the car, but a man standing near the automobile. The reason for the "confusion" in the mind of this much abused Magdalene may be found in the simple, frank testimony of a Quincy business man, Harry Kurlansky:

She says, "They are bothering the life out of me." I says, "What?" She says, "The government took me down and want me to recognize those men," she says, "and I don't know a thing about them. I have never seen them and I can't recognize them."

It seems that by the time the trial rolled around, Mrs. Andrews had been sufficiently bothered to "know a thing about them," to have "seen them," and to "recognize them." The genial Katzmann said to the jury:

I have been in this office, gentlemen, for now more than eleven years. I cannot recall in that too long service for the Commonwealth that ever before I have laid eye or given ear to so convincing a witness as Lola Andrews.

Judgement must have succumbed to gallantry here. For the convincing lady, after the trial, confessed to having given perjured testimony. And then, like the shifty Pelzer, she repudiated the confession.

To be merciful it can be said that those who "identified" Sacco were mistaken. To be truthful it can be said that they lied. For Sacco was not near the scene of the crime on April 15. He was in Boston for practically the entire day, arranging for a passport in order to visit his native land.

His employers, Michael Kelly, and his son George, both testified to the excellent character of Sacco. They told the court that Sacco had received letters from Italy announcing the death of his mother, and that he planned to visit his father in Torremaggiore. They had even arranged to break in another man in Sacco's place, a friend of his named Henry Iacovelli, as the original correspondence between the latter and Kelly demonstrated.

On April 15, the day of the murder in South Braintree, he took a train from South Stoughton to Boston to obtain his passports to Italy. The consular clerk testified that Sacco had been in the office to get his passports, and that the incident was fixed in his mind because of the passport photo brought in by Sacco which was amusingly large so that he had to go out and get one of a more proper size.

It was not denied that Sacco had been to Boston to get a passport, and since the 15 of April was the only day on which the absence of Sacco from the factory is recorded, it was quite clear that it was the day of his trip to Boston. Particularly after the evidence of a number of persons whom he met in Boston on that date. Professors, lecturers, bankers, editors, grocers, all friends or acquaintances of Sacco, gave their account of the meeting with Sacco in one place or another in Boston on April 15. And try as it might, the prosecution was

unable to shake a single one of these witnesses, or impugn their motives or creditability.

It was simple and clear. On the fatal day of the robbery and murder in South Braintree, Nicola Sacco was in Boston getting a passport for a trip to Italy, and Bartolomeo Vanzetti was in Plymouth selling fish to his customers. The attempt to identify either of them as participants in the criminal assault upon the paymaster and his guard had completely and thoroughly collapsed.

Especially did the prosecution realize this, and Thayer as well; for he himself ruled, after the first trial, in denying a motion for a new one, that

these verdicts did not rest in my judgement upon the testimony of the eye witnesses, for the defendants, as it was, called more witnesses than the Commonwealth who testified that neither of the defendants were in the bandit car.

The evidence that convicted these defendants was circumstantial and was evidence that is known in law as "consciousness of guilt."

"CONSCIOUSNESS OF GUILT"

What was this consciousness of guilt upon which the persecutors of Sacco and Vanzetti, filled with the realization of the weakness of their case, fell back at the last moment? It was based on their conduct the night they went to the Johnson garage for Boda's car, their alleged conduct when arrested on the trolley to Brockton, and their statements to the police and district attorney after their arrest at the Brockton police station. And yet all their actions and declarations are perfectly comprehensible under the circumstances, perfectly logical.

It is true that they were perturbed by the suspicious actions of Johnson and his wife. The fear of arrests, raids, torture in the inquisition rooms of the Department of Justice, and finally, deportation, was in the atmosphere at that time, and what was more natural than that they should be nervous and apprehensive of every unusual occurrence, especially when they thought of the horribly mangled body on the sidewalk of Park Row. . . .

When they were arrested on the street car, the policeman

testified, they made a gesture as though to draw their guns. They denied this vigorously. It is true that they carried the weapons. Sacco had been a night watchman, using a revolver constantly. Vanzetti carried one, because it was dangerous to go alone on his fish-purchasing trips when he quite often had upwards of \$100 on his person. Every child knows that thousands of persons who have not the remotest connection with banditry or any form of criminality carry guns with them for one reason or another.

But is it likely that if Sacco and Vanzetti were the violent desperadoes who took two lives with such cold-blooded equanimity at mid-day in the center of town, would meekly submit to arrest on a deserted trolley late at night, at the hands of the fretful, nervous policeman, no matter how courageous and fearless he might be? Is it likely, further, if the contention of the prosecution were true, that Vanzetti's revolver was one he had taken from the dead body of Berardelli when the latter was shot down, that Vanzetti would be so infernally stupid—even if he were the merest tyro of a bandit—as to carry on his person this fatally damaging bit of evidence? Is it likely, finally, that Sacco, from the barrel of whose gun one of the fatal bullets was alleged to have issued, would be equally stupid enough to continue to carry the evidence of his criminality three weeks after the murder? Only the very naive or very knavish will believe this nonsense, or the fairy tale told to prove the bravery of the heroic policeman who single-handedly captured two desperate, armed bandits.

It is also true that they lied and equivocated at the police station. And wherein is that surprising? Chief of Police Stewart did not ask them questions that might lead to the solution of the South Braintree murder. Instead he asked them if they were anarchists, communists, I. W. W. What possible logic is there in the opinion that Sacco and Vanzetti, impressed with the thoughts of the hell of torture and deportation, should tell their inquisitors that they had intended to warn their friends to prepare against "Red raids" and arrests? For what earthly reason should Sacco and Vanzetti have answered the question of whom and where they had visited,

and thereby hand over voluntarily to the authorities a mailing list of victims to whom the modern *lettres de cachet* of Mitchell Palmer might be sent? Is it surprising that Vanzetti denied acquaintance with Boda when he knew that Boda had lived with Coacci who was actually deported to Italy the very next day?

The consciousness of guilt attributed to Sacco and Vanzetti was nothing but a healthy consciousness of the class struggle and the methods of the enemies of the working class.

The summary of the trial and the evidence is simple and clear. Why did the prosecution have to use as its star witnesses a convicted criminal, a doubtful lady, and a host of proved liars? Why was not even a penny of the stolen money ever found on or near the defendants? Why, if Sacco and Vanzetti were two of the occupants of the murder car, were the other three bandits never found? Why were the defense witnesses who so completely established alibis for Sacco and Vanzetti ignored by the judge and prosecutor? Why, if this was a robbery and murder trial, did the first questions asked Sacco and Vanzetti in the Brockton police station seek to discover their social and political opinions?

Why did the authorities follow the unusual and irregular procedure that took place after the arrests, when Sacco and Vanzetti were exhibited alone to prospective visitors for identification? The regular procedure is to place the suspected man among a group in which he is not the outstanding individual, and to conduct the spectator of the crime along the line of the group. For an eye-witness to identify a participant in a crime out of an indiscriminate group is of some value and carries conviction. But the prosecution witnesses not only were brought to see Sacco and Vanzetti by themselves, but the two victims were forced to go through all the actions of the bandits during the holdup and shooting, to simulate all their reported poses and movements, and thereby stimulate the imagination even of honest witnesses who had but a fleeting, vague view of the entire scene. Where can a parallel be found to such a procedure? What conclusion can be drawn from this other than that the prosecution—and the judge, by

his failure to condemn such methods—was intent, not upon finding the real criminals, but upon convicting these two particular workers irrespective of the merits of its case, even before any evidence was presented? Does not every incident of the case so far bear the unmistakable hallmark of that great American institution, the frame-up system?

If there was still any doubt of this, subsequent developments proved it a hundred times over.

Finally, there is the most characteristic phase of the entire trial. Two men are on trial for having robbed some \$15,000 and murdered two men. Ordinarily, therefore, it would simply be a matter of the prosecution proving that the two men were on the scene at the time, stole the money, and shot their victims dead. Ordinarily, therefore, the views of the defendants on anthropology, or schools of literature, or civil service reform, would be considered irrelevant to the discussion of the crime.

But this was no ordinary trial. This was a lynching bee. The creation of a prejudiced atmosphere prior to and during the trial, poisoning the "calm and dignified mien of justice," has already been described. To intensify and maintain it, there was the District Attorney Katzmann, like a wily savage, learned in law, and the passions and prejudices of his jury, prodding them, goading them on, urging, pleading, cajoling; then dramatically drawing a red film over their eyes until they were ready to roar for the sight of blood. And Thayer, holding the defense in check while Katzmann traduced his victims; Thayer, dropping the distilled poison of his final instructions into the minds of the jury.

This was a trial for murder. Why did Katzmann so felicitously emphasize and repeat the fact that the defendants had fled to Mexico to evade the Selective Service Act? Why did he underline their opposition to the imperialist war, why did he incessantly question them about their political, social and philosophical opinions? Why did he insinuatingly ridicule their foreign accent, and the halting or imperfect speech of many of their witnesses? Why was it necessary to incite the patriotic feelings of the provincial jurymen? Why did Ripley, the

foreman of the jury, enter every court session and halt dramatically in front of the American flag to salute?

Was it for the purpose, as Thayer would say, of clearing "away any mist of sympathy or prejudice from your minds and having substituted there trust, a purer atmosphere of unyielding impartiality and absolute fairness"?

And was it towards the same end that Thayer, in his introduction to the jury, said:

The Commonwealth of Massachusetts called upon you to render a most important service . . . arduous, painful and tiresome, yet you, like the true soldier, responded to that call in the spirit of supreme American loyalty. There is no better word in the English language than "loyalty."

Or in his remarks to prospective jurymen:

You must remember the American soldier boy had other duties that he, too, would rather have performed than those that resulted in giving up his life on the battlefields of France, but he, with undaunted courage and patriotic devotion that brought honor and glory to humanity and the world, rendered the service and made the supreme sacrifice. . . . I call upon you to render this service here that you have been summoned to perform, with the same spirit of patriotism, courage and devotion to duty as was exhibited by our soldier boy across the seas.

Soldier boys! Anarchism! Loyalty! Draft-dodging! Patriotism! Love of our country Agitators, reds, radicals! The battlefields of France! What relation under the sun did these things have with the question of whether or not Sacco and Vanzetti had murdered Parmenter and Berardelli! If a republican is on trial for bigamy, does the prosecuting attorney expose his attitude towards the tariff? If a southern democrat is on trial for horse-stealing, is he questioned about his views on miscegenation? If a cabinet member is on trial for peculation, is he asked what is his opinion of the League of Nations? If a bootlegger is arrested for violation of the Volstead act, is he examined to find his opinion of Harvard University as an impartial source of education?

It was no ordinary trial. It was a lynching bee.

Katzmann closed his speech to the jury with this appeal:

Gentlemen of the jury, do your duty. Do it like men. Stand together, you men of Norfolk!

The men of Norfolk stood together. They did their duty like men, like gentlemen. They deliberated for five hours, and brought in the verdict that might just as well have been given without the farcical formality of the seven weeks' trial. The verdict of guilty of murder in the first degree rendered against Sacco and Vanzetti on July 14, 1921, bears with it the penalty of execution in the electric chair.

THE WORKING CLASS ORGANIZES ITS PROTEST

Up to this time, the case of Sacco and Vanzetti had been confined to the stifling, deadly atmosphere of the courtroom. The capitalist press, by its alliance, and most of the labor press by its acquiescence or failure to understand, helped to keep together the four legal walls that hemmed in a titanic conflict of the two social forces of reaction and progress. The masses, the people whose historic battle was being fought for in the persons of two obscure Italian immigrants, were largely ignorant of what was going on. Only a few radical journals and groups grasped the significance of the war of the classes that was being fought in the case. For the mass of others it was only another "crime" case.

Attorney Fred Moore, of the defense, a man who was associated with a dozen prominent labor cases, and knew every twist and quirk of the frame-up system against workers, had tried to break through the four legal walls. Not being handicapped, from the beginning, with any illusions as to the course the trial would take, he had been the moving figure in the work to popularize the issues of the case before the workers of the world. Thayer hated him; the press tried to ridicule him out of the case.

The jury verdict of guilty shook the four legal walls like a quake, and through the fissures the pent-up torrent of the struggle raced into the open fields and avenues. Liberated from its confinement, it swept hundreds of thousands in its course. One after another, labor organizations in the United States arrayed themselves with the defense in its demand for

a new trial. Unions of the American Federation of Labor, the I. W. W. and other independent unions, the Communists, Socialists, Anarchists, recorded themselves for Sacco and Vanzetti. With many of these it was because they realized the class nature of the issues involved in the case; that it was not merely an incident of an accidental "miscarriage of justice" but that the judge, jury and prosecutor were striking as severe a blow at the labor movement as was struck thirty-five years before in the trial of the Haymarket martyrs. With the others, it was the result of the feelings and pressure from the mass, who felt, however vaguely, a working class kinship with the two agitators. Scores of mass meetings were held throughout the land, and thousands came to hear the story of this new frame-up, the biggest since the Mooney-Billings case in San Francisco. The labor and radical press began to talk about the case with interest and passion.

The labor and revolutionary press of Europe and Latin-America had seized upon the issues of the case, and made them their own. The Sacco-Vanzetti frame-up was a discussion topic wherever workers gathered. Demonstrations took place in the capitals of Europe and the countries to the south of us. Demands were presented to American ambassadors and consuls. The Sacco-Vanzetti case had become an international issue. The Department of State and its agents were forced to issue statements, explanations, apologies. The newspaper conspiracy of silence was broken down. It was no longer a simple matter of railroading two Italian Reds with perjured witnesses, prejudiced judge and hysterical jury. Instead, a jury of constantly growing thousands in every part of the world was sitting in judgement against the persecutors of Sacco and Vanzetti.

The feeling that the interests of the working class were being endangered in the prosecution of Sacco and Vanzetti kept tugging at the class instincts of labor. The spirit of international solidarity that enables the working class, alone of all classes, to transcend the rigidly fixed boundaries of nations was wrapped around the two prisoners like a warm cloak to protect them from the cold-blooded plots of their enemies.

The insignificant figures of Sacco and Vanzetti were growing in stature and deepening with meaning. And the quick, massive tread heard everywhere was that of the march of the countless workers, vigilantly guarding their own, conceding nothing, hovering like a menacing giant over the executioners.

COURT MOTIONS AND MASS MOVEMENTS

A few years later in the case, one of the affidavits submitted by the defense gave unimpeachable witness to the fact that Thayer, who was sitting in impartial judgement, free from passion and prejudice, upon Sacco and Vanzetti, had referred to them as "those bastards down there. . . . I'll get them." How tragically ludicrous, in the face of this fact alone, becomes a rapturous faith in the possibilities of obtaining justice and fairness from the legal institutions and tools of American capitalism, this maddening faith that hampered and interfered with the development of the only security for freedom—the class movement of the workers?

Knowing the attitude of Thayer—and even without that affidavit, it was shown in his every sneer and gesture, in every decision—surprise could be expressed only if he had acted in a manner other than he did. After Attorney Moore's request, in October, 1921, for a new trial on the basis of a motion that the evidence was no justification for the verdict, Thayer waited with deliberate maliciousness until Christmas Eve—December 24—to give his decision refusing to grant the new trial.

And the subsequent motions, based on new evidence, were denied with the same monotonous regularity by Thayer, before whom they were heard. Was it expected that Thayer, who had railroaded through a conviction against Vanzetti in the Plymouth trial, who found that the "defendants' ideals are cognate with the crime," who virtually instructed the Dedham jury to find Sacco and Vanzetti guilty—that Thayer would grant a motion for a new trial which would imply that his conduct over a trial was not altogether proper and judicious? Was a justice of Massachusetts to be less in the eyes of men than Caesar's wife?

The motions for another trial presented new evidence which

merely reaffirmed and emphasized the outrageous procedure of the first trial, the irregularities, the lying witnesses, the shoddy evidence.

There were the motions based on the affidavit of Louis Pelzer, retracting his testimony at the trial, and a similar affidavit of Mrs. Lola Andrews. Thayer did not retreat an inch, and denied the petition.

There was the motion exposing the criminal record and utter unreliability of Carlos Goodridge; the fact that he had testified on the witness stand while a fugitive from justice. Motion denied.

Then there was the affidavit of Roy E. Gould, who was within five feet of the escaping murder car, an occupant of which fired upon him. He had a closer view of the bandits than any other person in the case, and he was willing to testify. The prosecution never called him. Gould emphatically denied that either Sacco or Vanzetti were among the men in the car. But he may as well have identified them as the murderers, for Thayer denied the motion.

In his instructions to the jury Thayer spoke of the evidence submitted concerning the bullets taken from the body of the murdered men and Sacco's pistol.

It was his [Sacco's] pistol that fired the bullet that caused the death of Berardelli. To this effect the Commonwealth introduced the testimony of two witnesses, Messrs. Proctor and Van Amburg.

And Katzmann, in his summary, went as far as to say about their testimony:

You might disregard all the identification testimony, and base your verdict on the testimony of these experts.

The greatest weight was given to Proctor's testimony both by the prosecution and the court.

But when the defense moved for a new trial on the basis of an affidavit of Captain Proctor in which he declared that he had not said, nor intended to say that the bullet was fired from Sacco's pistol, it had not the slightest effect upon Thayer. Proctor asserted:

The District Attorney desired to ask me that question, but I had

repeatedly told him that if he did I should be obliged to answer in the negative; consequently, he put to me this question:

Q. Have you an opinion as to whether bullet number 3 was fired from the Colt automatic which is in evidence? . . . A. My opinion is that it is consistent with being fired by that pistol. . . . I do not intend by that answer to imply that I had found any evidence that the so-called mortal bullet had passed through this particular Colt automatic pistol and the District Attorney well knew that I did not so intend and framed his question accordingly. Had I been asked the direct question: whether I had found any affirmative evidence whatever that this so-called mortal bullet had passed through this particular [Sacco's] pistol, I should have answered then, as I do now without hesitation, in the negative.

But even this damaging evidence against the prosecution and its case had no effect on Thayer's predetermined refusal to grant a new trial.

The same refusal was the answer to the motion for a new trial based on evidence which showed that Ripley, the foreman of the jury, who used, in the jury room, cartridges similar to those placed in evidence, for the purpose of influencing the minds of other jurors, contrary to the procedure which demands that all evidence be openly introduced into the record so as to give an opportunity to both sides to support or controvert it. In addition, an old friend of Ripley's, one Daly, testified that Ripley had said to him, speaking of Sacco and Vanzetti before the trial opened: "Damn them, they ought to hang anyway."

A similar fate met the motion which was based on the evidence of one of the foremost microscopists in the country, an expert who had been called in 165 criminal cases, who compared the Sacco pistol with the bullet taken from Berardelli's corpse. In the words of Professor Frankfurter, "a minute comparison of the scratches on the bullet and the grooves inside the barrel of Sacco's pistol conclusively disproved the claim of the Commonwealth that it was from Sacco's pistol that the fatal bullet was fired."

THE CASE GETS A "NEW COMPLEXION"

The hearing on all the motions except the very first for a new trial which was still argued by Fred Moore, was con-

ducted for the defense by Attorney William G. Thompson, on October 1, 1923. Attorney Moore had tried to emphasize the class issues that ran through every fibre of the case, to rely upon the workers' movement outside in addition to fighting through the legal red tape of the courts. His experience in numerous labor causes that he defended had taught him as much. A comparison of the opinion held by Felix Frankfurter, himself a mild liberal with "confidence in our institutions and their capacity to rectify errors," of the two attorneys, speaks worlds for the changed defense situation since October 1, 1923.

Moore . . . himself a radical and a professional defender of radicals. In opinion, as well as in fact, he was an "outsider." . . . Moore found neither professional nor personal sympathies between himself and the Judge. So far as the relations between court and counsel seriously, even if unconsciously, affect the temper of a trial, Moore was a factor of irritation and not of appeasement. . . .

Thompson, a powerful advocate bred in the traditions of the Massachusetts courts. The espousal of the Sacco-Vanzetti cause by a man of Mr. Thompson's professional prestige at once gave it a new complexion and has been its mainstay ever since . . . his conviction that these two men are innocent and that their trial was not characterized by those high standards which are the pride of Massachusetts justice.

High standards of Massachusetts justice! High nonsense!

But it is true that attempts were made to give the case a "new complexion." There had been friction between Moore and the Sacco-Vanzetti Defense Committee which was formed immediately after the arrest. Moore, more than any of the other attorneys, had best understood the class forces in the case, and his position became untenable. The introduction of Thompson into the case marked a turning point to a great extent in the tactics of the Defense Committee. Thompson would not tolerate "pressure from the outside," the demonstrations and protests of the workers, the mass movement of labor that could surround Sacco and Vanzetti with a wall of iron against the attacks of their enemies. The defense turned more and more towards reliance upon those false friends concerned more with the vindication of "confidence in our institutions and their capacity to rectify errors," and "those

high standards which are the pride of Massachusetts justice" than with the vindication of two unknown immigrants. More than that, it helped to discredit the honest and powerful class support of the toilers, the grimy and despised, the brothers of Sacco and Vanzetti, and leaned instead upon the "thoughtful" editorials, the "impartial fairness" and pious wishes of the liberal journals, which, like the *New York World*, dug the knife deep into the hearts of Sacco and Vanzetti at the crucial moment. It played the soft pedal to the raucous, determined cries of the living movement of the workers and strained anxiously for "respectability" and polite prayers to those honorable gentlemen who, oblivious to everything but the demand for blood, were putting the final touches to the electric chair that was to burn all life out of the two fighters. Because it failed or refused to understand the intensely class nature of the case, the defense succumbed to the demands of the lawyers; it exchanged the movement of the workers for the motions of the lawyers; it sold the class birth-right of the Sacco-Vanzetti case for a mess of liberal milk and pap.

And while this was happening, the Massachusetts courts continued to taunt the defense for its baseless faith, to jeer at the idea of placing reliance in their possibilities for justice by the decisions that they rendered, always with the same urbanity, always with the same disregard for facts, always drawing the two waiting prisoners closer to the chair of death. Their words and deeds were more effective than all the arguments of the militants in proving the futility of building the hopes of the workers on a swamp which continued to suck in all the resources of the movement without changing the aspect of its cruel and slimy face.

Thayer rendered his decision on the motions for a new trial on October 1, 1924. He denied them all. The new evidence submitted by the defense was of little consequence. It may have had the effect, he conceded, of damaging some of the witnesses and contentions of the Commonwealth, but it did not affect at all the evidence that convicted the defendants, the "evidence that is known in law as 'consciousness of guilt.'"

This was safe enough ground for Thayer. What is more

airy, delicate, impalpable, as easy of proof as of disproof, as "consciousness of guilt"? What more impressive and incriminating charge can be made against two innocent men against whom it is impossible to bring any real evidence, evidence that would bear conviction?

The defense appealed to the supreme judicial court of Massachusetts against Thayer's decisions. Eighteen months later, it handed down its decision. It was polite, but dignified and firm as befits harpies invested with black-robed authority. It was without the realm of its jurisdiction to review the merits of the case; it could decide only upon the conduct and rulings of the trial judge. The supreme judicial court searched anxiously, but could not find any "abuse of judicial discretion" by Webster Thayer. He had acted in accordance with those high standards which are the pride of Massachusetts justice. "No error" could be found in any of his rulings. As Massachusetts judges to a Massachusetts judge, they spoke and wrote, and they found that all was as it should be. The honest advocate, Felix Frankfurter, found that "some of the Supreme Judicial Court rulings are puzzling in the extreme." Puzzling, we should say, to those who have faith in the courts of capitalism, but clear as day to those who understand the class struggle.

THE DEPARTMENT OF JUSTICE IS CAUGHT REDHANDED

To those who realized from the beginning that this was a case in which the entire machinery of the government, from its national executive department, down to its lowest court and police official in Massachusetts, had been set in motion to send two labor agitators to their death, it was not a surprise when the defense presented affidavits that testified to the part played in the frame-up by the Department of Justice, which initiated the arrests and aided in the conviction of Sacco and Vanzetti.

Early in 1926, even before the decision of the supreme judicial court, the defense obtained three important affidavits. They were all from men who had been connected in one way or another with the Department of Justice or private detective agencies during the anti-red hysteria, working in and

around Boston. The affidavits illuminate the frame-up against the two Italian workers with a completeness that leaves little more to be desired. They show whether the prosecution of Sacco and Vanzetti was the result of an accidental arrest and indictment, or of a deliberate assault, planned and cynical, upon the lives and freedom of two workers devoted to labor's cause.

The first affidavit was made by Lawrence Letherman, a post office inspector for twenty-five years, and then the local agent of the Department of Justice in charge of the Bureau of Investigation in Boston for three years. It is better to quote directly from the affidavit than to summarize:

While I was Post Office Inspector I cooperated to a considerable extent with the agents of the Department of Justice in Boston in matters of joint concern, including the Sacco-Vanzetti case. The man under me in direct charge of matters relating to that case was Mr. William West, who is still attached to the Department of Justice in Boston. I know that Mr. West cooperated with Mr. Katzmann, the District Attorney, during the trial of the case, and later with Mr. Williams. I know that before, during and after the trial of Sacco and Vanzetti Mr. West had a number of so-called "under cover" men assigned to this case, including one Ruzzamenti and one Carbone. . . .

Before, during, and after the trial, the Department of Justice had a number of men assigned to watch the activities of the Sacco-Vanzetti Defense Committee. No evidence warranting prosecution of anybody was obtained by these men. They were all "under cover" men, and one or two of them obtained employment by the Committee in some capacity or other. . . . The Department of Justice in Boston was anxious to get sufficient evidence against Sacco and Vanzetti to deport them, but never succeeded in getting the kind and amount of evidence required for that purpose. It was the opinion of the Department agents here that a conviction of Sacco and Vanzetti for murder would be one way of disposing of these two men. It was also the general opinion of such agents in Boston as had any actual knowledge of the Sacco-Vanzetti case, that Sacco and Vanzetti, although anarchists and agitators, were not highway robbers, and had nothing to do with the South Braintree crime. My opinion, and the opinion of most of the older men in the Government service, has always been that the South Braintree crime was the work of professionals.

There is or was a great deal of correspondence on file in the Boston office between Mr. West and Mr. Katzmann, the District Attorney, and there are also copies of reports sent to Washington about the case.

Letters and reports were made in triplicate; two copies were sent to Washington and one retained in Boston. The letters and documents on file in the Boston office would throw a great deal of light upon the preparation of the Sacco-Vanzetti case for trial, and upon the real opinion of the Boston office of the Department of Justice as to the guilt of Sacco and Vanzetti of the particular crime with which they were charged.

Then there followed an affidavit of Fred J. Weyand, a subordinate of Letherman's in the Boston Department of Justice, who was there during the whole period of the Palmer regime. A few excerpts from his statement show how closely his story coincides with and substantiates Letherman's:

Some time before the arrest of Sacco and Vanzetti on May 5, 1920—just how long before I do not remember—the names of both of them had got in the files of the Department of Justice as radicals to be watched. . . . The suspicion entertained by the Department of Justice against Sacco and Vanzetti was that they had violated the Selective Service Act, and also that they were anarchists or held radical opinions of some sort or other. . . .

I know that at one time as many as twelve agents of the Department of Justice located in Boston were assigned to cover Sacco-Vanzetti meetings and other radical activities connected with the Sacco-Vanzetti case. No evidence was discovered warranting the institution of proceedings against anybody. . . . I was not personally in touch with Mr. Katzmann, the District Attorney, or his office, but Mr. West was in touch with them and was giving and obtaining information in regard to the case. . . .

Some time in the early part of the year 1921, I was informed by Ruzzamenti that he had been sent for by Weiss, who was then out of Government service, to come on here to help convict Sacco and Vanzetti; that he had seen Katzmann, and that an arrangement had been made by which he was to secure board in the house of Mrs. Sacco and obtain her confidence, and thus obtain information. . . .

Shortly after the trial of Sacco and Vanzetti was concluded I said to Weiss that I did not believe they were the right men, meaning the men who shot the paymaster; and he replied that that might be so, but that they were bad actors and would get what they deserved anyway.

Instructions were received from the Chief of the Bureau of the Department of Justice in Washington from time to time in reference to the Sacco-Vanzetti case. They are on file or should be on file in the Boston office. . . .

I am thoroughly convinced and always have been, and I believe that is and always has been the opinion of such Boston agents of the Department of Justice as had any knowledge on the subject, that these men had nothing whatever to do with the South Braintree murders, and that their conviction was the result of cooperation between the Boston agents of the Department of Justice and the District Attorney. It was the general opinion of the Boston agents of the Department of Justice have knowledge of the affair that the South Braintree crime was committed by a gang of professional highwaymen.

Finally, an affidavit of John Ruzzamenti, the former operative who had been sent by the free-lance detective, Feri Felix Weiss, to aid in the conviction of Sacco and Vanzetti by spying upon them. Ruzzamenti was sent to see Katzmann and arrange for the work he was to do:

. . . Thereupon the said Katzmann said to the affiant in substance and effect that he, the said Katzmann, was right hard up against it; that he, the said Katzmann, had no evidence as against the said Nicola Sacco or as against the said Bartolomeo Vanzetti; that they, the said Sacco and said Vanzetti, had not talked and would not talk; that he had been unable to get anything out of them or out of any other person. . . .

These affidavits served to round out the picture considerably—to fill in some more black shadows. No answer was ever made to the assertions of these agents, for none could be made. They were irrefutable proof of the fact that the Department of Justice had instigated the persecutions of the two rebels, that it had coached Katzmann how to proceed with the case; it proved that the evidence against them had been deliberately concocted out of whole cloth in order to rid their enemies of two men who could not so conveniently be got out of the way on a charge of revolutionary opinions, but against whom a spurious murder charge might be leveled as a happy solution to the problem of their existence and activities. It proved the initiative and collusion of the Department of Justice in the face of the denials by the District Attorney and the hypocritical “doubts” expressed by Thayer who must have known it all the time.

Every bit of evidence fitted into the hideous mosaic of the frame-up in which the arm of class persecution was

being raised to deliver the death blow to two workers. There was only one thing missing to completely finish the picture. The murder of Parmenter and Berardelli was not denied. If Sacco and Vanzetti had not killed them, who then were the murderers? The missing evidence had already been supplied, even before the testimony of Letherman, Weyand, Weiss and Ruzzamenti.

THE MADEIROS CONFESSION

On November 18, 1925, a young Portuguese criminal named Celestino F. Madeiros sent a note enclosed in a magazine to Nicola Sacco who was locked in a nearby cell. The note, which became one of the most sensational parts of the records of the case, read:

I hear by confess to being in the South Braintree shoe company crime and Sacco and Vanzetti was not in said crime.

CELESTINO F. MADEIROS.

Madeiras was awaiting the supreme court decision on his appeal from a conviction of murder; he had killed a banker of Wrentham in an attempted robbery. From this initial confession, the defense collected a series of affidavits which completely corroborated the story subsequently told the District Attorney and the attorneys for the defense in lengthy statements by Madeiros. This was, briefly, the story:

The South Braintree crime had been committed by the notorious Morelli gang of Providence, Rhode Island. They had been engaged in train-robbing for years, and at the time of the crime they were already under indictment on federal charges. A number of their train-robberies had been of stocks shipped by freight from the Slater and Morrill factory, and they would probably have resorted to their old methods again in order to obtain some money for bail and legal defense were it not for the special vigilance of police agents who were guarding the trains. They therefore decided to hold up the Slater and Morrill payroll and invited Madeiros, who had been with them before, to come along. He consented.

On April 15, 1920, they drove to South Braintree in a

Hudson, three Italians, Madeiros, and the driver, "a kind of slim fellow with light hair." In the woods they changed cars to a Buick. Two of the Italians were afoot to do the shooting and actual robbery of the payroll boxes. After the murder, they drove off rapidly, and in the Randolph woods changed their car again for the Hudson, to elude their pursuers, and arranged to meet in Providence for the division of the spoils.

A later check-up by the defense accorded the story a precise authenticity. Two of the trial witnesses identified Joe Morelli and Mancini, two of the gang leaders, as the men who had done the shooting. Another, Steve the Pole, confirmed the Madeiros description of the driver, thereby liquidating the conflict of testimony given at the trial, where a light-haired unknown and the dark-haired Vanzetti were both "identified" as the death car driver. Joe Morelli had a 32 Colt at the time, and the fatal bullet was of the same caliber; the other bullets coincided with the caliber used in Mancini's pistol. The Buick death car fitted in with the Buick driven at that time by Mike Morelli, which disappeared after the crime. When Madeiros, shortly after the Braintree murder, was released from a term served in another case, he took some \$2,800 out of the bank for a trip West. Such a sum of money is the amount each of the bandits would have received if the payroll money that was stolen had been evenly divided among them.

With these simple facts presented, it is obvious that a comparison of the theory that Sacco and Vanzetti committed the South Braintree murder and the theory that it was the Morelli gang would result in the complete collapse of the former. Madeiros had no selfish motives for lying. On the contrary, his confession could only help to bring him nearer to the death sentence, for he was at that very moment appealing his conviction to the supreme court which would not, in all likelihood, look with more favor upon his case after a confession of that kind. He himself said later: "I seen Sacco's wife come up here [to the jail] with the kids and I felt sorry for the kids."

The numerous affidavits, the new testimony, the almost daily discoveries and sensations which proved over and over again the innocence of Sacco and Vanzetti served to draw new tens of thousands of people into the struggle that was going on outside of the courts on the side of Sacco and Vanzetti. Those who had seen the case as one in which all that was necessary for a solution to the difficulties was sufficient evidence to convince the honorable and just courts of Massachusetts, were highly optimistic. They joyously awaited the next decision of the court, confident that it would vindicate the honor and confidence in Massachusetts's legal institutions, and free Sacco and Vanzetti, the two immigrants whose imprisonment was an ineradicable exposure of the whole rotten system and machinery of class rule and persecution. Those who knew the struggle for what it was, a case of class vengeance, knew that the new evidence, by itself, would only strengthen the intentions of assassins of Sacco and Vanzetti, who were becoming infuriated by the development of the case which tore away every shred of pretence to justice and impartiality with which they had clothed themselves. For the latter, the new evidence created only fear and determination to fight with the weapons of the working class.

THE MILITANTS DEMAND A PROTEST MOVEMENT

If there were any doubts in the minds of the militant elements of the labor movement as to the fate held in store for Sacco and Vanzetti—there had never been many doubts at any period—they were swept aside by the decision of the supreme judicial court of Massachusetts which found the conduct of Webster Thayer without reproach and denied a new trial to the defense. It brought out with awful sharpness the electric chair to which the executioners were preparing to strap the two innocent workers. The situation demanded heroic measures.

As soon as the decision of the supreme court was made known, the International Labor Defense issued an appeal to the workers of the whole world to demonstrate their solidarity with Sacco and Vanzetti. Organized less than a year before,

the ideas embodied in the I. L. D. were eagerly accepted by thousands of workers throughout the country.

It had put forth the idea that a movement must be created to defend all workers, irrespective of their political or economic affiliations and opinions, who were persecuted by capitalist class justice. It proposed to organize a unified, non-partisan class defense movement upon which all elements in the labor movement could find a common platform. It proposed to change the condition of affairs unfortunately prevalent at that time in which a new machinery of defense had to be set up by each group or section of the labor movement every time a worker was arrested and brought to trial for his activity or opinions. The wastefulness, the narrowness of base, the limitations of appeal, and the errors in work, it planned to abolish in the formation of a united, clarified, national movement embracing workers of all shades of opinion. In its ranks could be found Communists, Socialists, Anarchists, members of the S. L. P., I. W. W., members of the A. F. of L., and workers unaffiliated to any of these. It was therefore natural that from its inception the International Labor Defense should have begun a persistent agitation for the liberation of the two condemned men in Massachusetts. The I. L. D. considered Sacco and Vanzetti and their cause the property of the whole working class, and that only the working class could transform this cause into a victory.

It was true that many who were not workers, who had nothing in common with the two rebels in Massachusetts, took up a cry for them: "Justice!" They were careful liberals, gentlemen of the pulpit, kindly and well-bred ladies, worried professors, men of law and learning, good christian men and women. For five or six years they had said nothing, and by their silence permitted the springing of the trap that was to kill Sacco and Vanzetti. Six years in which two workers had suffered all the tortures of the damned. Now, like the Boston *Herald*, which had called for their blood, they also said:

We do not know whether these men are guilty or not. We have no sympathy with the half-baked views which they profess. But as

months have merged into years and the great debate over this case has continued, our doubts have solidified into convictions, and reluctantly we have found ourselves compelled to reverse our original judgment.

There were still a few legal loopholes left to Sacco and Vanzetti. This helped the liberals. It gave them the needed excuse for insisting upon faith in the institutions of capitalism which were strangling Sacco and Vanzetti. Upon it they based their demand that action by the workers be halted and liquidated, that the strident voices of protest be silenced. They demanded the substitution of the movement of the masses by the movement of the lawyers.

They were influential people! They were people of position and faith in the ordained processes and order of things. They were confidently content with polite statements, public discussions; they would even go to the length of expressing indignation and surprise. They would contribute funds for the prosecution of the innumerable legal steps, but being essentially well-bred they would countenance no "misguided action" by "ill-advised and irresponsible people." And this meant no action by the working class. The liberals wanted to restore to the masses an illusive faith in those institutions of capitalism which were being destroyed by every action of the Massachusetts bourbons.

Not only the liberals. The bureaucrats in the trade unions, and the office boys of the big labor leaders, the officialdom of the socialist party and the New York Jewish *Forward*, adopted the same position. The cause of Sacco and Vanzetti had become a living issue in the labor movement of this country. The left wing and the militant workers had brought it to the fore with a steady persistence that won the support of hundreds of thousands. Where they demanded resolute action, the conservatives proposed comfortable resolutions which would offend no one.

This corrupting respectability began to exert a powerful pressure upon the Sacco-Vanzetti Defense Committee in Boston. Their highly respectable and highly-paid attorney told them, regretfully of course, that he could not associate himself with the case if the committee participated in demon-

strative protest movements. If this were done all other respectable ladies and gentlemen who had so nobly consented to give the support of their names and purses would have to withdraw.

The slow poison of middle-class treachery continued to seep into the ranks of the committee, and it began to dominate its words and deeds. Offers sent by the militant workers to the committee for united action of the workers, asking for the plans the committee had for such work, were not even answered. While scores of mass meetings were held in the smallest towns of the country, meetings where the angry voices of labor announced to the murderers their intention to fight for their comrades, in Boston, where the committee was located, where the struggle should have been the sharpest and most militant, there were less meetings than in any other city of any importance. The conspiracy of silence had resulted in a pall of ignorance being spread over the land; during the years of the fight the workers of America had not responded in the numbers that would have had an immediate and impressive effect; and the committee began to lose faith in the possibility of stirring the giant of labor, to lose faith in the ability of this giant to liberate its two children. They were led to the courts, to the shambles, by the respectable people.

Both Sacco and Vanzetti were as one against such a road to freedom, for it did not lead there. Sacco wrote to the International Labor Defense, right after the decision of the supreme judicial court:

. . . let us tell you sincerely, dear comrade, that for hereafter I will never fall into another new delusion again, if I don't see first the day of my freedom. Even when Mrs. Elizabeth G. Evans—that through all these struggle years she has been kind to me as kind as good mother can be, come to tell me "Nick! you again." No! No! Six long torment years gives me enough experience because it is a great masterpiece for me and to anybody else not to be disappointed any more. Poor mother! She is so sincere and faithful to the law of the man that she has forgot very early that the history of all the government it werealways and everytime the martyrdom of the proletariat. But, however, we will stick like a good Communard soldier

to the end of the battle and looking into the eyes of our enemy, face to face, to tell them our last breath—which I had always faith—that you, the comrades and all the workers of the world solidarity, would free Sacco and Vanzetti tomorrow.

With equal clarity, Vanzetti sent an appeal to the International Labor Defense on May 23, 1926:

The echo of your campaign in our behalf has reached by heart. I repeat, I will repeat to the last, only the people, our comrades, our friends, the world revolutionary proletariat can save us from the powers of the capitalist reactionary hyenas, or vindicate our names and our blood before history. . . .

There are some who think that our case is a trial for a common crime; that our friends should contest our innocence but not turn the case into a political issue, because it would only damage us. Well, I could answer to them all that our case is more than a political case, is a case of class war in which our enemies are personally interested to lose us—not only for class purposes but for personal passions, resentments, and fear. That we don't have to wait for further proof to be positive of their hatred, unfairness, blood-thirsty determination to deny us every right, to tramp upon every reason, and to murder us, as proved by the Boston capitalist press to the State Supreme Court's decision and its pressing demands of our prompt execution. . . .

The truth of these words is known to all—now. But how true they rang then also, how scornfully they lashed those stupid illusions of the liberals and put to shame their miserable, shameful begging by the brave, inspiring appeal of two rebels!

Imbued with this spirit, and with the defiant words written on their banners, the militans marched forward with their movement of protest. Unlike the socialists of the New York *Forward* stripe, who attacked and hampered the movement, Eugent Victor Debs, virtually from his deathbed, wrote his last public appeal for Sacco and Vanzetti to be distributed everywhere in hundreds of thousands of copies by the International Labor Defense. Scores of protest meetings were held in every city and thousands of workers made their voices “ring with denunciation of the impending crime.”

United action! Life and freedom for Sacco and Vanzetti! With these slogans, the International Labor Defense took

the initiative in the formation of the Sacco-Vanzetti committees and conferences throughout the country. Hundreds of thousands of workers were enrolled in this movement. Workers of all sections of the labor movement joined hands in the fight for liberation. In Seattle, for example, the conference was organized with delegates from the Central Labor Council and numerous local unions of the American Federation of Labor, Communists, I. W. W. and a dozen other labor bodies. In Los Angeles, Socialists, Anarchists, Communists, I. W. W., A. F. of L.—all entered the conference. In New York City, almost half a million workers were organized into the Sacco-Vanzetti Emergency Committee. In every other city of importance the I. L. D. and the militants worked incessantly to build a united movement, until the United States was covered from coast to coast with a network of Sacco-Vanzetti troops numbering between two and three millions of workers.

Then the workers of other countries, who from the beginning had proved their kinship and loyalty to Sacco and Vanzetti, were again called upon to act swiftly and decisively. Along the copper wires that lie in the sea went appeals from the Chicago office of the International Labor Defense to the labor defense organizations of Europe, and to the International Red Aid in Moscow which in turn appealed to its sections for demonstrations of solidarity. The meetings and demonstrations in New York, Chicago, and Seattle were duplicated on an even larger scale in Berlin, London, Rio de Janeiro and Canton. Letters, telegrams, cablegrams, messages of all kinds poured in upon the state of Massachusetts, all demanding life and freedom for the two humble workers whom the bourbons had thought six years ago to try, convict and kill in the dead of the night. The workers had let their stentorian voice be heard!

THAYER REPLIES TO THE PROTESTS

On October 24, 1926, Judge Thayer rendered his decision on the motion for a new trial made by the defense on the basis of the affidavits of the Department of Justice agents,

and the confession of Madeiros which had been accompanied by corroborative statements. It was a decision conceived by a poisonous mind, animated by only one deadly desire, sneeringly disregarding of all reason, truth and honesty, and written on brass. The Letherman-Weyand-Ruzzamenti evidence was dismissed with an angry rejoinder that the American government would never stoop so low as to help frame up two obscure individuals. The evidence around the Madeiros confession was confusedly answered, so that every line showed how bitter Thayer was at the thought that it had been introduced to confound his judgment and conduct. He cleared the Morelli gang; he pointed to the nice coat of whitewash the supreme court had given him; new evidence could mean nothing, for Sacco and Vanzetti had been legally convicted.

The tone of the document was so cynically and brutally partisan, so obviously disingenuous, that even conservative newspapers swallowed hard. It bewildered the honest Professor Frankfurter into saying

. . . with deep regret, but without the slightest fear of disproof, that certainly in modern times Judge Thayer's opinion stands unmatched, happily, for discrepancies between what the record discloses and what the opinion conveys. His 25,000-word document cannot accurately be described otherwise than as a farrago of misquotations, misrepresentations, suppressions, and mutilations. . . . The opinion is literally honeycombed with demonstrable errors, and infused by a spirit alien to judicial utterance.

The defense attorney, outraged because, despite the fact that he was not a "long-haired radical lawyer from California," he had been virtually called insane in Thayer's decision, again appealed to the supreme court. They heard him, these wise men and just, and denied his appeal. Four days later, on April 9, 1927, Webster Thayer called the defendants and the attorneys for the defense and the Commonwealth to the Dedham courthouse to hear him triumphantly sentence the two bastards to death in the electric chair.

But the criminals had something to say to Thayer before the sentence of death was passed upon them. They had eloquent burning words, words of defiant courage, with which to

sear the shrivelled skin of the Massachusetts Torquemada. Sacco spoke first.

I know the sentence will be between two classes, the oppressed class and the rich class, and there will be always collision between one and the other. We fraternize the people with the books, with the literature. You persecute the people, tyrannize them and kill them. We try the education of people always. You try to put a path between us and some other nationality that hates each other. That's why I am here today on this bench, for having been of the oppressed class. Well, you are the oppressor.

Then Vanzetti spoke. He marshalled before the heedless judge the colossal forces of the world's men and women who had rallied to his cause. He called upon Eugene Victor Debs, upon the toilers of the earth

the flower of mankind of Europe, the better writers, the greatest thinkers of Europe have pleaded in our favor. The greatest scientists, the greatest statesmen of Europe have pleaded in our favor.

We have proved that there could not have been another judge on the face of the earth more prejudiced, more cruel and more hostile than you have been against us. We have proved that. Still they refuse the new trial. We know, and you know in your heart, that you have been against us from the very beginning, before you see us. Before you see us you already know that we were radicals, that we were underdogs, that we were the enemy of the institutions that you can believe in good faith in their goodness and that it was easy at the time of the first trial to get a verdict of guilty.

. . . This is what I say, I would not wish to a dog or to a snake, to the most low and misfortunate creature of the earth—I would not wish to any of them what I have had to suffer for things that I am not guilty of. I am suffering because I am a radical, and indeed I am a radical; I have suffered because I was an Italian, and indeed I am an Italian; I have suffered more for my family and for my beloved than for myself; but I am so convinced to be right that you can only kill me once but if you could execute me two times, and if I could be reborn two other times, I would live again to do what I have done already.

Webster Thayer rose to perform "a matter of statutory requirement." To Nicola Sacco and then to Bartolomeo Vanzetti he pronounced the fatal sentence.

It is considered and ordered by the Court that you, Nicola Sacco,

suffer the punishment of death by the passage of a current of electricity through your body within the week beginning on Sunday, the tenth day of July, in the Year of Our Lord One Thousand, Nine Hundred and Twenty-seven. This is the sentence of the law.

GOVERNOR FULLER TAKES A HAND

Ninety days to live! And only one more legal hope. In order to place the issue before Governor Fuller, who had in his power their release, commutation of sentence, or confirmation of the sentence, Vanzetti entered a formal statement of his request. The governor of Massachusetts took it under advisement, and all eyes turned towards him.

Fuller noisily announced that he would investigate the whole matter thoroughly and judiciously. He would go into every detail and aspect of the case. His decision would be tempered with careful analysis and broad vision. He even went so far as to appoint a special investigation committee composed of three honorable and respectable citizens, President Lowell of Harvard University, President Stratton of the Massachusetts Institute of Technology, and the former judge of probate courts, Robert Grant, like himself, good and christian gentlemen. They would investigate and advise him. He also would investigate.

To help the governor and his commission, all of whom were impelled by a spirit of public duty and impartial justice, the defense produced a number of new affidavits to prove the bitter prejudice of Judge Thayer. One was from George Crocker, of the University Club in Boston where Thayer had stayed for a while and to whom he had read parts of his charge to the jury with the remark: "I think that will hold him [Moore], don't you?" Another was from Robert Benchley, an editor of *Life*, who reported the remarks made by Thayer to one of his club brethren, Loring Coes. Thayer spoke of Sacco and Vanzetti as "those bastards down there," "trying to intimidate me," "I will get them good and proper," "I would also like to hang a few dozen of the radicals."

Statements of newspaper reporters, men of standing in press circles of Boston like Frank P. Sibley of the *Boston Globe*, Elizabeth R. Bernkopf, who was at a number of hearings

for the International News Service; John Nicholas Beffel, who covered the trial for the Federated Press, and a letter from Professor L. P. Richardson of Dartmouth College, showed one instance after another of the violent hatred Thayer had of the two men upon whom he was sitting in impartial judgment.

But the investigation of the governor and his commission was the sheerest fraud. It was all stage scenery, rosily decorated, behind which the final preparations for the execution were being organized. It was a hollow, bitter sham, an attempt to gain time against the powerful movement of labor which was growing by the hour in every land on the face of the earth. The bucket was being stirred to apply the last coat of whitewash to Webster Thayer and the ineffable institutions of Massachusetts. It was nothing but a source of new illusions, a criminal conspiracy to complete the murder of two innocent men and to demoralize and split the movement created around their banner.

The liberals, however, were in fine fettle. Here was an honest and independent executive! Here was a man who could be approached by the "right" people in the "right" way. They made Fuller's name synonymous with hope and justice. They had never a doubt about him, only joyous faith; and they severely scolded those rude, vulgar, noisy rebels who were annoying the governor and embarrassing him with their demonstrations and incessant protests. The blithe editors of *The Nation* wrote to Fuller, to the \$40,000,000 owner of Packard automobile stocks, to the red-baiter who when a member of Congress called for the "crucifixion of the disloyal, the nailing of sedition to the cross of free government, where the whole brood of anarchists, Bolsheviks, I. W. W.'s and revolutionaries may see and read a solemn warning," to Fuller who lied like a trooper by saying he previously knew nothing of the whole matter, to Fuller who was at that very moment conducting a farcical investigation, to the man whose commission of god-fearing citizens was to conduct its investigation like an inquisition, *in camera*,—to the governor of Massachusetts, they wrote:

You have won a reputation in your State for independence and courage. . . . Facts within our knowledge embolden us to believe that as an honest and fearless man you will face the great issues presented to you in the Sacco-Vanzetti case without shrinking and with a determination to get at all the facts. . . . We sincerely trust that nothing will induce you merely to commute their sentences. These men are guilty or they are not guilty. If they are guilty commutation would indeed seem a concession to clamor (so!); if they are innocent they cannot be set free too soon—to doom them to a life in prison would be no act of kindness. We know that their release from unjust imprisonment *will strengthen the prestige of Massachusetts rather than injure it.*

Heywood Broun, the author, was able to say a couple of months later, that

Governor Alvan T. Fuller never had any intention in all his investigation but to put a new and higher polish upon the proceedings. . . . He hoped to make it respectable;

but the editors of *The Nation* signed their letter to the "honest and fearless man" with the *salut*: "With complete faith in the integrity of your intentions, we are, etc."

The liberals nursed and fondled their illusions, but the militant workers would have none of it. They knew, as Sacco and Vanzetti knew, that only the daily, persistent mobilization and action of the people, the masses, held any guarantee for vindication and freedom. Their bitter experiences in the struggle against the oppressing class had taught them to look for no mercy from that quarter. They proceeded to intrench themselves further into the protest movement, to make its cries and slogans resound throughout the country, to increase the fear of the masses that was already agitating the master class.

And the Boston Committee? Did they sound the tocsin? Did they call upon the workers not to be deluded by this new crime of the executioners? Did they urge upon the workers renewed and more militant action? Did they unite the available forces to bring the powerful pressure of the masses to bear?

On the contrary. When Thayer pronounced sentence of death upon the two prisoners, the committee, obscure persons

whom a quirk of fate had thrown at the formal head of the vast mass movement, sent a letter to Fuller, with the tragic dignity of gnomes, which it printed in its bulletin. They wrote:

We feel confident that the framers of the Massachusetts constitution placed in the hands of the Chief Executive power to rectify matters in this case with which, by the limitations of our legal procedure, the Supreme Court was not able to deal. This kind of power has seldom been exercised because *our courts have generally provided the best measure of justice possible* in fallible, human institutions. But the framers of the constitution in their wishes recognized that there might be just such cases as this one. They furnished you a way to bring about justice for Sacco and Vanzetti. We urge you to take it.

Such a procedure, we submit, *will be far less likely to undermine public faith in the courts* of the Commonwealth than will the present grave suspicions (?!) about this case if they are not cleared up. . . . [My emphasis. M. S.]

When tens of thousands of workers in America were learning the important and necessary lesson that they must rely only upon their organized class strength, that the courts were merely instruments in the hands of the capitalist enemy, why did the Boston Committee express such touching concern about the undermining of public faith in the courts of the Commonwealth? What infernal nonsense is it to speak in such a manner: "Our courts have generally provided the best measure of justice possible in fallible, human institutions"? Does this refer to the labor-hating courts that almost sent Mooney and Billings to the gallows? the California and Washington I. W. W. to prisons? that tried the Communists in Michigan? that have railroaded hundreds of workers to prison or death? or, coming right into Massachusetts, that framed up Giovannitti, Ettor and Caruso in the Lawrence strike of 1912, or that sent John E. Merrick, like Sacco, a shoe worker, to prison on a trumped-up charge?

Why did the Committee so easily dispose of the working class soul of the case by saying, as late as May, 1927, that "it is a heartening sign" when it pointed out that

The press of America recognizes that this case is not a question of political or economic views. The sole issue at stake is justice.

Did not every intelligent worker realize that the central feature of the case was precisely that it was not one of "justice" but that Sacco and Vanzetti were being legally assassinated because of their political and economic views and activities, because of their devotion to the working class? Did anyone think for a moment that if the two rebels had recanted their views and repudiated their proud past, they would have had the slightest difficulty in being pardoned and freed? The Committee played the game of Governor Fuller with this poppycock.

Why did the Committee, in one of its leaflets written only a month before Sacco and Vanzetti were actually burned to death by Fuller, Lowell, Stratton and Grant, blind the workers with such feeble illusions as this:

WE EXPECT JUSTICE! Because Gov. ALVAN T. FULLER has the reputation of being a man of courage, honesty and independence. Because the Governor's advisory committee is composed of men reputed to be scholarly, of high intelligence and intellectual probity, with minds unswayed by prejudice and with their reasoning powers directing their search for truth.

The situation called for plain speech and swift action. It called for someone who would call out with the voice of a Danton: *Workers, brothers, comrades! The two men who sprang from your loins, who have suffered the tortures of hell for seven years, are being prepared for slaughter. The stage is set and the executioner is ready. The black ring of the Department of Justice, Thayer, Katzmann, Fuller, Lowell, Grant, the manufacturers of Massachusetts, the capitalist politicians, the reptile press, their kept courts and judges, is complete, and they are demanding the blood of our comrades. Do not be fooled. Every moment of respite is granted only to lull you into ignominious silence and inaction. The governor and his commission are frauds; place no faith in them. The press which speaks so softly, after seven years of blood-thirsty hysteria, cares nothing about our comrades and hates our class; place no faith in them. Workers! Lift your powerful arms, raise your voices in thundering protest! Only your solidarity can save our brothers! Arise! Unite! Save*

Sacco and Vanzetti before they are murdered by the capitalist class!

The International Labor Defense, which had already begun the work of initiating and helping in the organization of the of the Sacco-Vanzetti conferences and the international protest movement, warned against the danger to Sacco and Vanzetti, against illusions, against reliance upon the policy of the timid middle-class elements. As soon as the final decision of the supreme court was made known, it called for the organization of a gigantic national Sacco and Vanzetti conference to unite the forces and resources of the entire movement for the further struggle. It called for an appeal "from the supreme court of the capitalists to the supreme court of the laboring masses."

This proposal received only a cold reception from the Boston Committee. They had issued a statement filled with untruths, slandering the International Labor Defense and accusing it of financial misdemeanors, an accusation which the I. L. D. promptly refuted by the publication of its records and photostatic copies of checks it had forwarded to the Boston Committee. The Sacco-Vanzetti conferences, which had become the center of the magnificent protest movement, embracing hundreds of thousands of workers, were referred to by the Boston Committee as "the so-called Sacco-Vanzetti Conferences."

ONE HUNDRED MILLION FOR SACCO AND VANZETTI

But the titanic tide of working class protest swept over all petty individuals and timid supplicants. Not in all the records of the country could be found a parallel to the scenes that followed. In every large city from coast to coast tens of thousands of workers gathered in streets and halls to demonstrate their solidarity with Sacco and Vanzetti. Bitter protest resolutions were sent to Fuller in such numbers that it was impossible for him to go through them all even had he been so inclined. Scores of workers were arrested for their agitation and participation in the meetings, but the others continued

indefatigably to mobilize the power of the working class for the two men awaiting execution in Massachusetts.

From other parts of the world came the protests of additional millions. The cause of Sacco and Vanzetti was felt wherever workers gathered. Hardly an American consulate in Europe but that it was the scene of a protest meeting of workers marching with the banners inscribed with words of solidarity. In the streets of Morocco, at the gold mines of South Africa, in Bombay and Sydney, the workers added their strength to the protest movement. All through Latin America the working class made its voice heard like one man.

In connection with the international protest movement one of the most important contributing factors was the unremitting work of the International Red Aid. The International Labor Defense appealed to it for aid with a regularity justified by the prompt response. Through its sections all over the world, International Red Aid took the initiative in hundreds of cities in the formation of united committees of action, in the organization of protest meetings and demonstrations, and in obtaining the messages of protest and appeal sent to Boston by scores of outstanding scientists, statesmen, men of letters, and prominent men and women of all sections of society.

With a few miserable exceptions, there was hardly a labor organization in the entire world that did not join in the protest movement. Practically all of them adopted resolutions of one kind or another for Sacco and Vanzetti. In addition, thousands and hundreds of thousands of people everywhere, not connected with the labor movement, called for the liberation of Sacco and Vanzetti or for a new trial. In some countries, as in Uruguay, the national congress adopted a resolution for Sacco and Vanzetti, or else the municipal council of the capital city, as in Rio de Janeiro, or as did a number of towns in Switzerland. In the Union of Socialist Soviet Republics, virtually the entire population demonstrated its solidarity with the two prisoners of capitalism thousands of miles away.

To give a list only of the individuals in all lands who joined the movement in one form or another would require

a thick volume. Men like Anatole France, H. G. Wells, Bernard Shaw, Arnold Bennett, John Galsworthy, George Lansbury, dozens of members of the British Parliament, Romain Rolland, Henri Barbusse, Georg Brandes, Maximilien Harden, Paul Loebe, Anderson Nexo, and hundreds of others would not even form a small fraction of the total. Many were animated by diversified feelings and reasons, but the bulk of the protests came from the toilers of the world in a spirit of international proletarian solidarity with two members of their class who were being tortured to death by American imperialism.

THE COUNTER-CAMPAIGN

It was a magnificent movement, extending in an unbroken chain around the whole world. It was a movement to be reckoned with and the executioners knew this. They were preparing to have their tools, Fuller and Lowell and Grant, put the seal of approval upon their assassins' plans. Before that, however, it was necessary to crush the protest movement, to demoralize it, to split it by a counter-campaign.

A statement was issued by the International Labor Defense calling attention to the counter-campaign that was being launched by the reactionaries. Those who demanded the blood of Sacco and Vanzetti were trying to match the flood of protests being sent to Fuller by labor organizations throughout the world by sending resolutions urging him to confirm the sentence of Thayer and his courts. A new anti-red hysteria was whipped up in order to prejudice opinion against Sacco and Vanzetti. The world of manufacture, business, banking, and all the institutions that upheld it, were mobilized behind Fuller for a decision of death.

Plans were made to help the counter-campaign, plans familiar in every labor case, plans carried out with the low cunning of the *provocateur*. Bombs were planted; some of them exploded, hurting no one of course. But they gave Fuller and his supporters everywhere the chance to become indignant at these "attempts at coercion." The press played its customary scoundrel's role. Scareheads announced the

dastardly plans of the Reds. Fake stories of the retaliatory actions contemplated by the radicals were featured and editorialized. Mass meetings of protest were broken up by the police and detective squads, with riot guns, clubs and tear bombs. The proper atmosphere was being created for the criminal deed that the Massachusetts bourbons were preparing to commit.

What was the reply of the Boston Committee? Did it join its voice to this warning? Not at all! On the contrary, it continued its attacks and slanders on the militant workers and played into the hands of the enemy which was manœvering for time in which to demoralize the protest movement. The Boston Committee rushed to the defense of the Massachusetts bankers and their courts! The Committee replied:

The International Labor Defense has issued a press release filled with false statements and insinuations. . . . We further call upon Mr. Cannon [the secretary of the I. L. D.] to issue no more false statements of fact, but to ask this committee for the true facts in the line-up of the fight when he wishes to issue news to the press. . . . A sample of the misstatements issued by Mr. Cannon is that the Massachusetts Bar Association and leading employers' organizations have gone on record as upholding Judge Thayer's decisions on Sacco and Vanzetti. The Massachusetts Bar Association has not, nor has any other bar association so far as we can learn, opposed the move for a thorough investigation of this case. On the contrary, leaders of the bar here and elsewhere have personally urged the Governor to institute such an investigation. . . .

Why did the Boston Committee fail to take up the burning problem raised in the I. L. D. statement—the counter-campaign of the reaction—and instead picked out one small formality upon which to hang a slanderous attack? Was it necessary to attack the militant protest movement in order to defend the Massachusetts Bar Association and employers' organizations, when the entire machinery of Massachusetts capitalism, from its largest bankers down to its smallest shy-ster lawyer, were impatiently waiting to deliver the death blow to Sacco and Vanzetti? It is known now to all with what glee and relief the hound pack greeted the final decision of Fuller. The Boston Committee had succumbed completely

to the poisonous respectability which surrounded it; it would not annoy the honorable gentlemen who held the fate of Sacco and Vanzetti within their claws. Its fire was directed not against the executions but against the militants who were organizing the protest movement.

The socialist officialdom also played their miserable role at the last minute. Swept by the tide of working class pressure, they had at first been obliged to enter into the numerous united conferences that were organized in the main cities. But wherever they could they attempted to disrupt the movements, to withdraw their support, and form separate organizations. During the whole campaign, the *Jewish Forward* and the *New Leader* conducted a series of slanderous attacks upon the militants. Finally, at the most crucial period of the movement, in the course of a mass meeting in New York, they flew in the face of their old leader, Eugene Debs who had always stood for unity in the movement and militant action, by calling upon the police to break up the meeting rather than to permit one of the left wing workers to speak from the platform to which he was being pushed by the insistent demands of the workers in the audience. Needless to say, such an act fitted in well with the respectable ideas of the "liberal" press, and their denunciations of the left wing were gleefully reprinted everywhere by the gutter sheets.

(The same was true of the attacks made by the Boston Committee upon the I. L. D. Their statements were eagerly seized by the reactionary press and given prominent space; complete silence was maintained towards the answers of the I. L. D. While the latter spoke through the press of the workers, the former launched its slanders through the columns of capitalist journals.)

This action was followed by the treacherous move of the president of the American Federation of Labor. With millions of people convinced of the innocence of Sacco and Vanzetti, with Green himself knowing that they were not guilty of the crimes charged against them, he issued a statement to the press asking Governor Fuller to commute the death sentence to one of life imprisonment. Commutation to

life imprisonment meant recognition of guilt. Commutation meant the subsequent dissolution of the great protest movement. Commutation meant a living death, burial in a prison cell, for two men who might soon be forgotten as is, today, the tragedy of Tom Mooney and Warren K. Billings. A request for commutation of sentence to life imprisonment at the moment when millions of workers were fighting for the vindication and freedom of Sacco and Vanzetti could be interpreted as nothing but a criminal betrayal of the demand of the organized labor movement of which Green is the president. By this request, Green arrayed himself with the enemies of the labor movement, with the executioners of Sacco and Vanzetti. His subsequent remarks at Indianapolis, his attempt to dissociate the labor movement from the cause of the two Italian workers who were inextricably intertwined with it, proved to the hilt that Green and his kind had spoken their soft words for Sacco and Vanzetti only in order to blunt the sharp edge of the living movement of labor.

Yet, not all of the soft words in the world, not all of the disgusting knee-bending and supplication, not all the "right" people proceeding in the "right" way succeeded in swaying the executioners from their aim by a hair's breadth. Fuller conducted his investigation privately; his commission followed suit by meeting in star chamber. It transpired later that witnesses for the defense were bullied and intimidated. New witnesses were brought in for the prosecution without the defense having the opportunity to refute them. The entire ridiculous proceeding was a hollow cover for the decision that had been made long before, made by these scholars of "high intelligence and intellectual probity, with minds unswayed by prejudice and with their reasoning powers directing their search for truth."

As the date set by Thayer for the execution approached, the protest movement was like an immense and irresistible tide. The counter-campaign had not yet been fully developed. It was not yet time to bring the plans of the bourbons to their murderous culmination. So Fuller, on the last day of June, postponed the execution date to the week of August 10. And

this upright gentleman continued to go through the empty motion of continuing his "investigation" with an energy worthy of better deeds. But he remained quite oblivious to the protests that poured in upon him against the secret meetings of his investigation committee. Not even the protest hunger strike of Sacco and Vanzetti could tear aside the black veil behind which the commission was preparing its fatal document. In crass anticipation of the decision of the honorable investigators, Sacco and Vanzetti were removed to the death cells of Charlestown prison two days before the governor made his decision public.

Towards midnight, August 3, the press was given the governor's document. There is no doubt that hundreds of thousands, yes, millions of people throughout the world did not expect the verdict that was rendered. To them the evidence was so clear that Sacco and Vanzetti were innocent that they did not believe the Massachusetts reactionaries would dare to carry out the terrible sentence. Even to the very last minute, one might say even as they being led from the death cells to the electric chair, many still refused to believe that the executioners would be so callous as to fly in the face of the demands of the millions. Such were the illusions created by the constant delays, in the seven years of prolonged "torture by hope," and so little did millions understand the cynical brutality of American imperialism and its disciples, that up to the end far more people were startled by the execution than would have been surprised by an eleventh-hour reprieve.

It is of course impossible to find in Fuller's statement the faintest spark to show that there burned a fire of righteousness and justice. It is even a cynical, careless document. The witnesses for the prosecution are creditable gentlemen. Fuller was told by all the living jurymen that they considered the trial fair; and he emphasizes this. Is it possible that any of them would have denied this "fact" when they had themselves brought in the verdict of guilty? But the witnesses for the defense are dubious individuals. The testimony of the clerk at the Italian consulate in Boston is worthless, because he

made his affidavit in Italy and had left the employ of the consulate! Madeiros' confession? It is given no weight by Fuller because he could not recall every detail of that swift and hectic minute during which the crime was committed. The judge? There is really nothing to warrant the assaults made upon his conduct.

Lies, insinuations, gestures, words, words, words. That was the statement of Governor Fuller who, *The Nation* has assured us, had won a reputation for courage and independence, who was honest and fearless.

And the findings of his committee were no better. They too remained loyal to the class in which they had been reared, the class that paid them and to which they owed fealty. Old, old men, with all the incurable prejudices of their class; men who could proceed from no other viewpoint than the sanctity of things as they are, the necessity of bolstering up weakening structures and plastering up running sores.

But being men of intellectual probity, with their reasoning powers directing their search for truth, they declared that they

are forced to conclude that the judge was indiscreet in conversation with outsiders during the trial. He ought not to have talked about the case off the bench, and doing so was a grave breach of decorum.

Nothing more. Merely a grave breach of decorum which must not happen again. What does a little scolding matter to you, Webster Thayer, when your chilling blood is being warmed again by the sight of these two bastards being led to the embrace of the fatal electric wires! What if you were "indiscreet," Webster Thayer, so long as your indiscretion costs you nothing, while Sacco's and Vanzetti's indiscretion in opposing the reign of you and yours has cost them life and freedom! And does it not do you good to read the rest of the commission's report and find how closely it conforms with all your rulings, all of them, even the most outrageous!

Not only Thayer, but every prosecution witness in the filthy frame-up was graduated with Harvard honors by Lowell and

his commissioners. The classical comment was made on the testimony of one of the most reprehensible witnesses, Lola Andrews:

The woman is eccentric, not unimpeachable in conduct; but the committee believes that in this case her testimony is well worth considering.

After all, why not?

FROM SHANGHAI TO CHICAGO! FROM CAPE HORN TO
COPENHAGEN!

Only a few days left, but in those few days the working class of the entire world streamed out into the streets in such an impressive mass that it almost seemed that those things that had stood for many years would collapse in the trembling of the earth. Everything connected with the magic phrase "Sacco-Vanzetti" was seized upon and printed prominently by the press of the world. The international proletariat roared its protest in different tongues but with one demand. The feeble piping of the few liberals who spoke was neither heard nor listened to. The blood brothers of Sacco and Vanzetti, millions of them, strode across the stage of history for days with menacing tread, shouting with anger, demanding a halt to this monstrous act of class vengeance.

Place your finger on a map of the world. Is it an obscure village in the Soviet Union? Is it the capital of Chile? Is it at the mines in Witwatersrand in the Union of South Africa? Is it Ottawa or Montreal? Is it where the Chinese workers are struggling for freedom? Is it in Fascist Italy or Spain? Have you touched a New Zealand port, or a suburb of Paris? Is it Union Park, near the Haymarket statue in Chicago, or Trafalgar Square in London, or the American embassy in Tokio? Is it Mexico City, or Munich, or Constantinople? Is it Vienna, or Dublin, or perhaps some forgotten island in the Caribbean? No matter. In any and all of them workers marched with grim faces and threatening banners for Sacco and Vanzetti. Czecho-Slovak or Colorado miners went on strike here. New York barbers and the red

chauffeurs of Paris went on strike there. Here was a demonstration of Swedish workers and Swiss workers and Brazilian workers in front of the American embassy, and they were all attacked by the police; but their lines reformed in the name of Sacco and Vanzetti. In Johannesburg, South Africa, in Casablanca, Morocco, in the Parisian suburb of Clichy, the American flag was burned as a symbol of monstrous capitalist justice.

It was an awe-inspiring spectacle, this powerful picture of an enraged working class fighting for its own, desperate, maddened by the shortness of time, the steady tramp-tramp of their marching hosts sounding the only song of hope for the two who waited ten foot from the death chair.

The liberals were split in two by the decisions of the governor and his committee. A few of them swayed feebly on their ground and begged the governor, with compassionate tears in their eyes, to vindicate the sullied honor of Massachusetts, restore the shattered faith of the riotous masses. They offered him the opportunity to join the long list of liberal idols, that they might hail him as they once hailed so many others. The others scurried for cover, like rats deserting a gutted ship.

Heywood brown wrote an unusually clear article for his paper, the *New York World*. He spoke with sharp and bitter words.

Governor Alvan T. Fuller never had any intention in all his investigation but to put a new and higher polish upon the proceedings. The justice of the business was not his concern. He hoped to make it respectable. He called old men from high places to stand behind his chair so that he might seem to speak with all the authority of a high priest or a Pilate.

What more can these immigrants from Italy expect? It is not every prisoner who has a President of Harvard University throw on the switch for him. And Robert Grant is not only a former judge but one of the most popular dinner guests in Boston. If this is a lynching, at least the fish peddler and his friend the factory hand may take unction to their souls that they will die at the hands of men in dinner coats or academic gowns, according to the conventionalities required by the hour of execution.

And the New York *World*, the darling of the liberals, the "defender" of Sacco and Vanzetti, their respectable spokesman who threatened at one time to become the spokesman for the entire protest movement, discharged Heywood Broun! Why should he write about the case in this manner? It was all over with. The two wops were going to die. Why damage the reputation of good conservative Americans and furnish food to the radicals, particularly when the editorial columns had begun a vicious attack on the militant workers' movement.

The tidal wave of the international protest swept away the draperies from other liberal demi-gods and showed their feet of clay. There was the "insurgent" senator from Idaho, Mr. William Borah, who in his day had tried to send to their legal death three other workers, Moyer, Haywood and Pettibone. He replied to a plea from Jane Addams by saying:

It would be a national humiliation, a shameless cowardly compromise of national courage, to pay the slightest attention to foreign protests, or mob protests at home. . . . The foreign interference is an impudent and willful challenge to our sense of decency and dignity and ought to be dealt with accordingly.

It is not recorded that Borah's sense of decency and dignity ever felt challenged by the shameless, cowardly murder plot against the two innocent workers whom he thus condemned to death.

These craven desertions helped the iron fist of American capitalism to descend with crushing force upon the protest movement at home. Hundreds of radical and labor leaders and headquarters were placed under surveillance. Radical offices were raided in New York, Detroit and San Francisco. Meetings were broken up with a systematic brutality that had hardly before been equalled. Tear gas bombs were callously thrown into parades of men, women and children. Hundreds were arrested throughout the country. On the night of August 10th, in Chicago, a veritable reign of terror took place. Powerful automobiles, loaded with police armed with riot clubs and sawed-off shot guns, sped through the city assaulting every gathering of more than a dozen workers.

Hall owners were intimidated into refusing the rental of halls for protest meetings.

To top it all, announcements were made by Secretary of Labor Davis that his registration-of-the-foreign-born bills would be pushed in view of the participation of so many foreign-born workers in the Sacco-Vanzetti campaign. A jingoist congressman demanded wholesale deportations. The yellow press demanded a cleaning up of the reds. The black days of Palmerism were being repeated in every detail, even down to the spurious indignation of the press and public officials over the similarly spurious "bombs" which "Sacco-Vanzetti sympathizers" seemed to be throwing around by basket-fuls.

The day of death was approaching. New attorneys for the defense, for Thompson had left the case on August 4, rushed about from judge to court and from court to judge, trying every little legal loophole through which to save the doomed men. An appeal was even made again to Judge Thayer, on the ground that he had been prejudiced! He denied the motion. . . .

August 10! and Judge Sanderson of the Massachusetts Supreme Court announced that his decision on an appeal to the full court would be given on the eleventh. The whole world seemed to stop breathing for hours, until the news came, half an hour before the moment set for execution, that Fuller had granted a reprieve until midnight of August 22.

Again the warning of the militants. But again the creation of illusions. The executioners were stalling for time. They needed more time to break up the protest movement. But the movement was revived and strengthened. Another tidal wave broke upon the whole face the earth. Strikes, demonstrations, parades, meetings, resolutions. Even in the United States the powerful weapon of the political strike was used for the first time in many, many years by thousands of workers. But the mills of capitalist justice ground more swiftly and the bodies of Sacco and Vanzetti were already within an inch of being crushed by the upper and nether stones.

The brief, torturous respite served to tear away the masks from two more prominent and respectable friends of liberalism and justice. The Supreme Court Justice, Oliver Wendell Holmes, the noble liberal, had already refused to intervene. Then he refused for a second time on a writ of certiorari filed in Washington by the defense attorney. And his equally noble colleague, Louis D. Brandeis, also declined to intervene. If "liberals" acted thus, it is not at all surprising that the other wise men in robes, Taft and Harlan Stone, should have been similarly adamant.

The very last legal resource had been tapped. An effort made to disclose the files of the Department of Justice failed completely. An offer made to open the files upon the request of Fuller or his commission was never accepted by them. An expert executioner was sent for from New York to throw the switch. The marble slabs were cleaned to receive the corpses, one by one.

THE MARTYRDOM

A short time before his death, Sacco wrote to an anarchist friend of his:

As I wrote you before I repeat again today, only on international clamor—a protest—can free us. And yet, while we are so near the tomb, your letter amazes me with its unwarranted optimism, saying "You must not despair, dear Nicola, for though the suffering be long and weary, it is soon to end in freedom."

How you are deluded! This is not even common sense, coming from you. I would say nothing if such talk came from a man in the moon, but from you, who are also in the struggle for liberty, this is too much. Do you not know the ends to which the defenders of this decrepit old society will go? Under the circumstances it pains me to see such blind optimism in a comrade. Are you waiting to see them kill us first so that you can build us a monument?

To Sacco's young son Dante, Vanzetti wrote a warm, touching farewell:

Remember, Dante, remember always these things: we are not criminals; they convicted us on a frame-up; they denied us a new trial; and if we will be executed after seven years, four months and seventeen days of unspeakable tortures and wrongs, it is for what I have

already told you: because we were for the poor and against the exploitation and oppression of the man by the man.

The whole world stood upon its feet to watch the final act of this titanic tragedy. Millions wondered if some incredible miracle would not still save these two men whose names had become shinging banners for a world. Others waited with stony faces, suppressing tears and a wild desire for some insane action.

At seven o'clock Rosina Sacco bade her husband a last farewell. Vanzetti shook hands with his sister Luigia who had come from Italy and they both wept.

Midnight struck, and young Madeiros was led into the death chamber. In three minutes his corpse was removed and the guards sought out Sacco.

Sacco was brought into the room. He was strapped to the chair. He called out: "*Viva L'anarcchia!*" With terrible irony he greeted the men in the room: "Good evening, gentlemen." At 12:19 he was dead.

Vanzetti's turn. He spoke calmly from the chair. "I wish to tell you I am innocent and never committed any crime, but sometime some sin. . . . I am innocent of all crime, not only of this one, but all. . . ." For the second time, the hands of the frock-coated, intelligent and honorable gentlemen, Fuller, Lowell, Stratton, Katzmann, Thayer and the rest were pressed again the arm of the executioner to throw the switch. The blood thickened and choked him. It almost burst through his veins. The face and body were mottled purple. The throat swelled with clotted blood. The body gave its last jerk. He was pronounced dead at 12:26, August 23, 1927.

Two shining spirits put to death. By a fiendish act of cynical class vengeace, two heroic fighters, working class warriors were executed for their devotion to the deathless cause of labor. The millions who read the news and wept their angry, helpless tears, felt that out of their ranks had fallen two who would forever remain a flaming guide, a permanent inspiration, two of the best of the revolutionary proletariat, sustained for the seven torture-years by courage

and noble dignity and an unbending faith in their class.

Their executioners, the miserable children of a black society and a dark age in which Sacco and Vanzetti burned with a steady light, would never have been known to history, but for the contemptible role they played in this assassination. They are marked in the pages of history now to be spat upon and hated by the generations yet to come. In the words of Ben Hanford, they have cheated oblivion by obloquy.

But Sacco and Vanzetti are immortal. Even when the hatred towards their executioners is forgotten they will still be remembered. They have taken their place in the rebel firmament of the working class, side by side with Albert Parsons, August Spies, Joe Hill, Wesley Everest, and the thousands of noble fighters whom the capitalist class has martyred. Honor and respect to the fallen soldiers! Their names and spirit are imperishable!

THE LESSONS OF THE SACCO-VANZETTI CASE

The death of Sacco and Vanzetti has brought to an end a chapter of heroism and tragedy in the book of the working class. The enemies of the two martyred workers, those who fought them openly and those who masqueraded as their friends, want to close the books, to bring the "unfortunate incident" to a final conclusion. They want to cover the still warm bodies of the rebels they murdered with a thick slab of shameful forgetfulness. Their hideous work is done and they want an end to the bad business. They want no more recriminations and noise. Let the dead past bury its dead, and we will mumble a few pious words of regret for them.

But those workers whose hearts and hands responded to the deathless appeal of Sacco and Vanzetti have no intention of closing the books. A part of them was burned to death in the electric chair. They would be recreants who would not read and reread the records and draw a balance. Invaluable lessons are to be learned. There are vulnerable spots to be strengthened, a whole strategy of the enemy to be understood, an armory of weapons to seize for the coming battles.

The deadly lightning of the electric chair illuminated the ghastly class nature of the case for millions of workers. For many, this essential truth was apparent from the beginning. They were never dominated by the fatal illusion that the trial and torture of the two Italian workers was merely the result of accidental circumstances. Those who knew the lash of the factory, the policeman's club on the picket line, the leer of the judge when he hands down a decision enjoining a union from strike action, the tremendous power of the kept press, the cynical conspiracies of the agents of justice in every struggle of the working class, recognized familiar incidents in every development of the Sacco-Vanzetti case.

The history of Sacco and Vanzetti was a dramatic episode in the class struggle. Not to understand this today is not to understand anything. Many workers learned to find this red thread that connected one incident so logically with the next, and for them it was the beginning of wisdom, a wisdom rarely learned in books, for it is usually burned into the consciousness of the worker in the cauldron of his experiences.

The Sacco-Vanzetti case tore away every veil that covers the fact that the ruling class of this country, the bankers and business men, pulls the strings to which a million dignified puppets dance; that theirs is really the voice that seems to issue from the throats of presidents, governors, mayors, justice of the supreme court and village magistrate, editor and reporter, soldiers and sailors, policemen and detectives, preachers and educators, false liberal and false labor leader—all of the well-bred, well-dressed and right-thinking gentlemen and ladies who tortured the two Italian immigrants, seated and strapped them in the chair, polished the electrodes and threw the switch.

There was a mobilization of two classes: the capitalist class and its retainers on the one side and the working class on the other side. The workers showed a strength and power which is a warning for the future. The capitalist class proved itself still able in this country to carry out the most bloodthirsty plans against the working class without being successfully resisted.

The courts, the judges and executives of Massachusetts, never had any idea of giving "justice" to Sacco and Vanzetti. Their intentions were at no time characterized by a desire to consider the abstract principles of equity and fairness in the case. All the delays, all the illusive legerdemain of the courts, the pompous and fraudulent going through with the motions, was only for the purpose of demonstrating to naive people the thoroughness and legal sanctity of the final decision.

The blows dealt the liberation movement for Sacco and Vanzetti by the elements who fastened themselves on the Boston Committee and dominated its policy consisted essentially in this: that they failed to see the case as a class issue, a part of the bitter and inexorable international struggle between the ruling class and the ruled; that they nursed and fostered the illusion that it was possible to extract an essence of "justice" from the murderers of Sacco and Vanzetti by dignified and respectable supplication. They tried to smother the militant protest movement and hurled the mud of slander upon the workers who organized it. They sought to cover the rough clothes of the workers' movement with the cap and gown of the lawyer, and substitute a cultured Boston accent for the violent shouts of the masses in a dozen tongues.

It was quite different with the masses of the world. Their magnificent and almost unprecedented solidarity was based on a common understanding of who was enemy and who was friend. The earth-shaking rise of the workers everywhere for Sacco and Vanzetti not only showed how much explosive is contained in the working class of the world, how dangerous it is for the capitalists to tamper with these powder kegs, but it also proved that the world proletariat pierces and contemns the shams and pretences of the American ruling class and its "peace" and its "justice" and its "golden opportunities."

If anything was demonstrated by the Sacco-Vanzetti case it was that labor cases cannot be fought with fat volumes of legal spider webs alone but that the class character of the prosecution must be pointed out and the defense organized on that basis. The great significance of the movement developed in this country by the International Labor Defense was that

it was essentially focused upon the class issues in the case. The slogan of unity for the defense of all persecuted workers on a class basis assumed greater clarity and more substantial solidity as a result of the campaign.

The execution of Sacco and Vanzetti brought sharply to the attention of thousands of workers the sinister meaning of the frame-up system, which is now a recognized part of the cardinals' college of America's institutions. The system which picks out workers and imprisons or murders them by a false arrest, a spurious charge, a packed jury, a prejudiced judge, perjured witnesses and the rest of the hateful paraphernalia, has brought to many workers the uneasy feeling that what happened yesterday to Mooney and Billings, what happened today to Sacco and Vanzetti, is likely to happen tomorrow to the head of his organization, his union or political party—or to himself.

The hideousness and class character of the black processional in this vicious system which was revealed with such startling clarity in the Sacco-Vanzetti case is also a warning to the labor movement that the cynical master class is ready to use any and all weapons to crush it and its best fighters. At no time has the urgent necessity for a struggle against the frame-up system been demonstrated with such a jolting impact as when the final blow was aimed at the two workers of Massachusetts.

The hundreds of thousands of American workers who participated in the movement for Sacco and Vanzetti were a living proof of the vast resources at the command of the labor movement in the struggle to defend itself from attacks. These resources have by no means yet been exhausted; on the contrary, we have only begun to see the vast possibilities for their development.

It has been proposed that the energies of the movement be swung into quiet channels now. Organizations are even being set up which have the aim of "proving the innocence of Sacco and Vanzetti." Of course these organizations are influenced and dominated by the same gentlemen and ladies who insisted that the masses share their illusions as to the judicial impartiality and the unstrained quality of mercy of the courts

and governors. They are the same men and women who yesterday sought to behead the workers' movement and today seek to lead it into the black labyrinth of post-mortem legal investigation. They want to vindicate Sacco and Vanzetti and prove them innocent!

What futile nonsense is this? What further proof is demanded to establish the innocence of Sacco and Vanzetti? The workers know this. The masses feel, if they do not know the legal fine points, that Sacco and Vanzetti were killed because they were rebels against their assassins, that they were loyal warriors in the great army of labor. It is not necessary to publish a thousand books of law to convince the working class of this truth.

Is it then proposed to convince the Fullers and Thayers and Katzmans of this country? Is it proposed to convince those who never cared a Continental whether Sacco and Vanzetti were or were not a thousand miles from South Braintree on April 15, 1920, those who were interested in murdering them because they were goddamned agitators, and foreigners to boot?

Such a "vindication" of Sacco and Vanzetti is needed for and can satisfy only those confused people who are not animated by the warm feeling of working class solidarity and understanding, those uncertain Hamlets who are always trembling on the fine needle point of doubt, who find that there is much to be said for all sides and hopelessly seek the truth somewhere in between.

A MONUMENT TO SACCO AND VANZETTI

The working class must build a monument to Sacco and Vanzetti. It is their task really to vindicate them. But not such a "vindication."

The workers' monument to Sacco and Vanzetti must be a warm and living movement of labor for the defense of the victims of capitalist class justice. It must be a militant army of fighters who resist the persecutions of the blood-thirsty master class with their organized might. It must be

a class movement of labor defense against the frame-up system.

There are other Saccos and Vanzettis in the United States. There is Tom Mooney, and Warren Billings. There are the Centralia victims of the lumber trust who have been sentenced for life in Walla Walla penitentiary. There are the indicted Communists, the prisoners of the Passaic and Needle Trades strikes and the dozens of other working class fighters in all parts of the country who are imprisoned or on trial for their activities in the labor movement. They are a challenge and an appeal. They are a call to concerted action. Theirs is the loud appeal that the horrible legal assassination of Sacco and Vanzetti shall not be repeated.

There are the Saccos and Vanzettis to come. They are those fighters and rebels who cannot be curbed or bribed. They are those stubborn men and women of labor who struggle forward for the cause of the working class. A lively watch must be constantly maintained by all workers against the persecution and imprisonment or death of these workers.

The Sacco-Vanzetti case showed the danger of waiting for such issues to develop before a movement can be created to challenge them. One of the most important lessons of the case was that which pointed out the need for an organized, permanent movement for the defense of the prisoners of the class war.

Such a movement is embodied in the International Labor Defense, which is grounded upon the idea of non-partisan, unified class defense. The building of such a movement which will be always ready to organize the most obstinate resistance to the railroading of workers to prison or death is an essential task of the labor movement of the United States. Even in the short couple of years of its existence, the I. L. D. has added such deeds to its words that it has proved its right to an important place in the ranks of the labor movement.

The International Labor Defense has acted as a unifying cement in the movement. Not only are its ranks filled with members of all political parties and labor organizations, but it

has followed a broad path of non-partisan action in defending workers of all shades of political and economic opinion. It has brought to the fore the issues of class versus class which are always to be found in labor cases. It has worked to build a movement of the solidarity of labor, a shield of the working class in every struggle.

The working class, of which Sacco and Vanzetti were a vital part, fought well for the lives of the two martyred workers, but its weakness and unpreparedness resulted in a defeat. The bitterness of this defeat must be transferred into a determination to fight upward toward victory.

Sacco and Vanzetti were rare spirits and their heroism and loyalty will be forever cherished by the militant working class. Toward those who killed them the working class of the world can have only a burning hatred. For the martyrs of labor they can have only a deep love and admiration. The hateful memory of the Thayers and Fullers is the black background for Sacco and Vanzetti who will remain a glistening banner of inspiration for the present and the future. A world of workers stands over their ashes and brings them garlands of honor and respect. They are all the blood brothers of the martyred dead and in them is the same spirit of struggle. They are the growing army of labor that marches toward the destruction of the prisons and electric chairs of capitalism. They are marching toward the destruction of capitalism, which exploits and imprisons and murders the best of the working class. They march forward triumphantly towards that great victory which is the victory of Sacco and Vanzetti and their final vindication.

THE END

Aims of the **International Labor Defense**

International Labor Defense unites into a broad national organization based upon individual and collective membership, all forces willing to cooperate in the work of labor defense and the fight against the frame-up system. It stands as an ever-willing and ever-ready champion for the defense and support of all workers and exploited farmers, regardless of their political or industrial affiliations, race, color or nationality, who are persecuted on account of their activity in the struggle for the class interests of the workers and exploited farmers.

INTERNATIONAL LABOR DEFENSE

Fights for the release of all class prisoners.

Fights for the repeal of criminal syndicalist laws.

Gives publicity to the persecution of workers.

Provides legal defense for the victims of capitalist persecution.

Gives material support to prisoners and their families.

Helps the victims of white terror in all lands.

JOIN TODAY!

There are locals of the International Labor Defense in all parts of the country and in all the main cities. For information as to the address of the secretary in your locality, write to the national office of the

THE INTERNATIONAL LABOR DEFENSE
80 EAST 11th STREET Room 402 NEW YORK, N. Y.

Subscribe to
THE LABOR DEFENDER

Edited by
MAX SHACHTMAN

THE LABOR DEFENDER is a monthly record of the working class struggle. Its sixteen pages of articles and photographs are one of the best means of keeping in close touch with the developing movement for labor defense.

Contributors to **THE LABOR DEFENDER** include Henri Barbusse, Klara Zetkin, Carlo Tresca, Carl Haessler, Ralph Chaplin, Eugene Barnett, Robert Dunn, Lucy Parsons, Charles Gray, T. J. O'Flaherty, Hollace Ransdell, James P. Cannon, Art Shields, William D. Haywood, and numerous others.

One Dollar per Year
Ten Cents per Copy

Write to

THE LABOR DEFENDER

80 East 11th Street

Room 402

New York, N. Y.
