

# **Conspiracy Against Sacco and Vanzetti**

Published by the

**Sacco-Vanzetti Defense Committee**

**No. 32-34 Battery Street, Boston, Mass.**

The legal presumption of innocence in favor of the prisoner at the bar has faded into a myth in these United States when the prisoner in question is a black man in a Southern dock or a foreigner in a Northern Court, especially if he is charged with the special kind of crime which the public has been trained by lurid newspapers to expect from one of his race. It is common knowledge that the charge of rape against a man of negro blood primes the Southern jury or lynching party for immediate action, and that a Northern jury does not examine the law and the evidence impartially when a murder accusation is leveled against a member of that Mediterranean race whose reputation is colored with the fanciful versions of the Mafia that furnished the Sunday-Magazine reader's mental diet for so many years. And when the Italian laborer is also listed as a "red" by the Secret Service the prejudice against him is so extreme that the weakest circumstantial evidence is sufficient to convict.

Seldom has weaker evidence been presented against men charged with a capital offence than will appear against Nicholas Sacco and Bartolemew Vanzetti, two intelligent and hard-working Italians who face trial for their lives at Dedham, Massachusetts, some time early in the year. With the prosecution getting the benefit of every doubt and many defense witnesses fearing the disfavor of the secret police and the shoe companies that are the masters of bread in this part of the state, the defense will have greater difficulties than confronted Ettore and Giovannitti in the cage at Salem eight years ago.

The formal accusation against these men is that they killed Special Officer Alexander Berardelli and Paymaster Frederick A. Parmenter on April 15th last in South Braintree, Mass., and then made off in an automobile with the \$18,000 payroll that was being conveyed to the Slater & Morrill shoe plant nearby. Already since the arrest a conviction and fifteen year sentence has been secured against Vanzetti for attempted murder and assault in connection with an unsuccessful attack on the pay-truck of the L. Q. White Company in Bridgewater on the 24th of December preceding.

## **Lawlessness of the Secret Service**

At first sight this seems like an ordinary police case, no more unusual than many other sordid conspiracies of officers of the peace who find it necessary to make good on unsolved crime mysteries. But there is a more sinister reason for the persecution of Sacco and Vanzetti which is the outcome of the violent campaign of lawlessness of the Department of Justice that culminated May 3rd in the tragic death of their friend Andrea Salsedo.

Andrea Salsedo and Robert Elia were two young Italian printers of Brooklyn on whom the agents of Mr. Palmer were endeavoring to pin the odium and responsibility for the abortive May Day plot of 1919 and the peculiar explosions that occurred on the June 2nd following. They were held without any indict-

ments or other legal authority, in the secret chambers of the Department of Justice at No. 21 Park Row, and subjected to all the rigors of secret examination for more than two months, from February 25th till early in May. But finally the facts about their disappearance began to leak out. Vanzetti went to New York and allied himself with other Italians in the effort to secure genuine counsel in place of the unfit Attorney Donato who was afterwards publicly branded as a Department of Justice accomplice. Mr. Palmer's operatives saw that they would not dare to hold the men much longer and at the same time they were afraid to release them after certain things which had happened.

### **Tragic Death of Salsedo**

Early in the morning of May 3rd, some time before dawn, Salsedo left his prison in a violent and terrible fashion, his body crashing from the fourteenth floor window to a bloody mass on the stone paving below. The street was almost deserted at the time and no one from below saw whether he threw himself out or was pitched headlong to his death.

New York was appalled by the deed, and an ominous outcry was raised against the secret service by newspapers and prominent citizens. The New York American in a scathing six hundred word editorial demanded "*a searching and determined investigation into the secret imprisonment of poor Andrea Salsedo*" and asserted that "*unless these criminal violations of personal rights are punished, unless these Secret Police are abolished, no man's life or liberty will eventually be safe.*"

Vanzetti, Sacco and other Italians took prompt steps for the release of Elia. Mr. Walter Nelles, a member of the New York bar, had been employed in place of Mr. Donato, and plans were made for mass meetings of protest that money might be raised to supply the necessary funds for Mr. Nelles's work in New York. Vanzetti came on to Sacco's home in South Stoughton to arrange for a meeting in Brockton where there is a large Italian colony.

### **Arrest Prevents Protest Meeting**

The swift counter attack of the authorities prevented the meeting from being held. They were arrested in Brockton on the evening of May 5th through the agency of the local police while the memoranda for the handbills advertising the mass meeting was still in their pockets, and they were taken to the Brockton town hall and police station and grilled about their radical beliefs. A temporary charge of carrying revolvers was laid against the men while the authorities cast about for some more substantial reason for holding them.

A "red" charge was untactical at the time in view of the momentary popular derision over the exploded Palmer prophecies of the May Day Revolution which hadn't occurred, and the momentary opposition to the secret police. So the authorities fell back on the same methods used in the famous Tulsa oil case against Charles Krieger when the removal of an agitator was desired. They were charged with a regular criminal offense. The murders at South Braintree were laid against both men and the additional charge of taking part in the Bridgewater affair was placed against Vanzetti who had been more prominent in the agitation over the outrages committed on Salsedo and Elia.

No steps were omitted to clinch the charges. Witnesses of the Bridgewater and South Braintree crimes were brought into the police station where they saw the Italian prisoners surrounded by police officers. It is well known that Italians look more or less alike to the eyes of many Yankees, but in spite of this several witnesses said positively that these were not the men they had seen. But others took it for granted that the men the police were holding must be the right men.

The police made them assume the crouching positions and other poses that the bandits were said to have taken in action, and then they were placed in an automobile roughly similar to the bandit car and taken over the routes followed April 15th and December 24th.

### Farcial Trial of Vanzetti

Vanzetti was rushed to trial in the following month for the Bridgewater attack while the public mind was still super-heated with sensational stories about "Italian hold-up men." He was practically convicted before the first witness was called. Vague identifications of the "foreigner with the mustache" were accepted, and no credence was given the alibi furnished by eighteen respectable fellow townsmen who established his movements for the entire day of December 24th, when he was too busily engaged in his regular pursuits as fish salesman to be in Bridgewater twenty-eight miles away. The police collected a thousand dollars reward.

### Murder Witnesses Fail

Indictments for the South Braintree murder followed a preliminary hearing given Sacco before Judge Avery in the East Norfolk District Court, no preliminary hearing being necessary in the case of Vanzetti, already held on the other charge. The indictments were based on the doubtful testimony of three employees of the Slater & Morrill Company,—Louis L. Wade, Miss Frances Devlin and Miss Mary C. Splaine,—all losing their certainty of identification in the matter of fact environment of Judge Avery's court, though they all had shown more assurance in the prejudiced environment of the police station when first confronted with the prisoners encircled by uniformed men.

In Judge Avery's court Mr. Wade admitted that "I might be mistaken—" (*Page 36, official record.*) He said he was fully eighty paces away when the shooting occurred.

The two women likewise lost their certainty of conviction in the court room. They were both office workers and claimed to see the aftermath of the shooting from the second story windows of the office building on Pearl and Railroad Streets. Miss Devlin said that the man leaning out of the escaping automobile whom she had previously identified as Sacco was tall and well built. When Sacco's lack of stature was called to her attention she agreed that her identification was wrong in that respect.

"Do you say positively he is the man?" asked the defense attorney.

"I do not say positively," she answered. (*Page 47, official record.*)

Miss Splaine also changed her testimony with the words, "I could be mistaken." (*Page 52, official record.*)

The uncertainty of their memory was further brought out by their divergent recollections of what they had seen, Miss Devlin saying that the man in the car moved from side to side, firing at the crowd, and Miss Splaine thinking that he had stood at one place in the back, leaning out, with his body slightly inclined forward and the level of his gaze turned no higher than the windows of the cobbler shop on the first floor of the building next door to the office. This gave the women looking from a higher elevation an imperfect view of the man's face as he peered out from under the covered top of the machine which was running along at a distance never closer than one hundred feet.

On the slender evidence of these three witnesses the murder indictments were brought, and with such material the prosecution expects to weave the noose for Sacco and Vanzetti—a presumption not astonishing to the student of American legal methods.

### **Life and Labor Records of Sacco and Vanzetti**

Thus runs the coil of perverted fate against two workingmen who thought they were coming to the land of the square deal when they arrived here twelve years ago. Sacco began American life as a water boy in upper New York State at \$1.15 a day, and soon after graduated to the earning capacity of \$1.75 as a pick and shovel man. Then deciding to learn a trade he acquired the highly skilled art of shoe cutting and in the course of several years of application developed into one of the best artisans in the great leather goods centre around Brockton, Mass., one of his employers saying he was the fastest cutter of some three thousand that had passed through his factory. At the time of his arrest he was employed by the 3 K. Shoe Company near his home in South Stoughton. During his long years at the trade Sacco is estimated to have cut more out than one hundred thousand shoes, a more substantial contribution to his adopted country than was ever offered by most of the descendants of the Mayflower in the villas near his home. Sacco was married and had one child before his arrest, another having been born since. He made high wages, as New England wages go, and sent regular remittances to the old folks at Torremaggiore, Italy. A brother has recently been elected mayor of that town. Sacco had been arranging his affairs for several months prior to his arrest with the intention of going home last summer.

Vanzetti came from well to do parents in the flourishing region near Piedmont, Italy. He was going through the schools there, educating himself for professional life till one day his life was abruptly changed by a newspaper story which his father was reading aloud regarding the difficulties of professional life. The article told of forty-five lawyers in a neighboring town who were competing at the same time for a position paying only forty-five liras a month. Vanzetti decided to learn a trade instead and apprenticed himself to a pastry cook. Coming to America he followed the culinary art in such elaborate New York restaurants as Moquins and Savarins, going to school by night. Ill health finally required him to seek outdoor life, and after several years at various occupations he became a fish salesman in the very city made memorable three hundred years before by the immigration of the Pilgrim Fathers.

But these simple records of steady and laborious lives give only a faint idea of the personalities of the men. Sacco and Vanzetti possess eager and inquiring minds and a lucidity of expression by tongue and pen that make them effective propagandists among their countrymen. Both are keenly alive to the social movements of their time and have made their influence felt in the Italian colonies wherever they lived. Both were marked men by the employing interests for their labor activities. Sacco was very active in the great shoe strike of 1918 and in more recent agitation, and Vanzetti, since he was blacklisted by the Cordage Trust at Plymouth for his part in the great 1916 strike, the only strike ever carried through against this powerful corporation, has continued an energetic educational campaign among the other workers of that city.

And now their twelve years of striving in the movement for social freedom that others might not have to labor forever as they have labored in the industrial treadmills of America, are nearing their climax in the grim atmosphere of a murder trial that will send them through the little green door to join Salsedo if justice does not prevail.

This case is supported by the New England Workers' Defense Conference and the Workers' Defense Union of New York.

Money is badly needed. Send contributions to Aldino Felicani, Treas., Sacco-Vanzetti Defense Committee, 32-34 Battery Street, Boston, Mass.