

# JUSTICE IN BOSTON TOOK BEATING

## 12 Years Ago, Wednesday, Sacco And Vanzetti Were Executed To Terminate A Case That Rocked The World

"What I wish more than all in this last hour of agony is that our case and our fate may be understood in their real being, and serve as a tremendous lesson to the forces of freedom, so that our suffering and death will not have been in vain."—Bartolomeo Vanzetti.

• Twelve years ago this Wednesday, shortly after midnight, the climax to a case that rocked the world took place in the execution chamber of Massachusetts State Prison, Boston, United States.

• A humble fish-pedlar, Bartolomeo Vanzetti, and a poor, unknown shoemaker, Nicola Sacco, were electrocuted that day for a hold-up and murder, committed seven years before, to terminate one of the most extraordinary cases in American jurisprudence.

• A case in which lawyers, philosophers, Harvard professors, authors, judges, jailers, and men renowned the world over interested themselves in two philosophical anarchists whose guilt is questioned to this day.

IN Boston, every anniversary of the execution, the doubts arising out of that case are rehearsed at various meetings attended by Liberals and Tories, men of every political shade and conscience, united in the one belief that American justice took a terrific beating when it turned down every appeal for a new trial and demanded that these two dreamy, contemplative, radicals be legally executed.

Originally, Sacco and Vanzetti were arrested in a police drag-net that pulled in a number of Massachusetts radicals and anarchists known to police, and charged with unlawful possession of weapons, pistols having been found on them.

The original crime was committed on April 15, 1920, in South Braintree, Massachusetts, and the two men were arrested on May 5, of the same year.

Convicted of murder in the first degree on July 14, 1920, these two men put into motion a movement that became a great army, whose tramping feet were heard all over the world, and whose bombardment is still felt in some parts of the United States today.

Sacco and Vanzetti became symbols, almost a religion, and in the crusade that continued after their execution, riots, indignation meetings, and publications fanned the flames of tolerance until it became cor-

tain that the words of Vanzetti, the fish-pedlar, were not in vain.

### Intolerance

SUPERIOR Court Justice Webster Thayer, Boston, who tried the case, all during the years when the stigma of intolerance lay like a stultifying cloud over the courts of Massachusetts, repeatedly voiced his opinion that the men were anarchists and deserved to be hung for that, if no other reason. This same judge refused eight motions for new trials in the face of the most overwhelming evidence that such a trial should be granted.

Refusing to consider new evidence, which apparently



★ NICOLA SACCO, the unknown shoemaker who was convicted of murder in 1920, and electrocuted seven years later, to terminate a series of events that caused demonstrations around the world, and brought more than a measure of obloquy to Justice as rendered in Boston, Massachusetts.

cleared both Sacco and Vanzetti of guilt, he stuck to his first decision. He refused to admit prejudice, which automatically would have thrown the case into another court for a new trial, spilled his opinions on the case all over his club, his dinner table, his golf links, everywhere he went.

As one reporter who covered the trial from its beginning said, "Judge Thayer completely lacked judicial

temperament in the case . . . wherever he went, something impelled him to denounce the prisoners before him. He sought to sway an observer for the Boston Federation of Churches to disbelieve Sacco's employer, who had given him a fine character."

The judge was unable to keep his violent language out of the record of the trial. In his charge he went out of the way to compare the duty of the jurors with the United States soldiers in France.

Another man whose action has been subject for controversy was Governor Fuller, of the State of Massachusetts, who could have either pardoned the men or commuted the sentence, had he so desired.

His actions have been most suspect because of two happenings after the case. On August 3, 1927, the Governor made known his decision, based upon the report of a special investigating body of his own choosing, that the men would die in the electric chair. Prior to 3 p.m. on the afternoon of the 3rd, the Governor had all but admitted that the men would be granted clemency.

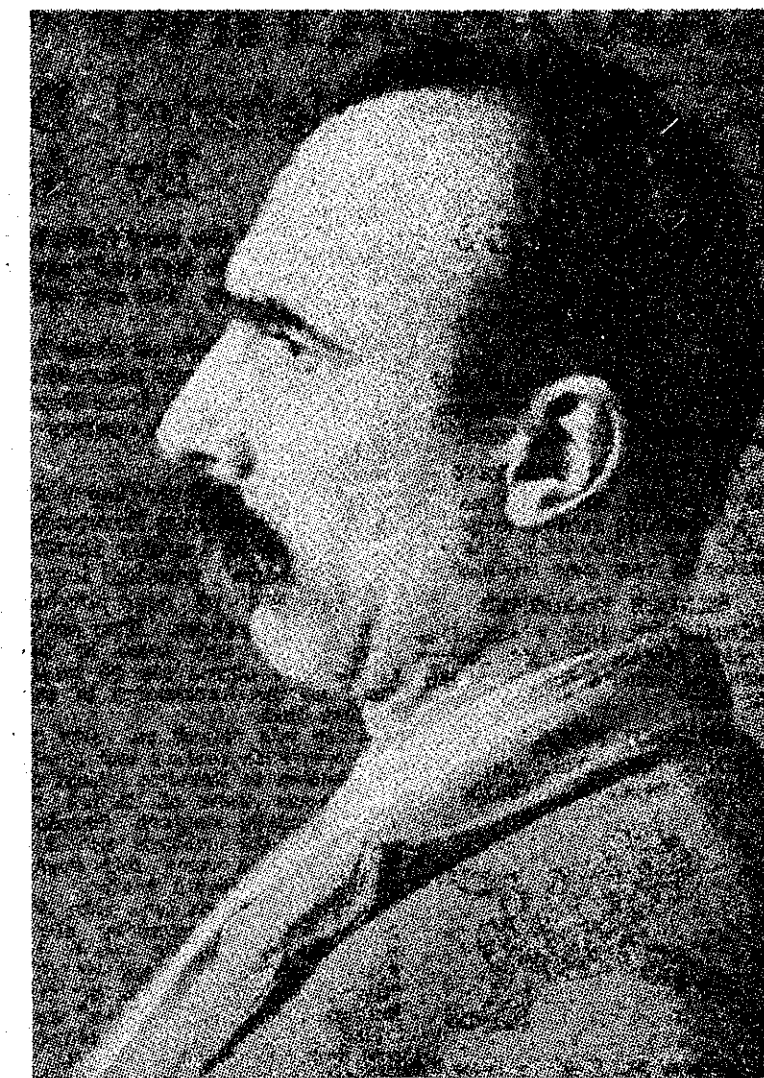
### Quick Change

BUT between that time and shortly before midnight of the same day, when the decision was given to the Press, President Calvin Coolidge informed Press correspondents that he did not "choose to run for President in 1928."

Whether the Governor changed his mind in order to make himself a more likely Presidential candidate is unknown. But it is known that he had Presidential aspirations; that two days after the decision a supporting paper put forward Fuller's name as possible presidential timber; and that at the Republican National Convention the following year there was a concerted effort to nominate Fuller as the Republican candidate.

The head of the committee appointed by Governor Fuller, Harvard President A. Lawrence Lowell, is the third man in the case whose actions have been indicted. He signed the committee's unanimous report that there was no new testimony, or any discrepancy in the case when first tried, of sufficient importance to warrant a new trial.

Lowell's position was a peculiar one. As president of a large university, it was his duty to solicit contributions to the school's endowment fund. Because Professor Felix Frankfurter, now a Supreme Court justice of the United States but then a member of the Harvard



★ BARTOLOMEO VANZETTI, a dreamy, contemplative radical whose political thoughts were largely responsible for his execution on August 23, 1927, in Massachusetts, United States. Vanzetti went to his death calmly, hoping that by becoming a martyr he would aid the cause of tolerance, the basis on which the State of Massachusetts was founded nearly 300 years before. ★

law faculty, had written a book in defence of the two radicals, alumni of Harvard were refusing to contribute to the school.

Why did Lowell accept the appointment when he knew the strong feeling against Sacco and Vanzetti by potential contributors? It had been reported that an offer of 100,000 dollars had been made to the fund on condition Mr. Frankfurter resigned from the defence counsels' advisers.

Was Lowell willing, for the sake of truth and justice, to take the risk of jeopardising these contributions if he found the two men innocent?

It is possible that Dr. Lowell's mind intertwined the convicted men with their defender, Professor Frankfurter, and that his feeling against the latter overflowed into the Sacco-Vanzetti case when he and his associates, a former probate judge, and the president of Massachusetts Institute of Technology, reviewed the case and called for new testimony that might be presented at a new trial.

### "J'Accuse"

AMONG other things, this commission ruled as "merely cumulative" a statement, to be presented at the new trial if one was granted, by an eye-witness of the actual crime. The eye-witness said positively that Sacco had not fired the shot. In its report, the commission said, "There seems to be no reason to think that the statement . . . would have any effect in changing the mind of the jury."

H. G. Wells, Romain Rolland, Anatole France, George Bernard Shaw and others were among the eminent men who enlisted to aid the defence. During the month of August, 1927, French papers devoted more columns to the case than

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