



FEDERAL BUREAU OF INVESTIGATION

SACCO/VANZETTI CASE

PART 13 OF 14

FILE NUMBER : 61-126

SUBJECT

Sacco/Vanzetti

FILE NUMBER

61-126

SECTION NUMBER

11

SERIALS

831 -

INTELLIGENCE REPORT

Carroll
61

Serial No. 3323 File No. (from index sheet) 332-300

The report number is made up of the following: (1) the number of the report and is assigned to it by the Office of Naval Intelligence. (2) The number of the report in the series. (3) The number of the report in the series. (4) The number of the report in the series. (5) The number of the report in the series.

U. S. 6. 15th Naval District Headquarters, San Francisco, Calif. Date 22 August 1927

Name of Intelligence Officer W. J. ... Name of C. O. ...

Source ... Reliability of source (mark on scale 1.0) ...

Subject ...

STATE - SAN FRANCISCO - ...

COMMUNIST PARTY ACTIVITIES

The following is a report of social activities in Oakland, Cal. on August 1927.

The Daily Worker Bulletin was met at 7:30 p.m. with Edward Carr as chairman and ... It was announced the absence was ... conference of the Worker (Communist) Party ...

The principal speaker of the evening was H. G. Weiss. He stated that he was ... speaker who was detained in San Francisco ...

The ... of the ... in ...

... to ...

... it is the duty of ...

From time to time ...

... the ...

This report differs from previous issue in that the U. S. I. ...

APR 17 1927
ORIGINAL RETURN

61-126-831

INTELLIGENCE REPORT

Forwarded and filed by member of Office of Naval Intelligence, for Memorandum, Post Directory, Statistics, General Circulation, etc.

SERIAL No. _____ FILE No. (from index sheet) _____

U. S. S. _____ Place _____ Date _____

Name of Intelligence Officer _____ Name of C. O. _____

Source _____ Reliability of source (mark on scale 4.0) _____

Subject _____

(Official) (Conf.) (Ideas, etc.) (Reliable)

The crowd was quiet and orderly. There was a uniformed patrolman on duty in several places throughout the crowd.

All those places where some kind of items that were being distributed. The most likely of which, perhaps, was in evidence and sold about 100 copies of the daily paper.

It was announced that a Senate-Supremacy Council meeting will be held at 1000 and Broadway, Columbia on August 23 August 1937.

This report differs from previous ones in that the C. N. I. routing form at bottom of page 1 of this report is for original and copies of pages 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

758

INTELLIGENCE REPORT.

Forward original and four copies to Office of Naval Intelligence, San Francisco, Part Directory, L. 24th, General Classification, etc.

SERIAL NO. 4212 FILE No. (from index sheet) 103-600

The serial number is made up of two parts: the first is the ship's serial number and is unchangeable; the second part is the number of the report. The first 14 digits of the serial number from the U. S. Navy and the last 14 digits from the U. S. Coast Guard. (Do not use the same number for reports under different index numbers; except that a temporary number of total reports may be entered on some cases.)

U. S. S. San Francisco, Cal. Date 29 August 1937.

Name of Intelligence Officer COCHRAN Name of C. O. WASHBURN

Source Report for work during 27 August 1937. Reliability of source (mark on scale 4.0) 4.0

Subject _____ (Station) _____ (City) _____ (Index title) _____ (Subtitle)

CHARACTERISTICS - PERSONS (NTI-007) (MIS)

RUSSIAN AND COMMUNIST ACTIVITIES.

The following is a report of a Sacco-Vanzetti memorial meeting held at 703 Beretta Street, Oakland, this date, and a meeting of the Daily Worker Builders Club of Alameda County.

The Daily Worker Builders Club met at 7:30 P.M. Ross Paul acting as chairman and Beck as secretary.

As soon as the meeting convened John Beck of 421 Boynton Street advised that he had been confidentially informed that the Oakland police contemplating raiding the hall at 703 Beretta Street, and he did not bring any of his records with him. He further stated that there would be a detail of police who would attend the Sacco-Vanzetti memorial meeting. He warned all concerned to be careful as to what they said and did lest they be arrested. He appeared to have considerable inside information as to what the police contemplated doing and how they will do it.

The general portion of the Daily Worker Builders Club meeting was taken up in discussing the entertainment given the evening before. It appears that this entertainment will not cost 40. or 50.00. This money will be used for the benefit of the Daily Worker Party.

There was some from the sub-committee council of the workers (Communist) Party that the Daily Worker Builders Club of Alameda County is not getting sufficient publicity in the Daily Worker. Some were discussed it was decided to elect a committee of three to contact Ross Paul and any such other information as may be used to the advantage of the Daily Worker. Ross Paul, J. K. Chaplick and David Carter were elected on this committee.

The Sacco-Vanzetti memorial meeting started at about 8 p.m. Edward Tobey was the chairman of this meeting. He informed the audience that the meeting had been called for the purpose of further registering a protest against the unfair treatment of Sacco-Vanzetti.

There were a number of speakers. Among them was Miss C. Whitney. She spoke for a few moments and was very careful what she said. She was followed by Florence Johnson of 1510 W. 14th Street, Oakland. Miss Johnson is recognized as one of the active workers in the Communist movement. It is said that she is or recently has been a student in the University of California. She spoke for a few moments on the Sacco-Vanzetti case.

The next speaker was a man by the name of Linnoff. He recently came from Los Angeles where it is stated he was arrested in connection with a Sacco-Vanzetti protest meeting. He roundly denounced all persons directly or indirectly connected with the trial and execution of Sacco and Vanzetti. He made a strong plea that all workers organize, preferably in the Communist Party, for the purpose of preventing the prosecution of those accused of radical activities. He stated that if the workers will properly organize and accept themselves that the course of these events will be different. He stated that it will become another workers republic, similar to the present Soviet Union of Russia.

The principal speaker of the evening was _____, _____, and _____.

This report differs from previous reports in that the C. O. M. I. reports were at bottom in the report of the report and the report of the report for page 2, 3, 4, and last column.

JOHN EDGAR HOOVER
DIRECTOR

Department of Justice

Bureau of Investigation

Washington, D. C.

September 2, 1927.

61-126

MEMORANDUM FOR MR. HOOVER

As of possible interest to you,
I am attaching hereto a copy of a news-
paper, "Daily Worker" dated Wednesday,
August 24, 1927, and invite your atten-
tion to the article entitled "Fuller Of-
fered D. of J. Files; Rejected them", which
is indicated by red crayon marks.

Respectfully,

Hugh H. Clegg
for

W. P. MacFarland

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/2/82 BY SP8 BTJ/aa

RECORDED & INDEXED

SEP 28 1927

| | |
|-------------|--|
| 61-126-831X | |
| BUREAU | |
| SEP 28 1927 | |
| OFFICE | |
| Div. One | |

THIS CASE ORIGINATED AT San Francisco, Calif.

(S.F. File 61-35)

| | | | |
|--|--------------------------------|--|---|
| REPORT MADE AT: San Francisco, Calif. | DATE WHEN MADE: Sept. 12/27 | PERIOD FOR WHICH MADE: Aug. 16/27 to Sept. 12/27 | REPORT MADE BY: [REDACTED] 670 |
| TITLE: NICOLA SACCO BARTHOLOMEO VANZETTI | | | CHARACTER OF CASE: RADICAL ACTIVITIES. |

SYNOPSIS OF FACTS:

Continuing efforts to keep in touch with possible radical activities, this district failed to develop any information whatever. No acts of violence by radical sympathizers were reported. On August 22nd, 1927; special vigilance was maintained, several agents on duty at this office all night. That evening San Francisco Police arrested 123 radical sympathizers, who were parading in a street demonstration. All were released by police the following day and given suspended sentences of six months each. No subsequent developments reported to date. Police guards released from Federal Buildings, San Francisco, on August 28, 1927. Radicals very inactive and poorly organized this district. Should there be any further developments, this case will be re-opened. All leads exhausted. Investigation completed this district.

CLOSED.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 2/2/82 BY SP-8/BJH

A reference is made to previous reports of this case and especially to report of this Agent dated August 15, 1927.

DETAILS:

On the night of the execution of subjects, August 22, 1927, a special vigilance was maintained by the Police of San Francisco. Several Agents of this office remained on duty at this Bureau office all night. The Police, on the evening of August 22, 1927, apprehended 95 men and 28 women, who were participating in a Sacco-Vanzetti street demonstration on that evening. On the following day, these sympathizers were brought before Police Judge Daniel S. O'Brien of San Francisco, were sentenced to 20 days in jail for parading without a police permit

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|--|---|---|-------------------------------------|
| APPROVED AND FORWARDED: <i>George A. Campagna</i> | SPECIAL AGENT IN CHARGE | 61-126-832 | RECORDED AND INDEXED SEP 20 1927 |
| WASHINGTON REFERENCE: # 2 | COPIES OF THIS REPORT FURNISHED: Bureau - 3 Files - 2 | BUREAU OF INVESTIGATION SEP 10 1927 DEPARTMENT OF JUSTICE | INDEXED SEP 21 1927 JACKETED |
| | ROUTED TO: Div. Two | FILE | |

2
and for carrying banners in violation of a city ordinance. Judge O'Brien found these parties not guilty on two of the charges, that of unlawful assembly and that of obstructing traffic. The trial of these subjects was brief and decorous. Police Judge O'Brien suspended sentence, placing all of these individuals on probation for six months. The apparent leader of this demonstration was EMANUEL LEVINE, local secretary of the Workers' Communist Party. Included in this group was also MENYAN REISS, who is an ardent Radical and has been delivering impassioned speeches at a number of Radical meetings. EMANUEL LEVINE, who stated that he had formerly been attached to Judge Ben Lindsay's Juvenile Court in Denver, explained to the Police that this demonstration had been organized by the International Labor Defense.

Up to the present time, this Agent has been in close touch with the San Francisco Police Department, and through confidential informers, has been advised of the activities of the Radicals in this district.

It appears that no acts of violence were ever reported that the Radical sympathizers in California are apparently few in number, lack organization, and it is not anticipated that they will cause any trouble whatever in the future.

However, this Bureau office will continue to keep in touch with the situation, and the Police will be advised promptly should there be any further demonstrations whatever along those lines.

Acting Chief of Police Quinn of the San Francisco Police Department has a well-organized radical detail of the local police department and during the past crisis afforded every assistance to this office and detailed two uniformed patrolmen at each of the Federal Buildings, excepting the Post Office Building of San Francisco, (in which building the Federal Courts are located,) where four uniformed patrolmen were continually on duty. The Police also maintained a detail of plain-clothes men, duty it was to proceed from place to place throughout the city, to obtain whatever information possible as to activities of these sympathizers.

On August 28, 1927, Acting Chief of Police Quinn advised the Agent in Charge of this office that, inasmuch as the crisis had passed, that if it was agreeable to the Federal authorities, the police detail would be relieved from the Federal Buildings in this city, which accordingly was done.

3 -

It is believed that the Radicals in this district, who are very poorly organized, will not cause any disturbance in the future, and the present situation, which is very dormant, does not warrant any further investigation at this time. However, should there be any subsequent developments along those lines, the Bureau will be promptly advised.

INVESTIGATION COMPLETED; CASE CLOSED.

THE CASE ORIGINATED AT BOSTON, MASS. Chicago 5

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|--|----------------------------------|---|--|
| REPORT MADE AT: CHICAGO, ILLINOIS | DATE WHEN MADE: Sept. 15-1927 | PERIOD FOR WHICH MADE: Sept. 13-1927 | REPORT MADE BY: [REDACTED] b7c |
| TITLE: NICOLE SACCO and BARTOLOMEO VANZETTI | | | CHARACTER OF CASE: POSSIBLE ANARCHISTIC ACTIVITIES OF SYMPATHIZERS |

SYNOPSIS OF FACTS:

The activities of organizations and individuals in sympathy with the above subject matter in the Chicago District very quiet, excepting on August 9, 1927, when three sticks of dynamite were found attached to alarm clock in a vacant building opposite Station C, Post Office, Chicago, located at 1207-1211 West Madison St. A few meetings were held which were covered by the Police Department of Chicago, nothing of interest taking place at these meetings.

61-126

REFERRED BACK TO OFFICE OF ORIGIN
NO FURTHER ACTION IN THIS DISTRICT

REFERENCE:

ALL INFORMATION CONTAINED
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DATE 7/2/82 BY SP-10/STH

DETAILS:

The activities of various organizations and individuals in sympathy with above subjects in the Chicago District were quiet. A few meetings were held but nothing of interest occurred at them. All meetings were covered by the Chicago Police Department.

On August 9, 1927, around noon, three sticks of dynamite attached to an alarm clock set to explode at 11.30 P. M., August 9, were found in a vacant building opposite Station C. of the Chicago Post Office, located at 1207-1211 West Madison Street. As soon as found the dynamite and alarm clock were

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|--|--|-------------------------|------------------------------|
| APPROVED AND FORWARDED: <i>M. F. Blackman</i> | SPECIAL AGENT IN CHARGE | 61-126-833 | DO NOT WRITE IN THESE SPACES |
| WASHINGTON OFFICE: | COPIES OF THIS REPORT FURNISHED TO: | BUREAU OF INVESTIGATION | SEP 21 1927 |
| | Bureau - 3 Chicago - 1 St. Louis - 1 Boston - 2 Phila. - 1 Col. - 1 Y. - 1 | DEPARTMENT OF JUSTICE | JACKETED: |
| | | ROUTED TO: Two | FILE |

b2
b7c

taken by the Chicago Police Department who have investigated the matter.
Nothing else of importance on this subject matter occurred.

REFERRED BACK TO OFFICE OF ORIGIN
NO FURTHER ACTION HERE

HN, OAJ

61-126-834

October 4, 1927.

OCT 6 1927

RECORDED

MEMORANDUM FOR MR. LEBLANC

I am transmitting herewith, for your information, copy of a letter received from the Agent in Charge of the Boston office of the Bureau, together with copy of the article mentioned therein, relative to the Sacco-Vanzetti Defense Fund.

Very truly yours,

Director.

Encl. 241510.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/2/82 BY SP-8 BTJ/A

2

Department of Justice

Bureau of Investigation

P. O. Box 239,
423 Federal Building, Boston, Mass.

September 22, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

Attention Division No. 1.

I am enclosing herewith copy of the "Gazzetta del
Massachusetts" for September 10, 1927, which contains an
article in re the Sacco-Vanzetti Defense Fund. I am sending
this paper to you in accordance with your verbal instructions.

Respectfully,

James L. Craven
JAMES L. CRAVEN,
Special Agent in Charge.

JLC:JMC

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61-126
RECORDED & INDEXED

61-126-834

SEP 24 1927

MW

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HEREIN IS UNCLASSIFIED
DATE 2/2/82 BY SP-8 BTJ/mc

From
The Attorney General
to
Official indicated below by check mark

- Solicitor General Mitchell.....
- Assistant to the Atty. Gen., Donovan.....
- Assistant Attorney General Willebrandt.....
- Assistant Attorney General Parmenter.....
- Assistant Attorney General Marshall.....
- Assistant Attorney General Farnum.....
- Assistant Attorney General Galloway.....
- Assistant Attorney General Luhring.....
- Assistant Attorney General Lawrence.....
- Mr. Hoover, Dir. Bureau of Investigation.....
- Mr. Conner, Superintendent of Prisons.....
- Mr. Baldwin, Chief Clerk.....
- Mr. Finch, Pardon Attorney.....
- Mr. Sornborger, Appointment Clerk.....
- Mr. Robb, Mail and Files.....
- Mr. Dodge.....
- Miss Fitzgerald.....
- Mr. Gardner.....
- Mr. Horan.....
- Mr. Chase.....
- Mr. Carusi.....
- Miss Watkins.....
- Miss Brown.....

MEMORANDUM

9-26-27
Please let
me know
Your ideas.

61-126

RECORDED OCT 13 1927

61-126-835

BUREAU OF INVESTIGATION

SEP 26 1927 P. M.

DEPARTMENT OF JUSTICE

FILE

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/2/82 BY SP8BJS/pur**

COPY

The Commonwealth of Massachusetts,
Executive Department,
State House, Boston, Mass.

Boston, Mass.
September 22, 1927.

The President,
Washington, D. C.

Sir:

The Commissioner of Public Safety, General Foote, is very much concerned over the situation which turned up here in connection with communistic activities in regard to the Sacco-Vanzetti case. Apparently these activities are to be transferred to New York. They are nation-wide. The Commissioner feels very apprehensive in regard to what they may accomplish which in connection with communism.

We have carried on this investigation in Massachusetts for a great many months. We cannot very well transfer our activities to New York. It is something the Government at Washington should handle.

I would like to arrange a conference between a representative of the Department of Justice or of the Secretary of State, or anyone whom you might designate, and General Foote and myself at such time as would be convenient. It is something that ought to be attended to at once, and both General Foote and I would feel we were not doing our full duty if we stopped our activities herewithout calling this matter to the attention of the Federal Government. This would be the object of our interview and I think the situation warrants your directing someone to confer with us.

With kindest regards and best wishes for your good health, I beg to remain

Respectfully yours,

ALVAN T. FULLER

61-126-835

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|-------------------------|
| BUREAU OF INVESTIGATION |
| SEP 26 1927 P. M. |
| U. S. DEPT. OF JUSTICE |
| One |
| Div Two |

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DATE 7/2/82 BY SP-80/TMG

Alvan T. Fuller
19/11/27
7-22-1927

COPY

Washington, D. C.,
September 24, 1927.

My dear Mr. Attorney General:

By direction of the President, I am sending you the enclosed self-explanatory letter from Governor Alvan T. Fuller, of Massachusetts.

Sincerely yours,

EVERETT SANDERS
Secy. to the President.

Hon. John G. Sargent,
Attorney General,
Washington, D.C.

OUT 14 1927
NOV 2 1927
61-126-836

October 11, 1927.

RECORDED

21
Mr. J. L. Craven,
P. O. Box 289,
Boston, Mass.

Dear Sir:

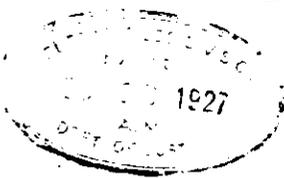
The Bureau is in receipt of your communication of October 5th., setting forth the request of the Immigration authorities at Boston for permission to inspect the SACCO-VANZETTI files.

It will be appropriate for you to inform the Boston Immigration authorities that complete files of all Bureau cases are located at the Bureau in Washington and that any request for a perusal or inspection of said files must be made of the Bureau direct.

Very truly yours,

Director.

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DATE 7/2/82 BY SP-8 BTJ/mg



Department of Justice
Bureau of Investigation
Box 239, Boston, Mass.

1
2

October 5, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

61-126

Dear Sir: Attention No. 2.

On October 4th Mr. M. J. Leonard, U. S. Immigration Inspector, called at this office requesting permission to see the Sacco-Vanzetti file in order to obtain information to make up a report.

Mr. Leonard's request was based on a letter from Assistant Commissioner General of Immigration, Washington, D. C., asking a report on the Sacco and Vanzetti case, dealing with their entry to the United States and their activities in the United States after arrival here up to the time they were arrested and tried.

This information is being submitted to the Bureau for instructions in this matter.

Very truly yours,

J. L. Craven
J. L. CRAVEN,
Special Agent in Charge.

JLC:MFD

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DATE 7/2/82 BY SP-8/STH

Reply
10711/27
for

RECORDED
61-126-836
BUREAU OF INVESTIGATION
OCT 6 1927 A. M.
DEPT. OF JUSTICE
[Signature]

HW:DSB

61-124-228

OCT 13 1927

October 20, 1927.

MEMORANDUM FOR THE ATTORNEY GENERAL.

I am returning, attached hereto, letter to the President of Governor Alvan F. Fuller, of Massachusetts, said letter requesting a conference between a representative of the Department of Justice, Governor Fuller and his Director of Public Safety, Mr. Foote.

In accordance with this request, a conference was held with the Governor and Mr. Foote on October 6, 1927. The Governor outlined the various steps which have been taken by him to keep in touch with Communist activities in connection with the SACCO-VANETTI case. He stated that the center of Communist activities had lately been transferred to New York City, that the matter was therefore out of his jurisdiction and that he thought it advisable to take up with the representative of the Department the matter of the desirability of the Department keeping in continued touch with said Communist activities which he considered inimical to the welfare of the country at large.

The Governor was told that there was no existing Federal Law or Statute which would permit of investigative activity by the Bureau or prosecution for said activities. He was informed that the Bureau and the Department were therefore unable to take any official cognizance of this situation; that since 1924 no investigative activity had occurred along these lines until the Summer of this year when steps were taken, in view of certain threats, to protect Federal property throughout the country and the lives of Governmental officials. The Governor spoke of the desirability of Federal legislation to meet activities of this kind and suggested that he might take steps during the coming winter, through the Massachusetts Congressional Delegation or otherwise, to bring the matter before Congress with a view to securing such legislation as would permit the Department and the Bureau to cope with any similar emergencies which might arise.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 7/2/82 BY SP-8 BTJ/mh

Encl. 2560

DATE

7/2/82

BY SP-8 BTJ/mh

Director.

NO

Department of Justice

Bureau of Investigation
Box 239, Boston, Mass.

Handwritten initials and a checkmark.

October 11, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.

Dear Sir:

Attention No. 2.

61-126

Reference is made to letter addressed to the Director under date of October 5th advising that Mr. M. J. Leonard, U. S. Immigration Inspector, called at this office requesting permission to obtain information from the Sacco-Vanzetti file of this office.

Mr. Leonard called at this office today and advised that he will again call here on October 13th to see whether authority has been received granting him access to our file.

I am attaching a copy of the letter received by the Commissioner of Immigration at Boston, Mass. from the Assistant Commissioner General which is submitted for your information and instructions in this matter.

Very truly yours,

J. L. Craven
J. L. CRAVEN,
Special Agent in Charge.

JLC:MF

61-126-8

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| OCT 13 1927 | |
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| Div. Two | |

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DATE 7/2/82 BY SP-8075/mh

NO. 3

45 23
(C O P Y)

UNITED STATES DEPARTMENT OF LABOR
Bureau of Immigration,
WASHINGTON

September 27, 1927.

No. 55604/297.

Commissioner of Immigration,
Boston, Massachusetts.

The Secretary of this Department has requested that he be furnished with a brief history of Sacco and Vanzetti, the Italian aliens who were recently electrocuted in Boston. He is particularly interested in their immigration history; when they came into the United States, where they lived, and something of their activities. It is understood that they departed to Mexico to avoid service during the War, and reentered sometime after the Armistice. The dates and facts concerning this episode, so far as available, are also desired. In all probability, much, if not all of the data desired is in the records of the Attorney General of the State of Massachusetts.

Please give this your very prompt and earnest attention, furnishing the Bureau your report in triplicate.

(s.) GEORGE J. HARRIS,
Assistant Commissioner General

From
OFFICE OF THE DIRECTOR BUREAU OF INVESTIGATION
To
OFFICIAL INDICATED BELOW BY CHECK MARK

- Attorney General
- General Donovan
- General Luhring
- General Willebrandt
- General Marshall
- Mr. Chase
- Mr. Carusi
- Mr. Baldwin
- Mr. Harris
- Mr. Stewart
- Assistant Director
- Chief Inspector
- Chief, Division 3
- Chief, Division 4
- Chief, Division 5
- Chief, Division 6
- Chief, Division 7
- Miss Gandy
- Personnel Filing Section
-

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Jul
JD

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AUG 23 1927
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AGENCY'S DATA DENIED
TO THE PUBLIC U.S.

CONFIDENTIAL

Department of Justice

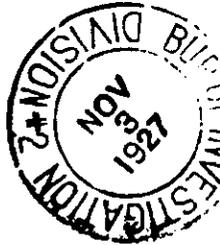
Bureau of Investigation

P. O. Box 239,
423 Federal Building, Boston, Mass.

2

November 2, 1927.

Director,
Bureau of Investigation,
Department of Justice,
Washington, D. C.



Dear Sir: • Attention Division No. 1.

With reference to the Sacco-Vanzetti case, and in accordance with your verbal instructions, there is attached hereto copy of report submitted by the United States Attorney at Boston, Mass. regarding the same, which was only recently received at this office.

Respectfully,

James L. Craven
JAMES L. CRAVEN,
Special Agent in Charge.

JLC:MSC

61-126

Handwritten initials and scribbles

RECORDED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/2/82 BY SP8 BTJ/wh

| | |
|-----------------------|------|
| 61-126-838 | |
| NOV 3 1927 | |
| DEPARTMENT OF JUSTICE | |
| Div. One | FILE |
| Div. Two | |

Boston

August 16, 1927.

**Hon. George R. Farnum,
Acting Attorney General,
Department of Justice,
Washington, D. C.**

Sir:

This office, with the assistance of J. L. Craven, Special Agent in Charge of the Bureau of Investigation in this district, has made a thorough examination of all the material in the files of this office or connected with it, in regard to the Sacco-Vanzetti case so-called. We found in the files nothing of any substantial importance.

There are only three reports which, by any stretch of the imagination, could be thought to have any possible bearing upon the probability of the guilt or innocence of the defendants.

The first is a report made December 6, 1921, by Special Agent regarding a report that a [redacted] had stated that her husband, [redacted] had claimed to her that he was the person who had driven the car which contained the man who had committed the murders. [redacted] was notified and immediately denied that he had ever told his wife anything of the kind and denied the whole story. Upon further investigation it appeared that [redacted] herself was an absolutely unreliable person. It was decided after full investigation that there was no foundation whatever for her story.

Another report made December 18, 1920, regarding the Wall Street bomb explosion, is of the results obtained by placing an undercover informant in Norfolk County Jail at Dedham, Mass., in a cell adjacent to that occupied by Sacco in order to report what Sacco might say to him if he were inclined to talk. It appears from the report that Sacco suspected this informant and did not talk with him except very guardedly, and said nothing of any importance.

Another report is with reference to affidavits secured by Albert Hurwitz, Assistant Attorney General of Massachusetts, from federal prisoners Jacob L. L. and Paul Martini at Atlanta Penitentiary, with reference to the alleged subornation of perjury on the part of Fred Moore, attorney for the defendants, Sacco and Vanzetti, in the murder case. These affidavits are to the general

61-126-233

2.

August 16,

effect that Mr. Moore promised Luban and Martini a substantial amount of money, I think \$10,000 each, if they would make affidavit that Martini, who had some resemblance to Sacco, was really the person who was involved in these crimes, and Mr. Moore represented to them that the federal authorities and the state authorities were all anxious to find some excuse for acquitting Sacco and Vanzetti.

I report, therefore, that there is, in my judgment, ^{not} nothing in this office regarding the case which should be given to the _P

Respectfully,

Frederick H. Tarr,
United States Attorney.

THIS CASE ORIGINATED AT

WASHINGTON, D. C.

REPORT MADE AT

DATE WHEN MADE

PERIOD FOR WHICH MADE

REPORT MADE BY

Washington, D.C.

10/27/51

10/14-15/51

TITLE

CHARACTER OF CASE

RECORD NUMBER

FILE NUMBER

SYNOPSIS OF FACTS:

William F. Dodson interviewed. William F. Dodson of DeSoto, Mo. not identical with George G. News- paper clipping in re subject's letter from Police Dept. of this city dated. Boston office re requested to investigate. PRINTING.

DETAILS:

Reference is made to Bureau memorandum initialed BHM 61-8993 dated Oct. 28, 1950, to which is attached photostatic copy of newspaper clipping from the "News" of this city, dated 10/10/50; also photostatic copy of letter dated June 18, 1954, signed William F. Dodson, 408 Boyd St., DeSoto, Mo.

The memorandum on which this report is based re DeSoto information as to whether or not William F. Dodson of DeSoto, Mo. is the same person as the William F. Dodson mentioned in the clipping from the "News", in which clipping it is alleged that the William F. Dodson who was on parole from the Massachusetts State Prison and William F. Dodson of DeSoto, Mo. are one and the same person. Agent is of the opinion that the two men are not identical as the William F. Dodson writing from DeSoto, Mo. under date of June 18, 1954, refers to incidents occurring 30 years ago. Besides, the William F. Dodson who was on parole from the Massachusetts State Prison was in prison at the time the above referred to letter was written from DeSoto, Mo. The newspaper clipping above referred to appearing in the "News", reads as follows:

PAROLE FRAUD LIES TO D. C. DEPT. OF JUSTICE.
Mysterious Monthly Reports from Capital Shield
Operations of Released Auto Thief
By United Press.

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File 1
Boston 2

DEPARTMENT OF JUSTICE

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breaking his parole and that he had been employed in the city for six months.

It is noted that the police of this city, with the board, and the letter to be sent to this city:

The letter sets forth in partment of this city in 1944 gives valuable information while he was on parole in this city.

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FEDERAL BUREAU OF INVESTIGATION FOIPA DELETED PAGE INFORMATION SHEET

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The information on which this report is based rests in-
vestigation of the vehicle with a view to determining whether or not the
alleged theft of automobiles of William E. Sedock after his parole
occurred prior to the expiration of his term.

It is believed that the thefts should have taken place within the
jurisdiction of the State of Ohio. It is respectfully requested that
that office make appropriate arrest, citation and detention whether or not
any of these thefts are recognized by William E. Sedock and within
the purview of the Federal Motor Vehicle Theft Act.

THIS CASE ORIGINATED AT **Boston, Mass.**

670

| | | | |
|---|---|---|-----------------|
| REPORT MADE AT: Boston, Mass. | DATE WHEN MADE: Nov. 3, 1938. | PERIOD FOR WHICH MADE: Oct. 21st to Nov. 2nd, 1938. | REPORT MADE BY: |
|---|---|---|-----------------|

| | |
|--------|---|
| TITLE: | CHARACTER OF CASE: Alleg. Viol. National Motor Vehicle Theft Act. |
|--------|---|

(BOSTON FILE 68-111)

SYNOPSIS OF FACTS.

Esau Baker, Boston, 10/3/38. BAKER violated National Motor Vehicle Theft Act, and sentenced to State Prison for maximum term of 5 years. No interstate transportation of stolen automobile proven to date.

DETAILS:

This investigation is based on Bureau letter dated October 23, 1938, captioned "BAKER, Esau", enclosing photostat copy of a newspaper article which appeared in the Boston Post News October 21, 1938, regarding the arrest of Baker, and requesting that an appropriate investigation be made to determine whether or not this case comes within the jurisdiction of this Bureau.

Agent assigned Special Agent in Charge Parker to the office of Captain Bligh, of the Massachusetts State Police, State House, Boston, where conference was had relative to the cooperation of State and Bureau forces in the investigation of alleged violations of the National Motor Vehicle Theft Act.

Later Agent interviewed Lieut. James Smith, of the Massachusetts State Police, who stated that he is in direct charge of the investigation of Baker. Baker was returned in securing his (DETAILS) approximately 3 years, owing to a violation of his parole. Lieut. Smith stated that he intends to give William F. Baker indictment during the week commencing November 1st, 1938, for the larceny of two automobiles in the State of Massachusetts. In view of the conclusive evidence that the State has against this individual and the possibility of a sentence of from five to seven years, Lieut. Smith did not desire to outline his evidence in the case until after same has been presented to

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Washington, D. C., 1938.

the Stone Grand Jury.

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Reference is also made to report of Special Agent
Washington, D. C., dated October 27, 1938, in which a letter
is quoted from C. I. GRANT, Assistant Superintendent, Commanding
Detective Division, Washington, D. C., to Mr. HERBERT BROOKS, Chairman

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Other... the... state... investigated, as... Federal law involved therein.

...relative to the... An article... which it was... from October... recovered. In this con-... situation... Agent in Charge... State Police... cooperative measure... particularly to his assist-... in direct charge... prosecutions of vio-... in this district... arrangements have... between Agent in Charge... Mr. Kane, of the Automobile Under-... Detective Bureau, on October 7, 1935, at which time... a further report will be made... general automobile situation in... the additional facts developed from interview by... "J. CHIL" GILKIN in the... case. Subsequent to... Mr. Parker has also planned to have a conference with... to perfect a working arrangement... with this organization.

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b7d

CONTINUED.

THIS CASE ORIGINATED AT

REPORT MADE AT

REPORT MADE BY

WASHINGTON, D.C. 11/30/34 100-1116

TITLE

CHARACTER OF CASE:
U.S. Vis. Act. 1934
Visiting Act.

File 10-116.

SYNOPSIS OF FACTS:

As there is no further angle of this case to be investigated at Washington, D.C., this case will be considered closed.

DETAILS:

Reference is made to all former reports in above captioned case and especially to the seventh paragraph of Special Agent report, dated Boston, Mass, 11/3/34.

As there is no further angle of above captioned case to be investigated at Washington, D.C., the same will be considered closed at this office.

CLOSED.

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THIS CASE ORIGINATED AT Boston, Mass.

REPORT MADE AT

Boston, Mass.

DATE WHEN MADE

Dec. 31, 1937

PERIOD FOR WHICH MADE

Dec. 19th, 1937

REPORT MADE BY

b7c

TITLE

CHARACTER OF CASE

Alleged Violation National Motor Vehicle Theft Act.

FILE NO. 100-2117

SYNOPSIS of FACTS:

PERSON indicted in two counts in State Court. He pleaded guilty to the first count and was sentenced to January 18, 1938. Subject has been revealing entire scheme of buying and disposing of automobiles.

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DETAILS: Continuing the above-stated matter, I am advised by Agent under date of November 6, 1937, Agent interviewed Walter Smith, of the Massachusetts State Police at Wareham, Mass., who informed that he had interviewed Walter Smith of the House of Correction, Deer Island, Boston, Mass., and that a portion of value was received from this source.

Agent again interviewed Walter Smith on November 12, 1937, and he stated that Walter Smith had been indicted in two counts in the State Court; that he pleaded guilty to one count and was sentenced to January 18, 1938. Walter Smith was advised that he was indicted for larceny and his attorney are now considering revealing the entire scheme of larceny and disposing of automobiles with the possibility of receiving a number of cars and also applying for a license. Walter Smith further informed that Walter Smith had been interviewed by Agent in the larceny and interstate transportation of automobiles and will communicate with Agent immediately.

DETAILS:

CONTINUED.

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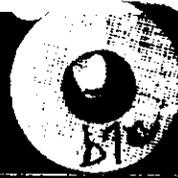
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THIS CASE ORIGINATED AT **Boston, Mass.**

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|---|-----------------------------------|--|-----------------|
| REPORT MADE AT: Boston, Mass. | DATE WHEN MADE: 1/18/16 | PERIOD FOR WHICH MADE: 1/18/16 | REPORT MADE BY: |
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|--------|---|
| TITLE: | CHARACTER OF CASE: Alleged Violation National Motor Vehicle Theft Act. (Boston file 10-111) |
|--------|---|

SYNOPSIS OF FACTS:

Subject sentenced in State Court 1, 1916 to 4 1/2 years in State Prison. No evidence developed of violation National Motor Vehicle Theft Act.
CLOSED - INSUFFICIENT EVIDENCE.

DETAILS:

Continuing above entitled matter, last reported by Agent on date of December 21, 1925, Agent ascertained at the Superior Criminal Court, Boston, Mass, that [redacted] was brought into Court on January 19, 1916, and sentenced to State Prison for a term of one-half to five years, the first day to be in solitary confinement; that this sentence is to take effect from and after sentence he is now serving in State Prison.

At the office of the MASSACHUSETTS STATE POLICE, State House, Boston, Mass, Agent was informed that [redacted] had failed to reveal any information involving the larceny and interstate transportation of automobiles.

CLOSED, INSUFFICIENT EVIDENCE.

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Justice Underfoot

ONE of the most momentous decisions in the history of American jurisprudence has been rendered—and Sacco and Vanzetti are condemned to death. Around the earth the news has winged its way as fast as light and wherever the tidings have reached millions of workers now believe that justice does not exist in America, that two innocent men are going to their doom in order that a social system may be upheld, a tottering social order may triumph. As we write no one can foretell the consequences of Governor Fuller's astounding decision, but from remote quarters there already comes the news of protest meetings, of protest strikes, of the windows of the American Consulate in Buenos Aires smashed, of a sense of horror-struck outrage in one country after another. Talk about the solidarity of the human race! When has there been a more striking example of the solidarity of great masses of people than this? Ten years ago people were reading of thirty thousand, forty thousand, fifty thousand men done to death in a single day in the war that statesmen, with horrible sacrifice, had falsely dedicated to democracy and to civilization. Those useless massacres nowhere stirred the neutral world as has the fate of these two Italian workers, who have dared to say that they were anarchists, but innocent of the murder with which they are charged. *Wherever the American flag flies in foreign lands today, it has to be guarded; it appears the symbol of a monstrous wrong.* Men may yet die by the dozen because of Governor Fuller's decision. Rightly or wrongly, we repeat, uncountable multitudes today believe that in America justice is dead.

For ourselves, we are shaken to the core. We had not believed such a decision possible. We do not retract one word from our praise of the industry Governor Fuller has shown, his painstaking examination of the topography of the scene of the crime, of witnesses and jurors, judge and prisoners. We recognize again his honesty of purpose; we acquit him of any charge of political maneuvering; we admit the superficial ability of his opinion. Yet we cannot for one instant accept this verdict in the face of facts known to us for years as they have been known to multitudes of others. It seems to us that he has missed all the important points in the case and that his decision reveals his complete inability to rise above the point of view of his surroundings, his class, and the setting in which great wealth has placed him. Nor are we convinced by the facile report of the Governor's committee of three eminent and conventional gentlemen, two chosen from the highest Boston social circles, all of one type of mind and not one of them representing the vast groups that have felt from the first that they had a vital stake in the fate of these men. After a brief investigation, partaking of the nature of a star-chamber in hearing Judge Thayer and his attorney without attendance of the defense's counsel, they have upheld the court.

As for Governor Fuller's judgment of the case, it no more closes it than the hanging of John Brown ended the Harper's Ferry raid and condemned him to execration and oblivion. More than half the people of this country refused to consider John Brown a traitor or a murderer, though his guilt was unquestionable and was openly confessed, whereas the masses believe Sacco and Vanzetti legally innocent and entitled to a sentence determined by law and not

by prejudice. The people saw behind John Brown a far-reaching moment that soon thereafter tore the country apart and for four long years drenched it in blood. They knew at once that the questions at stake were not on that Charlestown scaffold and could not be; that the liberties of millions were involved, and the question whether or not the South should be ruled by a despotic economic oligarchy, whether poor whites and blacks alike should be masters of their bodies as well as their souls. Wrongly, the case of Sacco and Vanzetti has become confused with efforts to reconstruct the social order, just as the Dreyfus case came to mean infinitely more important than for France and the world than the fate of one Jewish officer.

Absurd and unjustified, this interpretation of the Sacco and Vanzetti case seems to all conservatives. But it is not Massachusetts alone, but the whole of the United States will have it to reckon with. Governor Fuller's opinion will never upset this belief. For the fact, the unanswerable fact, stands out that here is an instantaneous headlong collision of certain viewpoints which are bound to be hopelessly antagonistic. The liberals and the workers who are championing the cause of these men may close their blind eyes. The truth remains that the question of guilt of these men has been subordinated to the clash of these two vital currents of human thought, and the world large knows that Sacco and Vanzetti have been judged on these viewpoints alone. And still another fact, an unanswerable fact, stands out that in its essence the guilt or innocence of these men has been passed upon by a judge; that what is forbidden in New York and is impossible in other States of the Union has come to pass in Massachusetts: *no evidence*—not the technical legal procedure has been ruled upon only by the trial judge, he who, in tithe of the charges against him by reputable witnesses true, ought to be impeached and disgraced—even the Legislature admits what it kindly calls his "indiscretion."

Is it any wonder that M. Herriot, who has repeated as Prime Minister of France and as the present Minister of Education, given proof of his friendship for America, has cried out in protest, against not only this final act of barbarity but what has gone on before. "To the depths of my soul," he declares, "I am against this punishment which has lasted seven years. I am sorry to be unable to have my voice heard, but I belong to the Government and my words might pledge the whole cabinet. Personally, I have varied my opinion. Sacco and Vanzetti ought to be released. They have earned such a measure of clemency. What affects the European opinion more than America can possibly realize—that these men have been in jeopardy of their lives for seven long years. We are informed of high authority that a group of the foremost London jurists after devoting an entire evening to a discussion of the Sacco and Vanzetti trial, was unanimously of the opinion that they ought to be freed now, *whether guilty or innocent*, since even the crime of murder does not merit the cruel and usual punishment of keeping men in such torture for seven years. Governor Fuller smugly condemns the defense for the delay—would he be as quick to denounce Messrs. Doheny and Fall and Daugherty?"

their trials for five years?—but the hideous circumstance is there. It is impossible in any other civilized country for men to be tortured as have been these. The *London Times* itself features bitter criticism of verdict and procedure. Even the *New York Times* is compelled to write thus:

Yet it remains true that thousands of good citizens, while submitting to this grievously delayed working of the machinery of justice, will feel that there is something shocking in an execution so long after trial. We speak not of the "perverted zeal of clamorous agitators," though that will now doubtless flame afresh. Far more serious is the hurt to humane feeling and the doubt which will persist in candid minds whether the ends of justice could not better have been attained in some other way.

A just and pious wish! But, the world over, it is a demand by an outraged humanity. Even if Governor Fuller felt that he must uphold the decision, could not justice have been tempered with mercy? Yield to foreign or American threats of course he could not. But the hands of millions have been outstretched to him for pardon or commutation of sentence. A great executive would justly have taken note of that, would have strengthened justice by recognizing an unparalleled demand for clemency; might even have weighed the cost to his country of making martyrs of these men; could have upheld the majesty of the law far, far better by exercising forbearance than by a brutal insistence upon an eye for an eye, a tooth for a tooth, a life for a life.

As for Governor Fuller's opinion, he sweeps away the testimony as to the bias of Judge Thayer by affirming that the judge had a right to be biased after the testimony was in, whereas the affidavits of reputable men and women affirm that that bias was evident from the earliest stages of the trial. We pass over aghast his tribute to the "clear-eyed" and "courageous" witnesses—some of whom are of doubtful reputation, contradicted themselves, and testified to the impossible. Nor would we stress today the old question of the identifications or the fact that the deadly bullet was never proved to have been from Sacco's revolver; nor dwell upon the Governor's describing in one hundred words the Bridgewater hold-up which had nothing to do with the question of a fair trial in the Braintree case. As for the latter, the Governor is quite satisfied that Judge Thayer was right in denying all the seven motions for a new trial. He is not willing that the men should be given the benefit of a doubt, nor will he appeal to the legislature to start the machinery for a new trial in a different atmosphere under a different judge. Would that have rocked the foundations of Massachusetts justice? It might have inflamed the Back Bay clubs, but it would have meant joy and satisfaction wherever newspapers appear.

And not merely to radicals. It is not the radicals alone who fought for Sacco and Vanzetti. Noble souls have given years of their lives and their money to this cause who are neither Reds nor foreign-born Americans; nor have they belonged to those holding the anarchist views of the condemned. If there are finer types of our citizenship, or men and women of older American lineage, we should like to have them pointed out to us. They, too, have read every word of the testimony; they have examined the new witnesses; they, too, have studied the motions for a new trial and perused Judge Thayer's denials of them; they have read the affidavits against the judge and they are as good lawyers as the Governor himself. They are as eager as he for the good repute of Massachusetts and its courts, yet

they are unconvinced. To them an incredible tragedy being finished before their eyes; a judicial murder is being committed. Does not the passionate belief of these unselfish supporters of the right merit consideration, if not assent?

As for Sacco and Vanzetti, sometimes we have asked ourselves whether it was not intended that they should die and whether it is not best for the cause of human progress that they should perish. In his wonderful address before the court—made to Judge Thayer, who did not once dare look at the prisoners as he condemned them to the chair—Vanzetti voiced this in amazing exaltation of spirit:

If it had not been for these things, I might have lived my life, talking at street corners to scorning men. I might have died, unmarked, unknown, a failure. Now we are no failure. This is our career and our triumph. Never again full life can we hope to do such work for tolerance, for justice, for man's understanding of man, as now we do in an accident. Our words—our lives—our pains—our blood. The taking of our lives—lives of a good shoemaker and a poor fish-peddler—all! That last moment belongs to us; that agony is our triumph!

This, we believe, will be the verdict of history. Certain it is that if the precedents of history hold true, monuments are likely to be erected to Sacco and Vanzetti and the names of their prosecutors will fade out of history.

There is one other word from these men that we might record from their lips before they step over to eternity. That is an appeal to all their fellow-workers in the world to refuse to be goaded by their deaths into a violence whatever. If we have any influence at all among those working-men whose cause we have so often sought to champion, we would make it count now if never again. A violent reprisals can only do the cause of progress more harm. The life of every one brought into this case must be sacred. He who strikes at one of them strikes a blow at liberty and progress and justice and hope for a better world comparable to this execution of innocence. Should there be lawless violence, then reaction everywhere will not retaliate in kind, but will seize upon it as proof of the necessity of maintaining itself by any means whatsoever. The way lies only madness and destruction. It is the American way to accept such a defeat in peace, however bitter the spirit, and then, by time-honored methods, seek to make recurrence impossible.

As for those Tories who in their clubs and the halls of trade will rejoice that, innocent or guilty, Sacco and Vanzetti are going to their graves, we would delve into the past once more. The orator is Wendell Phillips:

Men walked Boston streets, when night fell on Bunker's Hill, and pitied Warren, saying, "Foolish man! He has thrown away his life! Why didn't he measure his means better?" Now we see him standing colossal on that blood-stained rock and severing that day the tie which bound Boston to Great Britain. That night George III ceased to rule in New England. History will date Virginia Emancipation from Harper's Ferry. True, the slave is still there. So, when the tempest uproots a pine on your hills, it looks green for months—a year or two. Still, it is timber, not a tree. John Brown has loosened the roots of the slave system; it only breathes—it does not live—hereafter.

Let those who would uphold the present system by force beware lest it look green for a while, yet still prove timber and not a tree. Let them beware lest August 10, 1927, forever be recorded as the day of a great American character.

August 17, 1927

THE NEW REPUBLIC

ing witnesses, whose appearance is a purely voluntary matter on their part, but would remark that there is likely to be a special difficulty in securing an interview with this man. But the importance of Goodridge is such that we feel bound to inquire whether His Excellency has actually interviewed this man, and if he has not, what the State Police have to report concerning their efforts to find Goodridge and induce him to testify. From our knowledge of Goodridge's past we should be surprised to learn that he is at present out of prison.

We would point out that the official record of the case to which we understand His Excellency has so far confined his attention, other than the interviewing of witnesses, does not reveal the history of Goodridge. Except in one respect, his history was unknown to the defense until after the close of the Dedham trial. Consequently, neither the judge nor the jury nor the defense counsel at Dedham knew that Goodridge testified under a false name—that his real name was Erastus Corning Whitney; that he had spent some years in prison; that he was at the time of the trial at Dedham a fugitive from justice in New York; that he was brought back from Houlton, Maine, in May, 1920, by the chief of police of Braintree on a charge of larceny, preferred against Goodridge and his supposed wife by their employer; and that the charge against Goodridge was placed on file shortly before he testified as a government witness at Dedham, which is in the same county as Braintree.

We would point out that in the absence of information concerning Goodridge's personal history, His Excellency may not be inclined to attach to the failure of Goodridge now to appear, upon request, the significance which perhaps it deserves.

LOUIS L. WADE. This man was one of the five identification witnesses against Sacco at the Dedham trial. We do not know whether His Excellency has interviewed Mr. Wade. We assume he is familiar with Wade's testimony and with the attitude of Mr. Katzmann, the district attorney, toward Wade's testimony, as disclosed in his argument to the jury.

We would point out, however, that His Excellency has not before him the record of the preliminary hearing at Quincy, where Wade was put forward as an identification witness against Sacco; and that he has not before him the record of the testimony at the inquest held at Quincy on April 17, two days after the South Braintree hold-up.

From the statement of Mr. O'Connor we quote: "The Pinkerton report on the South Braintree hold-up has this to say concerning Wade: 'April 23. Today I resumed by going to the office of the Massachusetts District Police and conferring with Capt. Proctor on what several witnesses had said in regard to the Anthony Palmisano photo . . . An auto was sent to South Braintree to bring Bostock, Frantello, Wade and Miss Mary Splaine to Boston. On their arrival, Capt. Proctor questioned them and showed a number of pictures, among them being Palmisano's, and had a stenographer take each person's story. Louis Wade, the fourth witness, told his story, but as he went along

the fourth witness, told his story, but as he went along . . . We would point out that in the absence of information concerning Goodridge's personal history, His Excellency may not be inclined to attach to the failure of Goodridge now to appear, upon request, the significance which perhaps it deserves.

fication witnesses against Sacco at the Dedham trial. We do not know whether Pelser has as yet appeared before His Excellency. We have no comment to make concerning what the official record discloses concerning Pelser, except that His Excellency has read the trial record. We would respectfully call attention to the fact that the report of the Pinkerton agency, covering a most extensive investigation made by its operative, contains no reference to Pelser as an eye-witness of the South Braintree hold-up. We do not presume to know at what stage in the case Pelser turned up as an eye-witness who was in a position to make a positive identification.

We would respectfully remind His Excellency that he has not been furnished with a copy of the inquest at Quincy which was held two days after the murder. It does not appear that Pelser was called as a witness at the Quincy inquest. We would respectfully suggest that the stage at which Pelser turned up as a witness has a bearing on the credibility of his testimony. We would not press this point now but for the fact that we have reason to believe this cannot be determined from the trial record, and we feel bound to say that our observations of the method which His Excellency has undertaken to get at the truth in this case do not give us confidence that he has the complete story about Pelser.

DEPARTMENT OF JUSTICE. We would respectfully inquire whether His Excellency has availed himself of the opportunity to inspect the files of the Department of Justice in so far as they may relate to the Sacco-Vanzetti case. We would call attention to a most curious phase of the case against Sacco and Vanzetti, upon which the Department of Justice files and certain officials of the Department could furnish His Excellency with much light.

According to the statement of Judge Thayer, made in denying the Gould motion, Sacco and Vanzetti were convicted chiefly on evidence relating to their consciousness of guilt. The most important element in this supposed consciousness of guilt was their suspicious conduct at Johnson house the night of May 5, preceding their arrest the same night, and especially actions which indicated they feared Mrs. Johnson was telephoning the police against them.

Department of Justice agents between the summer of 1919 and the spring of 1920 were seeking to round up the so-called Galleani band of anarchists, of which Sacco, Vanzetti, Boda and Orciani were members. We would reason to believe that His Excellency will find that Ravarino, an under-cover man employed by the Department of Justice, had wormed his way into the confidence of the members of the Galleani band of anarchists in Boston in the fall of 1919 or the winter of 1920; that he was responsible for the arrest of Elia and Salsedo in Brooklyn in the spring of 1920; that Vanzetti learned of the activities of Ravarino on his visit to New York on April 26, 1920, in an attempt to aid Elia and Salsedo; and that he returned to Boston with the knowledge that the Department of Justice had secured, through Ravarino, its under-cover man, the names of all or many of the Galleani anarchists.

We respectfully suggest that the information contained in the files of the Department of Justice in determining the truth in this case do not give us confidence that he has the complete story about Pelser.

to Mr. O'Connor, supported by forward because of theory which he had formulated; and the disappearance of Salcedo the day after Sacco and Vanzetti were arrested. We would add, perhaps unnecessarily, that Salcedo was found dead early in the morning on May 4, the day before Sacco and Vanzetti were arrested. He had been held in the office of the Department of Justice, on the twentieth floor of the Park Row Building. Whether he jumped, fell or was thrown out of the window has never been officially determined.

We would further ask whether His Excellency has made any attempt to secure the statement of Attorney General Palmer, made before the House Rules Committee in May, 1920, in connection with the so-called Red Raids of 1920. We would suggest that the statement, which is a public document, would be of great value to the public. The business of the state is the business of the people. However, chief of the Department of Justice.

We are most serious in pressing this matter, partly because we understand that His Excellency has been assured by a local judge, called, not as a witness, but as an interpreter, that the so-called Red Raids were over by the end of 1919, and we fear that this assurance, received by him in the absence of information obtainable from official sources, may incline His Excellency to dismiss as invalid the explanation put forward on behalf of Sacco and Vanzetti—that the drive against Italian radicals, and, it now appears, against the Galleani band,

JOHN RICHARDS. It is stated that John J. Richards, a Providence attorney, was interviewed by His Excellency. We understand that Mr. Richards' sole connection with this case arose out of his experience with the Morelli gang of Providence, mentioned in affidavits secured by the Sacco-Vanzetti defense in connection with the confession of one Madeiros. We understand that Mr. Richards was United States Marshal in Rhode Island during the War, and arrested the Morelli gang.

We are consequently amazed at Mr. Richards' version of his interview with His Excellency. From the signed statement of Mr. O'Connor we quote: "I met Mr. Richards as he stepped into the elevator just after he left the executive offices. Mr. Richards appeared dazed, and he was dumbfounded at the attitude shown by Governor Fuller. He asserted that Governor Fuller made the statement: 'The Madeiros matter is dismissed'; that Governor Fuller questioned him regarding his knowledge of the South Braintree hold-up; whether he was ever in South Braintree; and what information or opinion he had about the Sacco-Vanzetti case. Mr. Richards further quoted Governor Fuller as uttering the following words: 'I am convinced it was a fair trial.'"

We think it rather strange that His Excellency should make the flat statement that the Madeiros matter is dismissed, and that he is convinced that the Sacco-Vanzetti trial was a fair trial, weeks before his own inquiry is concluded; before counsel have argued before him; and before the advisory committee has concluded its investigation and conferred with him.

We quote again from Mr. O'Connor:

that my only connection with the case was my arrest of the Morelli gang in Providence. I don't know why I should be subjected to the indignation that I waited six years before telling what I knew of the Sacco-Vanzetti case. The Governor also asked me if I was connected with the Sacco-Vanzetti defense. His entire attitude was one of suspicion and hostility as well as ignorance of my connection with the case.

ROBERT C. BENCHLEY. Mr. Richards' revelations as to the attitude of His Excellency appear to be corroborated by the account given by Mr. Robert C. Benchley, who, we understand, appeared before His Excellency within a day or two of the appearance of Mr. Richards. Mr. Benchley's sole connection with the case was as the signer of an affidavit as to what one Coes told him regarding Judge Thayer's alleged injudicious remarks at the time of the trial. Mr. Benchley has said that he was challenged by His Excellency to show his place in the entire record indicated in the trial.

If the statements given are true, we feel that His Excellency has acted unbecomingly after investigating this case in an arbitrary and injudicial manner, in ignorance of many important and authoritative sources of information; that no real investigation is being conducted; that Sacco and Vanzetti are being denied the full and fair hearing which has obtained in Massachusetts in the past for every man under sentence of death, if he chose to ask for

We would point out that if Sacco and Vanzetti are executed as the result of a decision reached by the methods and in the spirit so far revealed by His Excellency, then His Excellency need not expect that his determination of the issue will appeal to the intelligence or satisfy the conscience of mankind.

My Church School Cousin

THE same week with my arrival at my uncle's house in the South, my cousin Cornelia has come to stay. Just what kin she is has always been a little vague to me, but she seems a cousin, sister, aunt, anything kin. Her mother, at any rate, was a sister of my uncle's mother. Where everyone else in the family had married fairly enough into the world's estates, she had fallen in love with a young preacher from the North, who in his turn had died from pneumonia caught in a storm when he was following his circuit, and left her to follow him in less than a year. She had given her child to her sister to love and care for. Cousin Cornelia had grown up, then, with my uncle, and had the same black mammy.

My uncle would have given Cousin Cornelia a home, but by the time he was of age, she had been teaching school five years; she had begun at sixteen. Since her father had been a

...with berries and raspberries...
...of get another baby; there is the first...
...strawberries; then autumn when
the walnuts are exceptionally fine, though the pears
are poor, so we lapse into winter which is indeed
boisterous, but the house, thank God, withstands the
storm; and then again there is the first swallow, and
Parson Woodforde takes his greyhounds out
a-coursing.

VIRGINIA WOOLY.

Was Governor Fuller Fair?

As a result of the failure of the Supreme Court of the State of Massachusetts to provide for a complete review of the Sacco-Vanzetti case, the inquiry of the Governor and his Commission took the place of the retrial so earnestly demanded by the defense, and becomes properly the subject of such criticism as would be drawn to signal errors and lapses in regular judicial proceedings. It is unfortunate that the Governor chose to conduct his proceedings in secret and without the assistance and safeguards of cross-examination. From what transpired in regard to these proceedings, the friends of the accused men became doubtful of the competence of the Governor to control single-handed

ence. In particular, the significance of the preliminary hearings shortly after the crime, of the preliminary hearings respectively at Brockton and Quincy, and, above all, of the reports of the Pinkerton agency, which investigated both the Bridgewater and South Braintree crimes, is stressed. These contain descriptions of the criminals as given by witnesses immediately after the crimes were committed, which are, in many cases, at striking variance with the testimony of those witnesses in identification of Sacco and Vanzetti at the trials. Mr. Thompson obtained permission to inspect the Pinkerton reports too late to use them in his motions for a new trial. A résumé of this important testimony was presented to the Governor, who apparently ignored it. This is the significance of the notes below on the testimony of Harding, Cox, Splaine, Wade and Pelsler. A second failure on the part of the Governor to use evidence available was his disregard of the files of the Department of Justice as to the activities of their agents in the spring of 1920. And, finally, the experience of certain witnesses before the Governor, such as Richards and Benchley, casts grave doubt on his mental and temperamental fitness for the part he assumed. We publish these reports in the form in which they were drawn up during the investigation.

FRANK W. HARDING. Governor Fuller has interviewed W. Harding, a most important witness for the defense at the trial of Vanzetti at Plymouth. We learned that he has indicated that he places credit on Harding's identification, remarking, "Why, he was there on the street and saw him. How could he be mistaken?"—meaning, we assume, that he had identified some four men.

...in the interest of the...
...the preliminary hearing...
...fully at variance with the description given at the preliminary hearing at Brockton on May 25, 1920. There was no official record of the preliminary hearing, and we have reason to believe that His Excellency is not familiar as to the testimony at the preliminary hearing. We also have reason to believe that His Excellency is not aware that the same Harding gave to an agent from the Pinkerton National Detective Agency, on every day of the Bridgewater hold-up, a description of the man with the shotgun which is totally at variance with the description given by Harding at the preliminary trial.

We would respectfully inquire whether His Excellency has before him, or whether he has made any effort to obtain, the Pinkerton report, made to the L. C. V. Shoe Company, based upon the investigations made by its operatives, H. H., and J. J. H., into the Bridgewater hold-up.

We would respectfully inquire whether His Excellency is aware that Harding not only identified Vanzetti at the Brockton police station, but that he was reported by the police as having positively identified Orciani, who, as His Excellency knows, was arrested on the day following the arrest of Sacco and Vanzetti, and who was released

only after the police found the shotgun on the day of the Bridgewater hold-up and also at work on the day of the South Braintree hold-up.

In the police report of Harding's identification of Orciani, he was reported as having said, "If he is not the man, then he is his dead image." Since it is plain that Harding was entirely mistaken as to Orciani, we suggest that this incident has a bearing on the value of Harding's identification of Vanzetti, made under practically the same conditions.

PAYMASTER COX. We understand that Governor Fuller has at some time interviewed Paymaster Cox of the White Shoe Company, who was riding on the truck carrying the company's pay-roll when the attempted hold-up took place. We understand that Mr. Cox was a boy chum of His Excellency's, and we understand that Mr. Cox has assured His Excellency that the man with the shotgun was Vanzetti.

Without adverting to the official record of the preliminary trial or to the preliminary hearing at Brockton, we would point out that Mr. Cox's description of the man with the shotgun, given to the Pinkerton operative on the day of the hold-up, was at serious variance with the appearance of Vanzetti, but since His Excellency has before him the Pinkerton report, or the police report of the Bridgewater investigation, or the record of the preliminary hearing at Brockton, we can understand that His Excellency could be led, as we have reason to believe he has been led, into placing credence in the testimony of Mr. Cox.

In general, we point

JOHN EDGAR HOOVER
DIRECTOR

Department of Justice
Bureau of Investigation
Washington, D. C.

December 15, 1927

MEMORANDUM FOR MR. HOOVER.

b7c

On December 14, 1927, [redacted] an employee in the Office of Senator McNary of the State of Oregon, called the Bureau and requested to be furnished with information as to the place of the first imprisonment of Sacco and Vanzetti, and of the date and place of execution of these subjects.

b7c

In accordance with instructions received from Mr. Nathan, [redacted] was communicated with by telephone, and advised that Sacco and Vanzetti were first incarcerated in the Detmar Jail, Norfolk County, Mass., and that they were executed at the Massachusetts State Prison, Charlestown, Mass., on or about August 22nd, or 23rd.

Respectfully,

[Handwritten signature]

11-1-6

RECORDED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/4/82 BY SP-102/K

61-126-839
BUREAU OF INVESTIGATION
DEC 15 1927
Div. One

Noted
JFK

-285H1
61-126-840
MEMORANDUM

MEMORANDUM FOR MR. [Name]

For your information, I am forwarding herewith, an anonymous communication addressed to the Attorney General, relating to the case of [Name] and [Name].

Very truly yours,

Director.

Encl. 73045.

61-126-840

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/2/82 BY [Signature]



THIS CASE ORIGINATED AT **WASHINGTON B. C.**

| | | | | |
|--|-----------------------------------|--|---|------------|
| REPORT MADE AT: Denver, Colo. | DATE WHEN MADE: 1-31-28 | PERIOD FOR WHICH MADE: 1-31-28 | REPORT MADE BY: S. J. McAFEE, SAC. | JHL |
| TITLE: SAACO & VANZITTI, anarchists. | | | CHARACTER OF CASE: RADICAL MATTERS. | |

BUREAU OF INVESTIGATION
FEB 7 1928
DIV # 1-126

SYNOPSIS OF FACTS:

Denver Bureau office acted in accordance with instructions contained in wire received from the Director, dated Aug. 6, 1927; up to this time there has been no interference in this District; case is therefore

R U C

REFERENCE

is made to wire received from the Director dated August 6, 1927.

DETAILS:

As there has been no interference in this District by anarchists, in the way of attacks on federal property or officers, it is deemed advisable to close this case on the Denver Bureau office records, and the case is therefore,

REFERRED UPON COMPLETION BACK TO THE OFFICE OF ORIGIN - WASHINGTON - NO FURTHER ACTION HERE, Denver.

b2
b7c

DETAILS:

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/2/92 BY SP-6 BTJ/ma**



DO NOT WRITE IN THESE SPACES

| | | | |
|---|---|--|---|
| APPROVED AND FORWARDED: <i>[Signature]</i> | SPECIAL AGENT IN CHARGE | 61-126-841 | RECORDED AND INDEXED FEB 5 1928 |
| WASHINGTON REFERENCE: Div #2 | COPIES OF THIS REPORT FURNISHED TO: 3-Bureau 2-Denver | BUREAU OF INVESTIGATION DEPARTMENT OF JUSTICE | CHECKED OFF: JACKETED: |
| | | ROUTED TO: <i>[Signature]</i> | |

The following information, dated
below, has been received
from a confidential source by the
Division of Eastern European Af-
fairs, Department of State.

August 27, 1928



10303

MEMORANDUM.

I am enclosing copies (one in original) of Speakers' material regarding Sacco and Vanzetti. I understand that a considerable quantity were being sent to the International Class War Prisoners' Aid headquarters here, 10 Fetter Lane, London, the sender being Verlag I. Schlor, Berlin, N.W. 7. This is evidently the "publishing house" of the KOPR headquarters in Berlin. Our friends here are not allowing these to proceed to their destination.

There are also enclosed, for your information, copies of a manifesto on the same subject by Elizabeth Gurley Flynn and H. M. Wicks, the latter being the delegate of the Workers (Communist) Party of America to the 6th World Congress of the Communist International.

- Enclosures:
- "Sacco and Vanzetti - Speakers' Material"
 - "We Stand at the Grave of two Warriors".

DECLASSIFIED BY SP1 AG/oc
ON 4/26/80
FOR STATE Lib. det. 2/22/90
(293,569)

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| BUREAU OF INVESTIGATION |
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| STICE 7 |
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Div. Two

COPY

SISCO AND VANZETTI

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Speakers' Material.

General.

In the mind of the masses America is the richest country in the world, the land of the dollar millionaires. America is known as the land of the most powerful trusts, the country of unlimited possibilities.

In fact America is a tremendously rich country. America has produced the richest and most powerful capitalists. In America the forms of exploitation have taken on the most complicated forms, for instance, the Taylor system, the Ford System, the rolling band etc.

With this idea of riches in America, the other idea is often connected that the workers are extremely well paid. This idea is not so correct as its companion. There are it is true certain sections of the working class who receive high wages, but in comparison with the methods of exploitation used, even these wages are relatively low. The rate of exploitation in America is in general much higher than in the capitalist countries of Europe with less progressive technical methods of exploitation.

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ON 4/26/90
per STATE ltr. dtd. 2/22/90
(293,569)

Class Antagonisms:

The high technical level of industrial and agricultural production and the progressed state of private monopolism coupled with price dictatorship express in America also sharply the class antagonisms. On the one hand extreme riches and on the other hand extreme poverty. The terror expresses itself in the brutality of the police, the activities of private terrorist bands, class-justice etc. American class-justice is notorious for the high sentences it passes on revolutionary workers.

Class-consciousness in the Proletariat:

Class-consciousness in the proletariat is comparatively weakly developed. This is particularly true of the native born Americans who have been in the country for some generations. Illusions: success for the industrious and capable, god inspired order, reformist ideology fostered by the trade unions with craft and nationalist tendencies. Revolutionary tendencies in the IWW, also in strong anarchist associations. Clear communist organization but weak. The revolutionaries chiefly foreigners: Italians, Russians, Poles, Germans, Spaniards, French etc. Employers treat foreigners almost as criminals and thus feed illusions of politically indifferent workers. Native born workers regard foreigners as competitors, dirty foreigners, criminals.

Class-Struggle Methods:

Fighting methods of workers, particularly in progressed elements, everywhere similar. Individual workers nothing against capitalists. Possibility of affecting working conditions only given through organization and common refusal work further under same conditions. Strikes are therefore common in America. Miners, building workers, steel workers, textile workers in various parts of America carried out long and desperate strikes. Strike of miners in Pennsylvania now been going on over one

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year. Idea of individual self-help exists here and there. Best attempts etc., of considerable importance in America as means of union and police to settle unpleasant labour leaders, break strikes and prepare sensational processes. Mass arrests of strikers, furious campaigns in press etc against strikers in order stir up public opinion against them. Legal injunctions particular method used against strikes. Judges issue ex parte orders prohibiting strike picketing etc, declaring strikes illegal, making trade unions and individuals responsible for strike damages, forbidding strike agitation, in short prohibiting everything unpleasant to employers. Well-organised associations of employers exist, for instance, the Finckertons etc. These organisations carry out attacks upon strikers, guard strike-breakers, perform espionage and provocative service, organise explosions etc.

Class-Justice:

1918 before war American class-justice active. Following facts: 48 years ago active propaganda in Chicago for eight hour day. Patrol of employers abused against anarchist workers leaders. 3rd May 1889 Chicago strike. Strike meeting. Police shoots. 6 workers killed. Next day protest meeting in Haymarket. Bomb explodes. Collisions, casualties on both sides. 7 police, 4 workers killed. Many wounded. Trial 6 anarchists. Accused propagating anarchist ideas. 7 death sentences, one sentence 15 years hard labour. Several years later officially admitted that arrested man had nothing to do with bomb explosion. Aim of bosses however achieved, public opinion mobilised against "criminals", leaders of working class movement destroyed.

In 1918 the Californian revolutionaries sentenced to death, Tom Mooney and Warren J. Billings. Employers deliberately planning war-dever. In San Francisco so-called "bread and roses strike". Workers on strike. General working class spirit against war. Bomb explodes eleven persons killed forty injured. Wild campaign against workers movement, particularly against foreigners. Mooney and Billings accused of having thrown bomb. Numerous protests against death sentences which then transferred into hard labour for life. Rumours that German spies threw bomb. Rumours still stronger to-day. Working class organisations attempting secure re-trial case. New precise men's innocence exist. During war 450 war opponents received sentences ranging from 10 years to hard labour for life.

Anti-Working Class Legislation:

October revolution 1917. Growing anger American capitalists against working class movement. Mass arrests and sentences. Socialist leader Eugene V. Debs amongst arrested. Preparations for more severe laws against working class. Tendency to limit immigration, increase difficulties relating to naturalisation of foreigners and destroy trade unions. In the Western States, the original Syndicalist law applied against the strike of the miners in 1919 and against strike of railroad men in 1923. Following war similar criminal syndicalist laws adopted in 10 States.

Laws directed against anarchy and anarchism. Every reference in speech or writing approving of anarchism punishable, including membership anarchistic organisations.

January 1921, Editor Wilson arrested for publishing manifesto of left wing of socialist party. Sentenced to 10

years imprisonment on charge of incitement to mutiny.

March 1919 Vinitzki, Secretary Communist Party also sentenced to 15 years imprisonment.

In New York alone 70 persons sentenced on basis of criminal syndicalist laws.

In all States trials with sentences up to 40 years imprisonment on same basis.

Newspaperic campaigning against foreign criminals, publishing horrible details of crimes already committed and still more horrible details of crimes planned.

Prelude to Sacco-Vanzetti Case.

Police, spies, provocateurs, politicians and judges to compete to stamp workers leaders as criminals. Excitement and fright of population, particularly petty-bourgeoisie, increased by numerous robberies against which police helpless. Police engaged zealously in fight against workers. This atmosphere forms background to Sacco-Vanzetti case.

Sacco and Vanzetti, the Italians, came to America with idea that by industriousness, everyone could make good there. Both learned privations of proletarian life in America. Illusions destroyed. They joined anarchist circles and soon became active in movement. Sacco used long years savings in order train himself as qualified shoe worker. Vanzetti more restless, very active propagandistically for workers movement. Both lived in Massachusetts when in 1920 the attorney-General Palmer, a member of the Wilson Cabinet, conducted his campaign against the working class. He startled the petty-bourgeois masses with the statement that a revolution was prepared. The general public lost its head, congress granted an extra three million dollars "for the protection of the State against crime". The artificial panic was increased by a number of murders and criminal robberies.

New arrests of workers and police brutalities increased the indignation of the workers and then came the Salsedo affair. Salsedo, an Italian was found on the 3rd May 1920 dead on the pavement in front of the Park Row Building of the Department of Justice in New York. He had jumped out of the fourteenth story window in order to bring his tortures to an end.

A fellow prisoner named Elia was taken immediately after Salsedo's death to Ellis Island and sent post haste back to Italy where he died after a short time. Protest movements were organised, excitement amongst the workers grew. On the 9th May a protest meeting was organised to take place in Brooklyn. Vanzetti was to speak.

Arrest of Sacco and Vanzetti.

A few days before the meeting in Brooklyn Sacco and Vanzetti were arrested. On the 15th April two payroll carriers of a shoe factory in South Braintree were robbed and murdered. In order to save their faces the police arrested Sacco and Vanzetti. They were held in the first place as politically suspicious individuals and later accused of the robbery and murders.

The real robbers and murderers were never arrested. Sacco and Vanzetti were stamped as the murderers. This was doubly advantageous, then first of all the police proved how efficient they were, and secondly the public were shown what criminals anarchists and anarchists actually were.

The Trials:

The trial of Sacco and Vanzetti was prepared in the atmosphere of artificial hatred and panic created by Attorney-General Palmer and his friends. In order to let Vanzetti appear at the main trial as a convicted man, he was tried beforehand for another affair, namely the robbery and attempted murder of another cashier. This robbery had taken place some time previously. The judges reckoned that thus they could more easily obtain a conviction. When once the workers leader was convicted for robbery with violence, it would not be difficult to secure his conviction as a murderer.

Vanzetti's alibi was corroborated by a number of witnesses. He was not and could not have been in the place where the crime was committed at the time at which it was committed. Despite this he was sentenced to 15 years hard labour. The sentence declares that in any case Vanzetti was morally guilty because he was an enemy of existing institutions, and that whether he had committed the crime or not he was justly sentenced.

The Second Trial:

The second trial took place against both Sacco and Vanzetti who were charged with murder. The trial took place with great circumstance. Over a score of armed police escorted the two to the court room in Dedham in Massachusetts where the two were locked in an iron cage in the open air. The judge Webster Thayer and the prosecuting attorney Haysman conspired together against the accused. The carelessly chosen witnesses for the prosecution contradicted themselves and each other, particularly with their statements and in general made an impression of absolute unreliability. The witnesses for the defence on the other hand were absolutely clear in all their statements and were not to be shaken by hours of clever cross-examination. At the time of the crime Vanzetti was far away selling eels, whilst Sacco was in Boston at the Italian consulate in a pass affair. The evidence of the experts was also objectively favourable to the defendants.

Judge Thayer and the Jurymen:

When the course of taking evidence was concluded the judge Webster Thayer declared to the jury: "Do your duty towards those men who did their duty towards us on the fields of Flanders". And the jurymen did their "duty", they returned a venal verdict of "guilty". That was at the same time the sentence of death.

The Protest Movement:

The death sentences created a deep impression upon the workers. Protest demonstrations were organised. Everyone was convinced that a miscarriage of justice had taken place. The defending lawyers collected the evidence of the innocence of the two Italians. Prominent jurists in all countries examined the material and declared that it proved irrefutably the innocence of the accused. The defence demanded a re-trial. Up to October 1926 7 motions for a re-trial were filed. Judge Thayer who had pronounced sentence of death, was the judge before whom these motions came for decision. He rejected one after the other.

The defence evinced the particulars of the real criminals. Without success. Celestine Ludefreda confessed he together with others was responsible for the

murders in South Braintree. Useless. Thayer remained obstinate.

The Supreme Court of Massachusetts refused motion for re-trial. The death sentences could be carried out at any time.

The Death Agonies:

For years Sacco and Vanzetti lived in the shadow of the electric chair. The torture undermined their health. On one occasion Vanzetti was placed in a lunatic asylum. Both prisoners suffered terrible agony of mind, but remained true to their revolutionary convictions and spiritually strong. Sacco and Vanzetti wrote letters to their relatives and friends, thanking the workers for their solidarity and calling upon them to continue the fight. Vanzetti wrote:

"Two fighters who fall in the unequal struggle -- what does that matter? There are so many who have fallen, but the ideal cannot die".

In a joint letter written at the beginning of 1927 the two wrote:

"Dear friends and comrades,
Thousands of you have given your bread, your peace, your strength and your blood and have endangered your own freedom in order to save our lives and give us freedom once again.... We are convinced that our murderers are determined to turn us alive in the course of this year... Soldiers of freedom! You are an undying legion! We greet you with ringing voices and joyful hearts even from the electric chair".

All over the world the storm of protest rose against the deliberate legal murder. Millions and millions of workers raised their voices: Release Sacco and Vanzetti! In hundreds and thousands of meetings and demonstrations, in hundreds of thousands of resolutions and telegrams, millions and millions demanded the release of Sacco and Vanzetti from the hands of the Massachusetts murderers.

The Comedy of Postponement:

Again and again it seemed as though the powerful protest of working men and women all over the world would be heard, but the class-justice of American capitalism intended to have its pound of flesh. The American authorities tried to create the impression that even-handed justice alone would decide the fate of Sacco and Vanzetti. And when optimists all over the world hoped that the sentence of death would be abolished, the authorities ordered the execution of Sacco and Vanzetti.

The Murder Perpetrated:

In the early morning of the 22nd August 1927 the execution of Sacco and Vanzetti in the electric chair was carried out. Two fighters of the advance guard of the proletariat were murdered.

The Class-Struggle goes on:

Many victims fall before Sacco and Vanzetti. Since their death others have fallen. Before the victory of the proletarian revolution is accomplished many other victims will fall. Every legal murder must be a lesson to the proletariat. There is no such thing as even-handed justice! There is only class-justice! Class-justice will exist as long as the classes exist. As long as the capitalist social order exists, so long will capitalist class-justice seek to destroy revolutionary workers, its enemies, by all the means in its power.

Sacco and Vanzetti are the symbol of the class struggle of class warfare!

Fight against capitalist class-justice! Fight with determination and persistence until the final victory!

-----oooooooo-----

10215

Letter of Vanzetti to the International Labor Defense

On the 23rd May 1926 Bartolomeo Vanzetti sent the following letter to the International Labor Defense, the organisation in the United States which performs the same tasks as the Red Aid organisations in Europe:

The echo of our campaign in our behalf has reached by (my) 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 comrades 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...."

From this letter it can be seen that Vanzetti realised from his prison cell far better and more clearly than many of his intimate friends and comrades outside, what issues were at stake in the case. The only body which has consistently fought the issue upon the lines laid down by Sacco and Vanzetti themselves has been the International Red Aid and its affiliated and sympathising organisations.

The bourgeois and pacifist friends of Sacco and Vanzetti concentrated upon securing "justice" for them, or "mercy"! Justice from the most determined and brutal representatives of capitalism in the world! Mercy from the men who had worked systematically for years to railroad Sacco and Vanzetti to the gallows! And this "Justice" and "Mercy" was to be obtained with the following and similar miserable and spineless appeals to the men who were even then planning the murder of the two revolutionaries, a murder which they afterwards carried out in the face of the indignation of the whole world: "We expect justice! Because Governor 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."

That is how not to do it. How to do it is shown by Vanzetti himself in his letter to the International Labor Defense. Only the organised power of the proletariat in the International Red Aid and its organisations can prevent such cold-blooded murders from happening again and again to the leaders of the working class!

THE WORKING CLASS WILL AVENGE SACCO AND VANZETTI.

by
H. M. WICKS

Delegate of the Workers (Communist)
Party of America to the World Congress
of the Communist International.

10817

One year has passed since American Imperialism, in face of the protests of the whole world, murdered Nicola Sacco and Bartolomeo Vanzetti after seven years of fiendish torture. These two workers who heroically faced agonizing years of torment, at the hands of the ruling class of the United States and who defiantly faced the fierce surge of the electric current that burned out their lives, symbolized the suffering, but at the same time the indomitable courage of their class, the class in whose behalf they struggled and for whom they died.

On the other hand, the dark forces of reaction who participated in their murder were characteristically representative of the class enemies of Labour in the United States and throughout the world. Governor Alvan T. Fuller, of Massachusetts was the instrument through which the ruling class tried to terrorize the working class by this monstrous crime. He, himself, is an American Millionaire with a fortune of over forty million dollars and is one of the principle stockholders in the Packard Motor Car Company, a scab-herding, labor-hating, union-wrecking concern. By way of emphasizing the class character of the conspiracy against Sacco and Vanzetti, Governor Fuller, at a critical period in the proceedings appointed an advisory board, consisting of the enemies of the decadent Back Bay coffee aristocracy of Boston. It was a trio of cultured hangers, wearing frock coats and silk hats, and representing the prostituted institutions of higher learning and the judicial bench. These creatures, equally guilty of the murder of these two innocent working men on framed up charges, were E. Lawrence Lowell, president of Harvard University; Samuel W. Stratton, president of the Massachusetts Institute of Technology and Judge Robert Grant, formerly of the Massachusetts Probate Court. These three flunkies of the bourgeoisie declared that the perjured testimony of the bribed witnesses was true and signed their names to an document vilifying Sacco and Vanzetti and whitewashing the detestable Fuller and the loathsome Judge, Webster Thayer, who sentenced them to death and who during the trial revealed his malignant prejudice by referring to his victims as "those damned bastards".

But let not one think that that was merely a local Massachusetts case because the instruments for carrying out the dastardly murder were spawned in that State. Calvin Coolidge, president of the United States, has upon his head the same blood-guilt as Fuller and his trio of aristocratic hangers. This same Coolidge was Governor of Massachusetts before he became Vice-President in Harding's Teapot Dome cabinet and kept those workers in jail during his entire time of office. Furthermore, the United States Department of Justice had unimpeachable documentary evidence to prove the innocence of Sacco and Vanzetti and refused to make it public after the fact of its existence became known through the revelations/

revelations of a former detective of the Government.

Involved in the case on the side of the murderers, also pretending to speak for the victims of the frame-up, were the American social-democrats and liberals. They shared responsibility with Coolidge, Fuller, Lowell, Stratton, Grant and others by practicing reformist deceptions upon the masses and by creating illusions regarding the "fairness" and "impartiality" of American capitalist class-justice.

Outstanding among these enemies of the working class was the pacifist preacher and at the present moment socialist party candidate for president of the United States, Rev. Norman Thomas. Instead of aiding the campaign of the International Labor Defense, the American Section of the I.D., to mobilize the masses against the conspiracy to murder these two workers, whose only crime was that they tried to organize the textile and shoe-factory slaves of the New England States, the Rev. Norman Thomas and the liberals and anarchists talked idly about the "justice" of class rule and tried in every way to discourage the drive to mobilize mass sentiment against the conspiracy. They even went so far as to discourage anti-demonstrations as such actions might "embarrass" Fuller and his picked trio of assistant murderers.

Even after the decision of the frock coated advisory board appointed by Fuller was known, after the only thing that stood between Sacco and Vanzetti and the death chair was the mass reaction of the workers Norman Thomas, leader of the Socialist Party, on the eve of the execution ironically declared that if Sacco and Vanzetti died "justice would be done". Never once, before or after the murders, did any of these pacifist agents of imperialism and collaborators in the murders, brand the proceedings as an example of class vengeance against the working class. And even to this day these same swindlers try to create the illusion that the case was exclusively an affair of the reactionaries of Massachusetts and not at all characteristic of the rest of the United States, in spite of evidence to the contrary. The role of the socialists, anarchists and pacifists was to create illusions regarding the capitalist courts and the bourgeois state, in order to paralyze the action of the working class, just as today these same gentry are busy spreading illusions regarding the League of Nations and talking of a new peaceful era. Just as they aided the bourgeoisie of the United States to murder Sacco and Vanzetti so today they are playing their familiar role and aiding in the socialist preparations for the next world slaughter of the working class.

Against this united front of murderous reaction from Calvin Coolidge to Norman Thomas there was but one political force that raised the banner of working class struggle - that was the International Labor Defense. It relentlessly fought against the illusion that two university professors and a kept judge would act impartially in the matter and give the world the facts regarding the frame-up. It tirelessly resisted the empty and vicious talk of an abstract justice, standing above the classes. It proclaimed that only the

decisive/

decisive action of the working class
Vanzetti. From coast to coast and
workers were aroused by its agitation,
appeared in the streets to voice their
outragers.

1934

But so arrogant, so powerful, so ruthless a
ruling class that they carried out their cowardly
and even as the chained lightning shattered the body,
Sacco and Vanzetti another conspiracy was on foot in New
York City to burn alive two other Italian working men, who
had incurred the enmity of the bourgeoisie of America for
their activity in the anti-fascist movement against the
black shirt hordes of Mussolini. These workers, Grecco and
Grillo, were arrested and charged with having killed two
judges on May 29th. Their trial came after the murder of
Sacco and Vanzetti and the mass fury that had been aroused
against this outrage was fanned into white heat again by the
International Labor Defense. The bourgeoisie was forced to retreat
before the resentment of the working class these two intended
victims were set free. Thus also it was possible to save
Sacco and Vanzetti, the basis was laid for a movement that
followed Grecco and Grillo and that will make it more
difficult in the future for the ruling class to repeat their
treacherous tactics. During this campaign the International
Labor Defense became a mass organization influencing masses
of workers.

However we dare not conclude that there will be no more
murders of working men in America. On the contrary, as the
international situation becomes sharper and the lowering
clouds of pro-war, American imperialism, inevitable as
the dawn, will increase in mass-murders. But each
time the ruling class sees its best and most courageous fighters
sacrificed upon the altar of imperialism the mass fury will
rise ever higher. The working class will become more and
more aware of the monstrous role of the so-called courts of
justice and the liberable and treacherous role of the social-
democrats and pacifists and will learn how to combat relent-
lessly all its class enemies.

Today, on the first anniversary of the martyrdom of
Sacco and Vanzetti there is a strike of thousands of mill
workers going on in the town of New Bedford in the State of
Massachusetts in honor of Governor Fuller and Calvin Coolidge. These strikers showed
their contempt for Fuller by refusing to accept him as
arbitrator in the dispute when his name was proposed. With-
out any hesitation they declared that the murderer of Sacco
and Vanzetti would not be considered by them except as a
class enemy. Fuller was also a candidate for vice-president
of the United States but even the republican party was afraid
to name him on its ticket because it feared a revival of the
Sacco and Vanzetti agitation.

The agitation however will never die. Today, in the
United States, the International Labor Defense is holding
hundreds of memorial meetings that are attended by hundreds
of thousands of workers who will again be reminded of the lessons of
this monstrous crime against labor.

Under the leadership of the
of America the working class an
an invincible power that will
socialism and then, instead of

s (Communist) Pa
farmers will
crush America
tearing before

COMMUNISTS

Beckler Opens Fire When Threatened for Interfering

Escapes During Excitement;
Dynamite Found in Room of
Suspect in Mining Town

SACCO-VANZETTI MEETING

Shots Break Up Rally on Third
Anniversary of Executions; 3
Arrested in Boston

By United Press
PITTSBURGH — A heckler shot
and killed two Communist speakers
at Avella, Pa., last night when they
threatened him for his interference.

The meeting was one of the Sacco-
Vanzetti anniversary demonstrations
held thruout the country. Avella, a
mining town, has many Communist
sympathizers and the community has
been the scene of several previous
clashes.

The dead are George Harkoff, 85,
and Steve Mina, 40, who were ad-
dressing about 150 persons at a car-
nival.

The assassin, said by police to be
an Italian named Pietro Petrelli,
alias Petrefi, escaped during the ex-
citement which followed. Police
found in his room a quantity of dy-
namite and some soldering irons and
other tools.

Miner Describes Shooting
Frank Mucci, 39, a miner, told
W. B. Dinsmore, Washington Coun-
ty detective, that he saw Petrelli
shoot the two men after they tried
to chase him from the field.

Mrs. Harkoff had addressed the
meeting, Mucci said, when he saw
her in argument with Petrelli.

"If you break up this meeting, we
will break you," Mrs. Harkoff told
Petrelli, according to Mucci. Mina
advanced, swinging a large club at
Petrelli, and the heckler shot him,
Mucci said. He turned on Harkoff
when the latter started after him,
then fired twice and Harkoff fell,
Mucci said. Petrelli then crossed a
creek and disappeared down the Wa-
shash Railroad tracks, according to
Mucci.

Was Foe of Reds
No Communist literature was
found in Petrelli's room, detectives
and state police said. The man had
a reputation as an opponent of
Communists and had voiced and act-
ed his opposition in other meetings,
officers told the officers.

Assassin Also Speakers at Sacco Memorial Rally

Escapes After Firing 3 Shots;
Police Find Dynamite in
Rooms of Suspected Slayer

(Continued From Page 1)

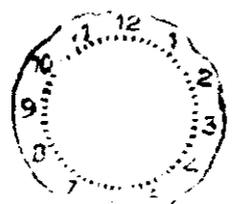
is still pending. Several other times
she has been arrested on similar
charges.

Imitation Electric Chair
NEW YORK—Fifteen hundred
New York Communists gathered
around an imitation electric chair in
Union Square yesterday in their an-
nual demonstration on the anniver-
sary of the Sacco and Vanzetti
deaths. Speakers harangued the
crowd for two hours.

3 Arrested in Boston
BOSTON—Three members of the
International Labor Defense League
were arrested on Boston Common
last night when they attempted to
break at a Sacco-Vanzetti memorial
meeting of 2,000 persons.

American Fascist Parade
ATLANTA—Nearly 20,000 mem-
bers of "The American Fascist and
Order of Black Shirts" paraded thru
downtown Atlanta last night in an
announced effort to prevent a Sacco-
Vanzetti demonstration which did
not materialize.

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AUG 27

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RECORD

NOV 3 1928

November 4, 1928

MEMORANDUM FOR MR. LINDBERG,
Assistant Attorney General.

61-126

There is transmitted, attached
hereto, a communication referred to
the Department by the President's
Secretary from one [redacted]

[redacted]
relating to the Sacco-Vanzetti
case, for your information and such
action as you deem necessary in
the premises.

b7c

Very truly yours,

Enc. #115199

Director.

BUREAU FILES DIVISION
MAILED
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P. M.
DEPT. OF JUSTICE

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Oct. 29th 1918

Honorable Calvin Coolidge
White House, Washington D.C.

Very Respectfully,
Immediate Subordinate

My dear Sir,

As a patriotic American & self constituted private adviser, may I take the liberty of urging your immediate consideration of the following:

1. The current issue of the "Outlook" features a story of a confession etc. purporting to prove the innocence of Thuyette & Davis.
2. From a date prior to the execution of these Suspects, I have been in the possession of evidence, hitherto acceptable to myself alone, that they were guiltless of the crime for which they were executed.
3. This evidence, with reasons for withholding it, is at your personal disposal, in strict confidence.
4. Circumstances make it impossible to admit agents, including those of the Dept. of Justice or Secret Service, to my confidence.
5. Either in view of or regardless of the above, as you may choose, I earnestly urge you in the

2.

Confidence in our form of government, to conduct
announced such steps as may be necessary to bring
about a concentration of the laurels. We are in
all its aspects, which stands as a weight on your
administration.

6. May I point out that such retention of both terms
and instructions, important at this instant, and
should be taken from the case, as in become
political football.

Respectfully, in strict confidence

57x

W.S.

I may be reached by telephone at my home, if
necessary - at

57c

New York Times,
January 18, 1929.

ABOUT CONFESSED IN THE SACCO CASE

Affidavits, Made by Convicts in 1923, Are Made Public by Bay State Officials.

DEFENSE COUNSEL ACCUSED

Lubin Charges Attempt to Port Martini in Sacco's Role—Quoted as Quoted as 'Never in Bridgewater.'

Special to The New York Times.

BOSTON, Mass., Jan. 12.—Frank Silva, alias Paul Martini, who "confessed" in the Oct. 31 issue of The Outlook that it was he and not Bartolomeo Vanzetti who perpetrated the Bridgewater attempted hold-up for which Vanzetti was convicted prior to his trial and execution with Nicola Sacco for the Braintree murder, told Assistant Attorney General Albert Hurwitz in December, 1923, that he had never been in Bridgewater in his life and "didn't even know where Braintree was located."

His affidavit was made under oath to the Massachusetts law officer in the Athens County (Ga.) Jail, to which he had been transferred from the penitentiary at Atlanta. The affidavit followed one which Jacob Lubin, a confederate of Silva in a New York mail robbery, made to Hurwitz, in which he gave alleged details of a scheme of counsel for Sacco and Vanzetti to have Silva "take the rap" in the murder case because of his resemblance to Sacco.

Lubin's affidavit was obtained after Mr. Hurwitz had learned that counsel for Sacco and Vanzetti had visited Lubin and Martini at Atlanta. The affidavit said in part:

"On or about April 18, 1922, I was called to the warden's office for a visit. I found Martini and another one, a man whom I learned to be John Jocomo of Boston, working for the defense of certain two men by the name of Vanzetti and Sacco. Martini introduced me to this John Jocomo, and told me that John Jocomo came to see Martini to find out if he had anything to do at any time with the crime at Bridgewater, Mass., committed by Vanzetti and Sacco.

"During the conversation with Jocomo he told me while he personally knew that Martini had nothing to do with it, he had to come here to speak to Martini because he was getting paid for coming over, and had agreed to do whatever counsel for the defense for Sacco and Vanzetti wanted him to do. He then tried to induce Martini to speak to a certain lawyer. Upon my advice Martini consented to talk.

Lubin then goes on to relate that the lawyer later met Jocomo himself. He started to speak to them about the Sacco and Vanzetti case,

...the connection between ...
...the lawyer and asked how ...
...he connected with ...
...the lawyer indicated that ...
...sought his help in accepting ...
...points in Boston and promised ...
...if he would help get him out of ...
...trouble he would be a great help ...
...the Sacco and Vanzetti case.

This was accomplished and ...
Witmer went to the lawyer's office ...
and saw Martini's picture on the ...
wall. The lawyer told him the ...
picture was one of Sacco. Witmer ...
stated it was Martini.

Lubin commented:
"The lawyer thought for a ...
that maybe Martini is the one who ...
committed the crime in Bridgewater ...
and Braintree and the mistook Sacco ...
for Martini.

"Witmer in his heart knew ...
had nothing to do with it, because ...
Martini was with Witmer ...
in New York at the time these ...
robberies and murders were committed.

"The lawyer started to ...
Martini about Bridgewater ...
and Braintree, and very soon found ...
out that Martini didn't know the ...
first thing about either one of these ...
places, nor neither does Martini ...
know anything about this attempted ...
robbery and murder.

Lubin goes on to say that ...
Witmer told him later that it was ...
under suspicion that he testified ...
against Lubin. The affidavit maker ...
added:

He told me that he was ...
willing to confess to the facts that ...
he perjured himself providing I ...
will help him to get Martini to ...
take the blame partly of the ...
Bridgewater attempted robbery. I ...
asked him then to explain to me ...
fully what he meant.

During my conversation with ...
Martini I was interrupted by the ...
lawyer who said to me: 'there is ...
no use talking, Martini don't know ...
the first thing about Bridgewater ...
or about Braintree but is willing ...
to help along and take the blame ...
providing I will keep the promise ...
that I made him.

"The promises were these. ...
First, that the lawyer will use ...
his influence to get Martini and ...
myself out of prison, and second, ...
that Witmer would go to New York ...
and confess to his part of the ...
perjury which would show us ...
innocent automatically. Third, ...
that we would receive \$5,000 ...
apiece before Martini takes the ...
stand, \$5,000 apiece after he goes ...
off the stand; fourth, that ...
Martini will get a good lawyer who ...
will instruct him while Martini is ...
on the stand testifying."

After four days of visiting ...
by the lawyer, Lubin declared, he ...
and his workers left and they never ...
heard from them again about ...
carrying out the plan.

After obtaining the Lubin ...
affidavit, Hurwitz questioned ...
Martini, or Silva, the man who ...
"confessed" the Bridgewater job ...
to The Outlook. The high lights ...
of the questioning follow:

"Were you ever in Bridgewater ...
yourself?"

"No sir."

"Have you ever been to Braintree ...
tree?"

"I don't even know where it is."

"Did you ever have any participation ...
at all in either the Bridgewater ...
hold-up or the Braintree hold-up?"

"No sir."

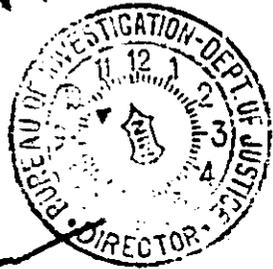
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NOV 25 1932 AM

Sacco Case Mystery Man Free; Leaves Island Prison in Italy

By The Associated Press.

NAPLES, Italy, Nov. 21.—Mario Buda, also known as Mike Boda, "mystery man" of the Sacco-Vanzetti case, was released on Saturday from the penal colony on Ponza Island and sent back to his home in Savignano, having completed a five-year sentence for anti-Fascist activities.

According to his own story, Buda was a close associate of Sacco and Vanzetti, who were executed for murder in Massachusetts more than five years ago.

He slipped away from the United States in 1920, worked as a shoemaker in Italy and was arrested two days before Sacco and Vanzetti were put to death. Edward H. James of Concord, Mass., has visited him twice in prison in an effort to return Buda to America to establish the innocence of Sacco and Vanzetti.

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JAR HOOVER
DIRECTOR



Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

CC-287

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Coffee _____
Mr. Hendon _____
Mr. Kramer _____
Mr. McGuire _____
Mr. Harbo _____
Mr. Quinn Tamm _____
Tele. Room _____
Mr. Nease _____
Miss Beahm _____
Miss Gandy _____

KRM:alo'd

Date: October 1, 1942

[Handwritten signature]
MEMORANDUM FOR MR. MUMFORD

RE: SACCO-VANZETTI CASE

Mirala Sacco

Attached hereto is photostatic material concern-
ing the captioned matter obtained by the Washington Field
Office from the files of Walter Steele of the National
Republic Magazine. This material was made available gratu-
itously by Mr. Steele and was forwarded to the Bureau by
letter from the Washington Field Office dated August 27,
1942.

Respectfully,

[Handwritten signature]

K. R. McIntire

94-3-4-501

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Enclosures



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DATE 7/7/72 BY 05898/SPH

The American Civil Liberties Union crowd and their openly
anarchistic friends have gotten up a new grafting gang called the

BLACK-VEGETARIAN NATIONAL LEAGUE.

It is not surprising to see in this case of the old Henry
graft gang crowd of years ago as the Sacco and Vanzetti graft gang was patterned
upon that. We find on the executive committee of this new red graft gang Leonard
R. Abbott. Abbott was one of the Berkman anarchist crowd at the time when Roger
Buck Baldwin was also one of them and both of these men were members of anarchist
Berkman's League for Amnesty of Political Prisoners, which he got up while in
prison for the purpose of helping himself and his pal Tom Whoney. Abbott did not
supercariously belong to the anarchist crowd, for he was an associate editor of
'Freedom - A Journal of Constructive Anarchy' in which Harry Kelly was the lead-
er and which was an openly anarchist publication published by the Freedom group
of the Berkman anarchist crowd. Harry Kelly was head of the Ferrer School of
Anarchy at Stelton, N.J., and Abbott was chairman of the so-called Ferrer Associa-
tion, named for the Spanish anarchist Ferrer. Tom Whoney's wife was a teacher at
one of the Ferrer schools in California. He and others associated with the Berk-
man gang and later with the Sacco and Vanzetti agitation, signed the notorious
telegram of congratulations to Trotsky which was exposed at the time. His rela-
tions with Harry Kelly were quite close and he also was a friend of the notorious
John D. Danmore, who was made Director General of Labor under William B. Wilson
when Wilson was Secretary of Labor, and the Berkman gang stated that their second
best method of approach to William B. Wilson when they wanted favors from him was
through Leonard R. Abbott and John D. Danmore, but they stated that their best
method of approach was through the most intimate friend that Berkman had Edward
D. Nolan. He was also one of the Berkman anarchist gang and he approached Wilson
directly.

We find in this Sacco-Vanzetti National League executive com-
mittee Stuart Chase, who is an old hanger-on of the Berkman anarchist crowd and
who is treasurer of the League for Industrial Democracy, which was also one of the
American Civil Liberties Union crowd affairs. Others of the the executive commit-
tee are Robert Moses Lovett, B.W. Haddock, Forrest Bailey, Norman Haggood and John
Haynes Holmes of the American Civil Liberties Union national committee. Elizabeth
Glendower Evans is also on it. She is perhaps the most prominent member in Boston
of the Women's International League for Peace and Freedom which, of course, is
virtually a feminine branch of the American Civil Liberties Union. Robert L. Hall
is on it and so is Paul Brissenden, who has been mixed up with radicals of various
sorts. Michael R. Cahn, the ACLU attorney Morris L. Ernst, John Lovejoy Elliott,
Jessica Henderson, Karl Llewellyn and Arthur Warner are others, and Nellie Randall
is executive secretary. In it we also have Ella Reeve Steer, who has for years
been one of the Communist stand-bys as a lecturer and, as might be expected, Jane
Addams, head of the Women's International League for Peace and Freedom, and presi-
dent of the American Civil Liberties Union national committee is in this new com-
munist-anarchist venture. Will her friends explain why she is always associating
with open communists and anarchists, disloyalists, etc. - those of a kind too
notorious for her to be ignorant of who and what they are? Professor John Dewey
is there as might be expected, but as a front for communist schemes he is losing
his efficiency - in fact so much so that when one discovers his name one at once
looks for the communist significance. As a front he is worn transparent, as is
happening in the case of William Allen White.

100-2427 64-10873

Will Durant; Elizabeth Gilman; Bishop Paul Jones; Congressman LaGuardia; A.J. Muste; John Kevin Sayre of the ACLU; Vida B. Scudder of the ACLU; Upton Sinclair and Oswald Garrison Villard of the ACLU; and Mary E. Woolley of Mt. Holyoke are among other names which are frequently found in company that is doing work pleasing to the communists.

This organization came out, over the signature of Robert M. Lee Lovett, a characteristic communist agitation crowd which in its nature recalls the fact that at an IWW meeting in Newen Hall in Jane Adams' Hull House Lovett urged the murder of American Legion men at Centralia by the IWW.

doubtless the American Civil Liberties Union sucker list and any others who can be duped will be plied with requests for contributions for the Sacco-Vanzetti National League and statements of the stock communist agitation graft game type will be broadcast for the purpose. Such organizations thrive by obtaining money from dupes under false pretenses and it seems in most cases quite useless to warn the suckers.

When Hungary Joe, the king of bunco steerers, was at last caught and was on trial in court, he was asked how he found so many victims. He replied that a fool was born every minute and the estimate was rather too low than too high. This, I believe, was the origin of the phrase "a sucker is born every minute". Asked if his frank confession would not spoil his business when he got out of jail, he promptly replied, "No, you don't warn a fool!"

The American Civil Liberties Union sucker list bears testimony to the correctness of Hungary Joe's assertion.

FRANCIS BALSTON WELCH

June 14, 1928.

(Verified and released by H.A. Jung, June 18th, 1928.

The Sacco-Vanzetti National League will endeavor to obtain contributions by enlisting the support of well-intentioned forward-looking Christians. Aid of any kind given to this movement will serve as an auxiliary of the brand of radicalism that is promoting the "world revolutionary" idea.)

An American Civil Liberties Union National Committeeman in Action

False Statements of Felix Frankfurter of Harvard Law School in Sacco-Vanzetti Case

In the *Atlantic Monthly* for March, and with the endorsement of the editor of that journal, appeared an article on the Sacco and Vanzetti case which was from start to finish grossly misleading and evidently meant to assist the Communists who were endeavoring to have their comrade-murders escape the penalty of their crime. This article was by Professor Felix Frankfurter of the Harvard Law School, which connection lent, in the minds of the Public, plausibility to what he wrote. Now Frankfurter is also one of the National Committee of the American Civil Liberties Union, which Union makes a specialty of supporting anarchists, Communists and other subversive criminals who are endeavoring to undermine and overthrow our Government, Constitution and free institutions and play directly into the hands of the Russian Communists. Frankfurter was formerly counsel for the United States committee which, on account of its action, was known as the Mooney Whitewashing Committee, which made a palliative report in the interest of the convicted wholesale murderer, Tom Mooney, and the graft game and agitation in the Sacco and Vanzetti case bear throughout a strong resemblance to that in the Mooney case. Frankfurter also made an investigation in the Bisbee case where members of the IWW were run out of town and his report, favorable to the IWW criminals and adverse to the decent citizens, in that case was characterized by ex-President Roosevelt, in a letter to Frankfurter himself, as "so thoroughly misleading a document as could be written on the subject." Frankfurter and Ernst Freund, Frank P. Walsh, and David Wallerstein, who are also members of the American Civil Liberties Union National Committee, and with Roscoe Pound and Zechariah Chafee, Jr., who are like Frankfurter professors of law at Harvard, several members of the Committee of 48, and Jackson H. Rabston, counsel for much of the red element in union labor and at the time for Louis F. Post, were among the twelve men who published themselves as the National Popular Government League and made a series of charges against the Department of Justice which tended to blacken the characters of members of the Department in the interest of Communists and anarchists who had been arrested for deportation. Post was then Assistant Secretary of Labor and William B. Wilson Secretary of Labor and the Department of Labor was, as Attorney General Palmer phrased it, seeking to nullify the laws of Congress by refusing to deport anarchists according to law. Post even went so far as to say that Magou, who confessed he was an anarchist and whose friends testified that he was an anarchist, was not an anarchist in order to avoid deporting him. A committee of Congress investigated these charges made by the National Popular Government League and found that they were the usual stock charges of the anarchists and Communists which these men were giving currency and very largely wholly mendacious, while such small amount of criticism as might justly have been made occasionally of some enthusiastic subordinate was twisted and magnified so as to be totally misleading.

On the American Civil Liberties Union National Committee with Frankfurter we find that right hand man of the Russian Communists, William Z. Foster, an open and professed Communist and today the leading Communist in the United States. We find Norman Hapgood, who has just issued a book in which he inverts the meanings of words and endeavors to make out that all who oppose communism are enemies of labor and that the only real progressives are those who play the Communist game. We find Morris Hillquit, who was counsel for the Russian Communists. We find Frederic C. Howe, who was exposed in his relations with the anarchists by a Congressional committee of investigation. We find Scott Nearing, a former editor of the *Revolutionary Age* which undertook to put over the most extreme teachings of Lenin and encouraged boring-from-within in our Army and Navy in endeavoring to make our soldiers and sailors traitors to the country. We find Robert Morris Lovett of the University of Chicago who recently, at Jane Addams' Hull House in Chicago, addressed an IWW meeting held there at which he undertook to justify the murder by the IWW of American Legion men at Centralia. We find Jane Addams, head of the Women's International League for Peace and Freedom and formerly, like Frank P. Walsh, Lynn J. Frazier, Ames Finckel, Frederic C. Howe, Timothy Shea, William Lemke, Glenn E. Plumb, etc., a vice-president of the Public Ownership League of America, on whose Executive Committee we find Duncan McDonald, the Communists' first choice for President in 1924; Edward F. Dunne, an open supporter of the Communists and others of the same stripe. Miss Addams is a great friend of Robert Morris Lovett, whom she got to address the summer meeting of the Women's International League

for Peace and Freedom some years ago. She was also one of the speakers advertised by the Communist organ, the *Daily Worker*, in the Communist "Hands Off China" meeting in Ashland Auditorium in Chicago on May 6th. Cannon, several times Socialist candidate for Mayor, was another on the program of speakers, while another was ex-professor Carl Haasler, intimate friend of Robert Morris Lovett and managing editor of the Communist Federated Press. Haasler was the man whom Whitney exposed in "Reds in America" as having said that he would not support the Government of the United States, but would be glad to kill for the purpose of overthrowing it. He is one of those who were jailed as draft evaders. We also find on the program of speakers with Jane Addams the man who calls himself Manuel Gomez, an assumed name, who is secretary of the All America Anti-Imperialist League, which is openly a Communist affair and openly bent on overthrowing the Government of the United States and making trouble between it and other governments. Congressman Sabath was another listed speaker and representative of the Communist Party in China were others. Anarchist Berkman's friend, George P. West, is another of the National Committee of the American Civil Liberties Union. So is Arthur LeBeau, founder of the IWW. James A. Hanson, exposed as one of the leaders in the attempted insurrection in Seattle is another. Edmund C. Evans was and Edward W. Evans is a member. Elizabeth Gurley Flynn, IWW and Communist agitator, is another and we also find Norman Hapgood and Arthur Garfield Hays and James H. Maurer, who was exposed by Attorney General Palmer during war time for his disloyal utterances, his greetings to his Socialist and anarchist friends and his urging of rebellion. There are many others of the same stripe.

It is not surprising then, that Professor Frankfurter should misrepresent the Courts and the orderly process of justice in the interest of the professed Anarchist and Communist, Sacco and Vanzetti, but it is perhaps surprising that the *Atlantic Monthly* should commend what he has written.

The Boston Evening Transcript published on Monday, April 24th, an exposure of Frankfurter's gross misstatements. This is the paper that published in full the first edition of Whitney's "Reds in America" and is noted for other patriotic work of the kind. It is one of the all too few papers that give a considerable amount of space to really patriotic work.

The exposure was written by Dean John H. Wigmore, a noted authority on evidence, a graduate of Harvard and the Harvard Law School, who had been a practicing lawyer in Boston and a former president of the American Institute of Criminal Law and Criminology. He is now Dean of the Law School of Northwestern University.

Through the kindness of the *Transcript* I am enabled to print below Dean Wigmore's exposure of the false and inexcusable statements of the Frankfurter article, which he terms a gross libel against the Courts of Massachusetts, and he shows why, as he terms it, the *Atlantic Monthly* article is "wholly devoid of credit as a basis for outsiders to form an opinion."

Frankfurter tries to convey the impression that the jury was hand picked. In reality there was a panel of about 675 jurors examined to get 12 for the trial and the counsel for the defense—for Sacco and Vanzetti—accepted all of the jurors as satisfactory. When the last juror was chosen the defense counsel had exhausted his challenges and counsel for the prosecution offered to challenge that juror if the defense wished, using one of the prosecution's challenges for the purpose. Nothing could have been fairer.

Frankfurter says that the Supreme Judicial Court cannot pass on the facts of the case in the lower Court, but it is shown that the Supreme Judicial Court not only can pass on the facts under a statute of the State giving it that authority and also under the common law, but that it did pass on the facts.

Other misrepresentations of Frankfurter are exposed.

Frankfurter conveys the impression that Sacco and Vanzetti were prosecuted as reds, which is the direct opposite of the truth. The whole prosecution had put in all its side of the case and the defense was well along in putting in its side of the case when counsel for Sacco and Vanzetti brought out the fact that they were Communists as a reason why they went into hiding after the murder was committed. They said they were afraid of being deported as reds as an excuse for such hiding, but it was shown that Sacco had in his possession at that time a passport he had gotten for the purpose of taking his family abroad a few days after he was arrested, so that he was not afraid of being deported at all. This fact Frankfurter carefully conceals. The trial was one for murder and banditry and had nothing whatever to do with redness of any sort until the subject was introduced by Sacco and Vanzetti's own counsel.

As for the fairness of the case, Sacco and Vanzetti had a thoroughly fair trial and at the close of the evidence their counsel made not a single request for instructions to the Judge and at the conclusion of the Judge's charge they took not a single exception to the charge, which was the direct opposite of the impression Frankfurter conveys. On the contrary counsel for Sacco and Vanzetti commended the counsel for the prosecution, Mr. Katzmann, and said his clients had had every patience and every consideration shown them and commended the laws of Massachusetts.

As for the international aspect of the trial which Frankfurter dwells on, that was all created afterwards, largely

through a series of outrages at United States Consulates abroad, etc., and agitation gotten up by the Communists in an endeavor to bring pressure upon the authorities and incidentally to collect plenty of graft as in the Hooney case, for these agitators thrive on graft and Sacco and Vanzetti in jail are a far better asset to the agitators than they would be either executed or released, precisely as the grafting agitators in the Hooney case had Hooney a better asset in jail than out of it.

It is estimated that the lying agitators in the Sacco and Vanzetti case, like the lying agitators in the Hooney case, have collected several million dollars in graft, for the greater part of which has gone into the pockets of these agitators.

The following is Dean Wigmore's article as it appeared in The Boston Evening Transcript of April 25, 1927:

TWO vindictive Massachusetts Justices, I gave the opportunity of your page to address the lawyers of the Commonwealth. I was first admitted to the bar in Suffolk County, Massachusetts; I learned to know and respect the temper and the standards of justice in that State; and my duty bids me to offer a few words in refutation of a gross libel that is now being circulated against the honor of the courts because of the verdict and sentence in the Sacco-Vanzetti murder case.

That case concerned the cold-blooded robbery and murder of a paymaster and his guard at a shoe factory in Braintree on April 15, 1920; the verdict of guilty was brought in on July 14, 1921; and the intervening time has been occupied by two motions for a new trial and by proceedings in review, leading to two decisions of the Supreme Judicial Court—the last one on April 5, 1927.

In the meantime, an agitation against the fairness of the trial and the justice of the verdict was started among various class Communist circles, and this was extended to the general public by the publication in the March, 1927, Atlantic Monthly of a fourteen page exposition of the case by a prominent pundit in a leading law school (followed by a longer pamphlet publication from the same press, advertised at \$1). The Atlantic Monthly article, being an attempt to poison the public sentiment of the entire Nation to the disadvantage of the Massachusetts courts, has had noticable success in your community. Its dangerous plausibility naturally calls for some exposure of its errors.

Neither Fair Nor Accurate

Your space does not permit a detailed analysis of the Sacco-Vanzetti evidence; but I hope that it does permit a statement of the reasons why this article in the Atlantic Monthly is wholly devoid of credit as a basis for criticism to form an opinion, and why the decisions of the State Supreme Court should be accepted with confidence as decisive of the justice of the case.

The plausible pundit of the leading law school begins by calling the case "one of international concern," and by stating that the article aims "to give in the briefest compass an accurate resume of the facts of the case." It ends by alleging that "the reader has now had placed before him fairly, however briefly, the means of forming a judgment"; and the editor adds this testimonial, that the article is a "complete and accurate resume of the facts of the case," "composed accurately and fairly by a trained and responsible lawyer."

I propose to show you that the article is neither fair nor accurate nor complete, both in vital details of the trial and in the "international concern" of the trial, and that the decision of the Supreme Judicial Court amply rebuts its basic charges.

A THE TRIAL ITSELF

Take first the trial itself. The gist of the article is, by omission and insinuation, that the trial judge and the prosecuting attorney "conspired" throughout to employ unfair methods; and in particular that they evaded the weakness of the evidence of the accused's homicidal guilt and completed the accused's character as Red radicals; thus turning the trial into a perversion of truth instead of a trial for homicide, and enjoining a packed jury of local partisans into a false verdict.

Now let us see how the plausible pundit goes about it to prove his case to the public.

1.—He begins at the impenetrable of the jury. We are told (p. 430) that "part of the jury was specially selected by the sheriff's deputies from Masscon gatherings and from persons whom the deponent deemed 'representative citizens,' 'substantial,' and 'intelligent.'" We are told again that the jury was "packed for its responsibility." And the reader would thus never know that in fact a panel of about 675 jurors was examined, and by the trial judge himself, before the twelve were found. Nor that counsel for defense accepted all of them as satisfactory. Nor that, as this was the prosecuting attorney, who the verdict's jury was finally found provisionally by the Court, the defense having by then exhausted its challenges, the prosecuting attorney allowed to use one of his remaining challenges if counsel for defense was not satisfied with that jury, and that counsel for defense accepted him without availing himself of the offer.

The "Packed Jury"

So that the imputation of a "packed" jury was baseless, and worthy only of unscrupulous yellow journalism. And the public can rest well satisfied with the pronouncement of the Supreme Court (impeached by the plausible pundit), in its opinion denying the motion for a new trial on this ground (181 Northeastern Reporter 520) that "no fraud or partiality in favor of the Commonwealth or material injury to the defendants is shown."

2.—Again, at the end of the trial, attacking the trial judge's opinion on grounds of the accused motion for a new trial (Oct. 25, 1926) the plausible pundit refers to it as "a forgery of international misrepresentation, suppression and tampering," and gives alleged illustrations of them.

Mass Misrepresentation
The "misrepresentation," etc., of the trial judge is clear. "Wm. G. Thompson (counsel for defense after the trial) is one of the leaders of the Boston bar; yet Judge Thayer thus characterized Mr. Thompson's activities in behalf of these two Italian: 'Since the trial before the jury of these cases a new type of defense would seem to have developed. It might be called "hype-psychic success" or hysteria, which means, "a belief in the existence of something which in fact and in truth has no such existence.'" Now the judge did not apply these words to the leading counsel's "activities on behalf of these two Italian." He applied them to a single part of the counsel's argument on the 1926 motion for new trial, viz., the part alleging a conspiracy between Mr. Burgess, Attorney General of the United States, and the local authorities to convict these accused because they were radicals and not because they committed the homicide. And how baseless was this allegation, how "hysterical," may be gathered from the Supreme Judicial Court which in its 1927 opinion says, on this point: "The trial judge would be compelled to find that no substantial evidence appeared that the Department of Justice had conspired to secure their conviction by wrong ful means." So that the ridiculous idea of a "conspiracy" at Washington was the only thing referred to as "hysterical," and not the learned counsel's "activities on behalf of the accused." This was a plain misrepresentation.

Well, these are three important misrepresentations in the plausible pundit's "accurate resume" as to the trial in general.

Now, let us look briefly at the evidence that is "fairly placed before the reader."

2.—An important part of the prosecution's case was the evidence (admittedly) told by the accused on their arrest—lies about their weapons and their whereabouts. These lies, betraying their consciousness of guilt, were explained by the accused as due to their supposition that they were being arrested preliminary to deportation as alien Reds, and to their fear of being deported to Italy. Several minor circumstances discredited the truth of this explanation; but the main and convincing one, as against Sacco's explanation, was that he had obtained and carried in his pocket at the very moment of arrest on May 5, 1920, a passport upon which he and his family depended to sail for Italy two days later. The defendant's own-accused action shows the bearing of this fact. Q.—"Mr. Sacco, you say you feared deportation, and that is why you told all these lies and why you did what you did?" Answer—"Yes." Q.—"Mr. Sacco, at the very time when you were telling these lies, you

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had already caused a protest for Italy, to which you, your wife and two children, then to all New York after the death of your countryman... The purpose of the protest was the strongest fact to show the justice of the cause... But to the justice, justice's "injustice" of the evidence, the fact of the prosecution in the courtroom... "The justice" of the evidence, the fact of the prosecution in the courtroom... "The justice" of the evidence, the fact of the prosecution in the courtroom...

What Kind of Judgment

4.—Again: There was only one physical object connecting the accused with the crime spot of the homicide—the revolver and a cap. The marks on the revolver and the cap were identified and a cap was placed up near the body of one of the murdered men. The victim's wife testified that it was not his, but there's evidence testified that it was similar to one worn by those and usually hung near the machine where it worked, and this cap was placed upon the victim's head when he lay dying and appeared to fit him.

But, in the plaintiff's "fairness," get a word about this cap! He says "the means of forming a judgment"—but, what kind of a judgment!

5.—Coming to the article's main subject, the explanation of the defendant's bad view and character, the plaintiff's article, after carefully avoiding to mention the fact that it was on the ground that the defendant's testimony was made of these things (so as to support their explanation of the reason for their lies), proceeds to accuse the judge and the prosecuting attorney of making the trial "a riot of political passion and patriotic sentiment"; then: "Up to the time that Stone and Vanzetti testified to their medical activities, their position, their flight to Mexico to avoid the draft, the trial was a trial for murder and conspiracy, with the over-conviction of Stone and Vanzetti patriotism and revolution became the dominant issue. Outside the court room the Red hysteria was rampant; it was allowed to dominate within. The prosecutor systematically played on the feelings of the jury"; and the trial judge "conspired to—was had almost written, composed—the process." There was a "deliberate effort to create the emotion of jurors"; "the real purpose" was "to influence the jury's process."

Now all this palaver seeking to make the reader believe that the judge and the prosecutor threw the defendant's evidence into the case, and then (illegally and unfairly) exploited it—all this palaver is a consummate misrepresentation. The facts were that not a word was offered on the subject in the case in chief; that defendant's counsel themselves insisted on bringing in these facts in defense as the only hope of overcoming the effect of the case in chief; that the judge and the prosecuting attorney stand upon defendant's counsel's motion in making the decision to do that; and that the prosecutor's misrepresentation did not deal with a single fact of such character which had not already been voluntarily told by the accused at their direct examination.

Great Lie

These facts are so demonstrative of the great and shameful falsity of the whole tenor of the plaintiff's article that

it cannot now be said in writing that the "great lie" contained in the article is a "deliberate attempt to create the emotion of jurors" by the Red hysteria, and of his misstatements that the judge "conspired" to make the trial "a riot of political passion and patriotic sentiment." These misstatements are a great lie and a great falsity. And they stamp the whole article as unworthy of credit, for they are the main basis of its complaint.

Security of Guilt

6.—The plaintiff's article, however, was faced with the damaging fact that the Supreme Judicial Court, on May 12, 1926, had already handed down a decision (251 Northeastern Reporter 220, 29 pages long), reversing the whole record, and allowing the trial judge's order denying a new trial. The plaintiff's article made that decision by this court's comment: "The guilt or innocence of the defendants was not tried in the Supreme Court. That court could not inquire whether the facts in the case in the plaintiff's mind justified the verdict. Such would have been the scope of judicial review had the case come before the New York Court of Appeals." In Massachusetts, what is reviewed is in effect the decision of the trial judge, only so-called questions of law are open.

The reversing of the Supreme Court's opinion might well impress the lay public to whom it was addressed. But the lawyer examining the record would discover the complete falsity of its indication.

What a Lawyer Would

do in the first place, the fact of the "great lie" is a "deliberate attempt to create the emotion of jurors" by the Red hysteria, and of his misstatements that the judge "conspired" to make the trial "a riot of political passion and patriotic sentiment." These misstatements are a great lie and a great falsity. And they stamp the whole article as unworthy of credit, for they are the main basis of its complaint.

7.—In the second place, the plaintiff's article, in stating that "the guilt or innocence of the accused was not tried in the Supreme Court" (in contrast with the alleged New York decision), is clearly charging the issue that is being denied. He does not claim to show that the accused was innocent of murder; he does not claim that the evidence proves his guilt; and he does not proceed on the impossible assumption that the accused did not have a fair trial of these guilt or innocence, and that is the gist of his charge. But the Supreme Judicial Court of Massachusetts, having allowed to all the possible grounds urged by counsel for such a conviction, he held that the accused did have a fair trial. In the decision, after all, is a full and square repudiation of the plaintiff's main contention. His article is to effect an appeal from the Supreme Court.

(c) And, finally, the Supreme Judicial Court 251 pages upon the issue of guilt or innocence in the context that ought to satisfy any citizen that has respect for trial by jury. For among the grounds alleged in the motion for a new trial was this: That the trial judge acted in not allowing a verdict of not guilty for lack of sufficient evidence of guilt to go to the jury. And the Supreme Court held that the trial judge committed no error in denying that motion. In other words, there was sufficient evidence to go to the jury. Here are the exact words of the opinion (121) 251 N. E. 220, at 227: "The defendant voluntarily moved for a verdict of not guilty on all the evidence, and the motion having been denied they averredly accepted it is concluded on behalf of Vanzetti that his being in the 'murders' case at all could be found to be merely probable and that his presence therein was not proved beyond a reasonable doubt." (The evidence is conclusively rebutted.) The motion was denied rightly."

Misleading the Lay Public

It is at this point that the plaintiff's misrepresentations are most shameful and most misleading to the lay public. He alleges that the Massachusetts Court, as a matter, in contrast to the New York Court, does not pass upon "whether the facts as set forth in the printed record justified the verdict," but only upon "so-called questions of law." Now (as matter what the New York Court does) the point is that by such means technical questions of law are open, and that the Massachusetts Court does pass upon the sufficiency of the facts in passing the jury's verdict, in reversing a case like the present.

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Franklin's still was an act by the speaker to say that he had been at Cornell College, which misleads the public into believing that what he said is reliable.

Major Baldwin, a director of the American Civil Liberties Union, pointed out that the Communists are in the process of perverting the Bill in part.

"Language unaccompanied by an act, even if the logical consequence of it had effect in the jurisdiction of the act, is legitimately within our conception of free speech. For instance, the advocacy of war, unaccompanied by any act, is within the legitimate scope of free speech. . . . I would say on behalf of the entire Committee that all of them subscribe the legal theory of constructive intent, and that all of them believe in the right of persons to advocate the overthrow of government by force and violence."

In a letter from Baldwin to the German agent Loebner, who was the one of the originators of the comments "Faded from", Baldwin said, "We want to, also, look like patriots in everything we do. We want to get a lot of good flags, talk a good deal about the Constitution and what our forefathers wanted to make of this country and to show that we are the fellows that really stand for the spirit of our institutions."

A director of the ACLU states: "Laws purporting to prevent the advocacy of the 'overthrow of the government by force or violence' are all violations of the right of free speech."

The Report comments: "If we analyze the position taken by the American Civil Liberties Union we will find that what is sought is not freedom of speech, freedom of press or freedom of assembly, but freedom. In other words, they are to arise in the advocacy of crime, provided the advice of the speaker is not carried into effect."

"An examination, however, of the propaganda and agitation which has been carried on by force of the fearful over-throw of this government shows that it does not consist of a mere expression of opinion, but invariably advocates measures for its effectuation." . . . "The effect of the activities of the American Civil Liberties Union is to create in the minds of the ill-informed people the impression that it is un-American to interfere with the activities of those who seek to destroy American institutions." . . . "It is interesting to note that the anxiety of the American Civil Liberties Union is shown only where the cause of free speech is called in question because of attacks upon property or government." . . . "The American Civil Liberties Union, in the last analysis, is a supporter of all subversive movements, and its propaganda is detrimental to the interests of the State."

At Hearing Number 89. 1. 11 of the House Committee on Immigration, Allen S. Ousted appeared as a representative of the American Civil Liberties Union.

The Chairman asked him, "You think that an alien has a perfect right to come here and get into a labor strike, preach communism all he wants to, and advocate the overthrow of Government?" Mr. Ousted, "Yes."

Mr. Hainley of the Committee, "Did I understand you to say that an alien has a right to preach the overthrow of Government, and anarchy?" Mr. Ousted, "Yes."

Among the latest things pleasing to the Communists, gotten up by the ACLU crowd, is the National Citizens' Committee on Relations with Latin America.

It should not be lost sight of that mendacity is the chief asset of the Communists, and the American Civil Liberties Union plays the Communist game.

FRANCIS BALDWIN WILSON

May 14, 1927.

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A Typical Communist Issue

The Sacco and Vanzetti Fund Publishing Association. Gella Poliak, Secretary. Leonard D. Brett, Treasurer. Sacco and Vanzetti, Whoseby Editors.

Leonard D. Brett was one of the editors of "Freedom - a Journal of Constructive Anarchy." He belonged to the "Freedom" group of the Berkman anarchist gang. He was a friend of John B. Keeney, Director-General of Labor, and was part of the second preferred route of the Berkman anarchist gang for reaching William B. Wilson when Secretary of Labor, as Keeney was known as William B. Wilson's nephew and was a protégé of Wilson. The character, like the Communists, took up the Sacco and Vanzetti agitation.

Among those signing appeals in this paper are:

Russ Byner, writing from Montivideo.

Professor J. E. Hoeking, of the Philosophy Department of Harvard University, states that Sacco and Vanzetti are "as innocent as you or I".

Wilton Mindler says that the labor movement has been in jail for seven years. Gella Poliak signs a statement as secretary giving the advisory committee of the Sacco and Vanzetti Students Committee. She states that one of the most successful meetings was held in Columbia University and that the work of the Committee consisted in holding meetings in colleges and universities. She writes to state the collection of funds and into whose pockets they went.

William P. Montague, Professor of Philosophy in Columbia University, states that Sacco and Vanzetti are innocent.

Morris E. Cohen, Professor of Philosophy in the College of the City of New York, compares the Sacco and Vanzetti case to the Dreyfus case and states that Sacco and Vanzetti were convicted because they were foreigners and reds, which he must have known was not so.

John Haynes Holmes adds his bit in the same strain.

Economics

Paul F. Brissenden, Professor of ~~ECONOMICS~~ in Columbia University, states that the law cannot be allowed to take its course.

B. W. Harbock has an article headed, "How Can We Be Passive?" He is a member of the ACLU National committee and a publisher of red and generalising literature.

Other pro-Sacco and Vanzetti articles are by Robert W. Elder, Paul U. Kellogg, editor of the "Survey" and one of the founders of the Foreign Policy Association; Isidor Newrance, of Columbia University; Rabbi Stephen S. Wise, whose article is captioned, "A Judicial Crime." Wise was one of the American Civil Liberties Union national committee, and I am informed by an insider was in the pay of the Communist crowd during the Passaic strike. Ernest Nagel, of Columbia University, has an article, "Condemned Because of Their Radical Views". Ralph Chesny and Lucia Trent agitate for a poetic anthology in favor of Sacco and Vanzetti. E. C. Wells has what is called "An Indictment of the Massachusetts authorities."

The Students' Sacco and Vanzetti Committee membership was not confined to students only. The advisory board consists of Paul F. Brissenden, of Columbia University, who in the past has been an aider and abettor of the IWW; Prof. Henry George Saffin, of Union Theological Seminary; Mary E. Cohen; Prof. Morris E. Cohen, of U.C.L.A.; Herbert Greig, editor of the New Republic; Prof. John Dewey, of Columbia University; Beatrice Lawrence Marks; Prof. Edward Head Markle, of Columbia University; Prof. Lewis Mumford, of Columbia University; Robert A. Elder, Attorney; Raymond S. Feuchtwang, Attorney; Conrad E. Frankel, Attorney; Joan Haynes Holmes, Pastor of Community Church; B. W. Harbock, Publisher; Paul U. Kellogg.

Editor of "The Survey", New York, New York, Secretary of the
Ethiopia, of Columbia University, Dr. G. B. ...
Mary A. ... of ...
Director of the League for International Peace, ...
Editor, and Rev. Stephen G. ... of the ...

Into the members of the American Civil Liberties Union, ...
have been associated with them in other activities ...

...

November 7, 1927.

11-10-27

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This was purely a Communist affair and the one of the most remarkable graft games ever put over on the public. The purpose was to discredit courts, law and government in the interest of communism and it was subtly and carefully planned for that purpose.

An article in the New Republic - a paper of bad testimony - in 1942 commenting on this case stated that usually theoretical innocence of defendants' charged with murder were brought out by the State, but in this case the prosecution had SAKINULLAH AVINIAN ROBERT SOLO, or course one object of the Communist agitation is to raise funds for the agitators, the collectors and their friends and aiders and it is estimated that at least \$5,000,000 were so raised of which probably over 50% went to the fingers of the collectors, the agitators and their friends and aiders and it was represented, as part of the agitation, that Sacco and Vanzetti were being persecuted as Reds and not prosecuted for the crimes they had committed, which, of course, was obviously false.

It was also well known that the President of the United States has no power whatever in the matter as it was purely a Massachusetts State affair. Governor Fuller appointed his Committee who carefully reviewed all the evidence, as he also did, and he even went to the extreme length of interviewing the jury and the witnesses in addition to seeing the counsel for the defendants and he and his Committee both found that their had been no irregularities. The Communists had asked for the appointment of a committee but as soon as the committee reported they and their friends shifted their ground and tried other species methods of attack and their mendacity will continued work overtime. At this stage of the game after the Governor's report and when it was obvious that it could be of no benefit except for purposes of Communist agitation, the Rev. Harry F. Ward, Chairman of the American Civil Liberties Union, with the assistance of some other ACLU members got up a committee to send a telegram to the President ostensibly on behalf of Sacco and Vanzetti but all that it really amounted to was an additional stimulus to Communist agitation and additional dust thrown in the eyes of victims of Communist deceit. It of course, however, was an aid and stimulus to the graft game. The names affixed to this telegram are given in Serial No. 171 of the Daily Data Sheets of the Key Men of America as follows:

- David Starr Jordan, Bishop Paul James, Oswald G. Villard, Glenn Frank, Rev. John A. Ryan, Fannie Hurst, Rev. E. H. Riegelow, John F. Sinclair, Francis Kane, Louis F. Post, Rev. E. A. Jenkins, Alice C. Blackwell, Frederic C. Howe, Louis Cole, Guyton Sinclair, Henry T. Hunt, Mrs. J. S. Codman, Wm. J. Anderson, Geoffrey Elton, A. J. Ruste, Parson Gibson, Dr. D. Paolino, Prof. W. Levy, E. A. Heiklojohn, John Kevin Byrne, Harriet S. Elitch, E. S. S. Colby, Herase Liveright, Prof. J. Jastrow, Elizabeth Gilman, Wm. S. Jackson, Vida D. Scudder, Ruth S. Thompson, Danafield Day, Ann V. Croton, Isaac Ben Loving, Ruth Collins, Fremont Older, Robert H. Lovett, Alex. Heiklojohn, Bishop F. Lane, Graham Taylor, Sam Lincoln, Owen F. Lovejoy, Arthur G. Hays, Ida H. Tarball, Felix Adler, Rev. J. Hyatt, Jr., Wilson Gardner, Joseph W. Krutch, John S. Herring, Mrs. Walter Pope, George E. Howard, John D. Milvestro, Charles C. Tinsley, Carl Van Doren, Rev. S. O. Dorton, Mrs. E. A. Codman, Genevieve Taggard, Wm. C. C. Ty's, Cong. F. H. McGeardie, Helen Beardman, Rev. H. F. Ward, Mary G. Wood, Mrs. Max Margenthan, Jr., John F. Ryan, Rev. and Mrs. Eliot White, Agnes Garrison, Walter Liggott, Luther E. Widan, Thomas C. Gannon, Arthur Shields, Byron Collins, Florence Wood, Katherine Anne Porter, Florence Kelley, J. Bernard Wilson, Ruth Pickering, E. W. Merrill, Lucy Branham, Helene S. Dudley, Katherine Ward Fisher, Floyd Dell, Emily Ballouell, Charlotte B. Hallowell, Grace M. Burghen, Helen Greyson, Ellen A. Lomon, F. E. Paragah, Margaret Marshall, Guy E. Shipley, Mrs. Penn Gray, Homer Morris L. H. Haglan, Shirley V. Kelley, Dr. Sima, William Siegel, E. P. Beckwith, Ralph Cheney, Rev. E. S. Chaffee, Laura Condit, Lucia Trent, Clarina Nicholson, Rockwell Kent, Mary Iona Povey, John Das Passos, Arthur Warner, Ernestine Evans, Frank L. Balch, Mary Lena Wilson, Winifred Rygal, John H. Lawson, Louis Leobrich, Allen Carpenter, E. D., Willis K. Gray, Alfred Liebman, Rina Corstvet, Alicia Rosenthal, Julius Rosenthal,

William Weaver, Kate Kelly, Edward Jones, Paul Jones, Robert Brown,
Lillian Parker, Frederick E. Young, Joseph L. White, Charles F. Dunlap,
Marjorie E. Hays, Marie A. Swift, Mrs. L. Jackson, Mrs. J. Kennedy, Helen
E. Kelly, Elizabeth S. Kitch, Miss E. Price, Emily Hagan, James R. Har-
lan, Felix Graham, Saml. G. Smith, John G. Smith, Mrs. J. G. Smith,
Miss G. Smith, Mrs. A. Liberman, David A. Smith, Mrs. John, James M. Smith,
Mildred Harrison, Charles E. Smith, Mrs. John G. Smith, Mrs. John G. Smith,
Palman, G. E. Elliott, Jr., Mrs. L. Jones, Charlotte Smith, P. G. Smith,
F. E. Anderson, E. A. Walker, Miss G. Pugh, Grace Smith, John G. Smith,
Pearson, Agnes De Lina, Louis E. Pearson, V. S. Schapiro, Mildred Smith,
Mrs. Homer Smith.

Note how many of these are members of the American Civil Liberties Union National Committee or are found in other associations with these members or in connection with other organizations related to the Communist game.

Note Louis F. Post when Attorney General Palmer denounced while in office for nullifying the Law of Congress in the Interest of Communists and anarchists.

Note Perter Hibben, the friend of the Communist John Reed, and Glenn Frank and Professor Huggelahn of the University of Wisconsin; Harriet Stanton Blatch of Commonwealth College; Willie S. Jackson, whose brother was counsel for Sacco and Vanzetti; John R. Lovejoy, secretary of the Children's Bureau which was created under Bull Moose auspices by Vice Adams and her friends.

Note Mrs. Valtar Ship, whose check given to a Communist cause was captured in the Bridgman raid and who is a member of the WILPF, as are also Mrs. E. A. Codman, Helena S. Dealey and a number of other signers of this telegram.

Note Congressman Labartus, who belongs to the Treason group of the Sons of Italy which Treason split up into two camps.

Note Harry S. Hart, Chairman of the ACLU; J. Bernard Walton of Southmore who was connected with the First American Conference for Democracy and Peace of Peace; Lucy Branham, WILPF and prominent in the League of Women Voters; Florence Kelley, translator of Marx and Engels who has had so much to do with our socialistic-communistic legislation in Washington in connection with Mrs. Louise Strong, Jane Adams, Mary Anderson and other Bull Heasers.

Note Frank P. Walsh, agent of the communist Friends of Soviet Russia, counsel for the Bridgman Communists, member of the American Civil Liberties Union National Committee and the man who had much to do with selecting for the Communist interests the delegation that went to Russia in the Summer of 1937 camouflaged as a Washington's Mission for the purpose of making a report pleasing to the Communist magnitudes in Russia.

Note Harry Wainwright, Washington Postman and Editor and one of Wainwright's League for Liberty of Political Prisoners.

Note how many red affairs many members of this group are connected with and how these affairs constantly play into the hands of the Communists and through interlocking committee memberships dovetail in with the Workers (Communist) Party.

On the same note sheet we find three names as speakers to Governor Miller for Sacco and Vanzetti:

Robert C. Herring, secretary of the department of social relations Congregational Churches of the United States; Harry Emerson Fosdick, Professor at the Union Theological Seminary, New York; Raymond Calkins, pastor of the First Congregational Church, Cambridge, Mass.; P. D. Smith, pastor of the Pilgrim Congregational Church, Cleveland; Mary Elvira Carril,

president of the Union Theological Seminary, New York; Clement A. Blake,
 pastor of the First Congregational Church, Portland, Ore.; Albert C. Hart-
 lock, editor of the Christian Register, Boston; Charles V. Gilkie, pastor
 of the First Park Baptist Church, Chicago; William E. Gilroy, editor of the
 Congregationalist, Boston; Lewis S. Hartman, editor of Home's Herald, Boston;
 Harold L. Stratton, pastor of the Pilgrim Congregational Church, Worcester;
 Robert E. McLaughlin, pastor of the Piedmont Congregational Church, Worcester;
 Charles Clayton Morrison, editor of the Christian Century, Chicago; E.
 Salmond Root, secretary of the Boston Federation of Churches; Paul S.
 May, pastor of the Washington Congregational Church, Toledo, O.; and Robert
 Hicks, pastor of the First Congregational Church, Holyoke.

We learn from Data Sheet No. 178 of another list of appellants
 for Deane and Vanzetti which appeared in the Survey. They are given as
 follows, classified as to occupations:

College and University Professors: John R. Commons, Wisconsin;
 Henry Walcott Farnham, Yale; Donald J. Henderson, Rutgers; William Ernest
 Becking, Harvard; Edward H. Ross, ex-president, Yale-in-China; Joseph
 Jablenover, Ethical Culture School; William Pepperell Montague, Columbia;
 Henry R. Huxley, Wellesley; H. F. Ross, Johns Hopkins; Arthur L. Rogers,
 Yale; Arthur H. Schlesinger, Harvard; Mary R. Sawyer, Columbia; Fannie
 Smith, Washington; Ellen Elise Talbot, Wellesley; Lily R. Taylor, Bryn
 Mawr; Maria Parker Whitney, Vassar; Milton Wittler, Boston; Mary
 Peasley, Mount Holyoke.

Social Workers: Michael W. Davis, New York, New York; Edward T. Devine,
 dean of the Graduate School of Education, University of New York; John A. Fitch,
 New York; Raymond S. Fuller, National Conference on the
 Christian Day of Life; Eleanor Hanson, secretary, Associate Charities,
 Pittsburgh; George E. Becker, Chicago; C. Marion Egan, director, Orphan's
 Guardians, Philadelphia; Elizabeth P. Lassar, Marian House; Amy Maher,
 secretary, Consumers' League, Toledo; Elizabeth McConnell, Cornell Clinic;
 Mary E. McDevell, former Commissioner of Public Welfare, Chicago; Frances
 E. Nelson, chief director, American Association for Organizing Family Social
 Work; John Nelson, Cambridge, Mass.; W. V. Passage, Chairman, Brooklyn
 Forum; Mary K. Cimkovich, headworker, Greenwich House; Walter L. Salomon,
 headworker, University Settlement; Ellen Gates Starr, Hull House, Chicago;
 Graham Tyler, warden, Chicago Commons; Sidney S. Yeller, Irons Kaufmann
 Settlement, Pittsburgh; Marguerite A. Vales, director, Visiting Nurse Asso-
 ciation.

Writers and Editors: Mary Austin; Steadman Hull, Topeka, Kan.;
 Francis Hill Bigelow, Cambridge, Mass.; Newell Brubaker, of The New Yorker;
 J. McKeen Cattell, editor of Science, School and Society; J. I. Chamberlin,
 editor, Boston Evening Transcript; John S. Codman, Boston; Florence Com-
 merce; Waldo L. Cook, editor, Springfield Republic; Lewis E. Gannett,
 editor, The Nation; James L. Hollins, William Weaver, of Life; Harold How-
 land; John Howard Lawson; Hugh Loring; Jean Kuyven DeKansie; Jernette
 Marks; Dr. Bernard Meyer, editor, Columbia University Optometrist; Oscar
 S. Sennock, editor, Medical Quarterly; Ida R. Terrell; Hendrik Villan
 Van Loon; Oswald Garrison Villard, editor, The Nation; Leon R. Whipple;
 W. E. Woodward; Edith Franklin Wyatt.

Lawyers, Physicians, Clergymen and Business Men and Women:
 John Y. Vance, Jr., law librarian of Congress; Thomas Reed Powell, Harvard;
 Charles P. Amidon, United States Judge, North Dakota; Basil H. Bass; C. C.
 Burlingham; Elmer Byrnes; Arthur Garfield Hays; Nicholas Kelley; Edwin
 J. Macerole; Ralph Amidon; Ruth Standish Baldwin; Mrs. George S. Coleman;
 Mrs. J. Malcolm Forbes, Boston; Mary E. Sanford; Mrs. Walter Vayl; Alice
 Hamilton, Harvard; Rev. John V. Darr, Northampton, Mass.; Rev. Edward
 Staples Green, Cambridge, Mass.; Rev. Angus Sme, Cambridge, Mass.; Rev.
 Robert C. Herring, secretary, Congressional Commission of Social Service;
 Rev. John Rowland Lathrop, Brooklyn; Rev. Jean Howard Walsh, Brooklyn;
 F. H. Crouch, formerly secretary of the Joint Commission on Social Service
 of the Protestant Episcopal Church; James H. Sullivan, secretary of the Com-
 mission on Social Service and Rural Work; Dr. S. S. Calverton, director,
 Mount Sinai Hospital; Dr. Charles Russell Lowell Putnam; Forest Sullivan.

director, American Civil Liberties Union; C. C. Richards, Boston; Geoffrey C. Brown, East Orange, N. J.; J. E. Trimble, Stock Exchange; Mrs. Howard S. Gans; Frances Ingram; Evelyn Preston.

Scientists at Wood's Hole, Mass.: Prof. William E. Anderson, University of Pennsylvania; Prof. Dudley W. Frank, Swarthmore; J. Robert Hatcher, Columbia; Prof. E. E. Just, Harvard; Prof. V. C. Curtis, Wisconsin; A. N. Sargent, Carnegie Institution; L. A. Jonesfield, Rockefeller Institute; Jacques Bronfenbrenner, Rockefeller Institute; William Cattell, Cornell; Prof. Robert Chambers, Cornell; Theodore P. Dobson, Columbia; Sally H. Schröder, Bryn Mawr; Franz Schröder, Bryn Mawr; Prof. L. H. Crave, Wabash; C. A. Plunkett, New York University.

Here again we find a representative of the Children's Bureau and a Hall House, namely Dr. Neva A. Beardorf. Bryn Mawr College is also represented. Again there comes to the front members of the American Civil Liberties Union and its National Committee and of organizations affiliated with it, members prominent in the ACLU, people who formerly appealed for the IOW and many names those interested in fighting against communism frequently come across as supporters of things that please the Communists and aid their cause.

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FROM: *1707*
 L. J. CARTWRIGHT
 SUBJECT: **ADOLFO SAGGO AND BARTOLAMEO VARETTI, ALIASES
 RADICAL MATTERS
 BUREAU FILE # 61-126**

The attached enclosure consists of long hand work sheets, stenographic notebooks, extra copies of reports, memoranda and miscellaneous correspondence used in the investigation of the above captioned case, and is presently carried as a bulky enclosure under file # 61-126.

In view of the fact that the notebooks and work sheets have served their purpose, and since we already have copies of the rest of the material in file, does not appear that the Bureau would have any further use for this enclosure.

RECOMMENDATION:

Inasmuch as this enclosure is occupying valuable space in the Records Division, it is requested that the file be reviewed by the Security Division for their opinion as to the disposition of this material.

It is recommended that the enclosure be destroyed here at the Seat of the

*O.K. Security Section
 J. J. Anderson Subtotal
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*61-126-8131
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50 MAY 20 1945



United States Department of Justice
Federal Bureau of Investigation
 100 Milk Street
 Boston 9, Massachusetts.

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| Mr. Tolson | _____ |
| Mr. Ladd | _____ |
| Mr. Clegg | _____ |
| Mr. Glavin | _____ |
| Mr. Nichols | _____ |
| Mr. Rosen | _____ |
| Mr. Tracy | _____ |
| Mr. Harbo | _____ |
| Mr. Belmont | _____ |
| Mr. Mohr | _____ |
| Tele. Room | _____ |
| Mr. Nease | _____ |
| Miss Gandy | _____ |

IN REPLY, PLEASE REFER TO
 FILE No. _____

January 20, 1951

Director
 FBI

Atten: Mr. L. B. NICHOLS.
 Re: SACCO-VANZETTI CASE

Dear Sir:

At the time of the appearance of Mr. L. B. NICHOLS before the Harvard Law School Forum, at Cambridge, Massachusetts, on December 8, 1950, he expressed an interest in obtaining from Special Agent W. J. WEST of this office, a memorandum of the latter's personal knowledge of the SACCO-VANZETTI trial, recently mentioned in the book entitled "Federal Bureau of Investigation" by MAX LOWENTHAL of New York City.

A review of that rather lengthy writing indicates a comparatively short reference on pp. 279-280, reading in part: "The Bureau of Investigation made use of opportunities to assist in State cases against radicals even when the specific indictments had nothing to do with the issue of radicalism. The best known example of those was the SACCO-VANZETTI case in Massachusetts. Two Italian immigrants, NICOLA SACCO, a Cobbler, and BARTOLOMEO VANZETTI, a fish peddler, were under Bureau of Investigation surveillance because of their belief in radical theories. The two men were tried and convicted for the murder of payroll guards in South Braintree, Massachusetts". The piece then goes on to cite an affidavit received from an ex-Agent of the Bureau, alleging receipt of instructions from Washington to aid the State in its conviction for murder in return for information from the State that would aid in the deportation of the defendants in the event of their acquittal of murder.

Mr. WEST, as he now recalls, was Assistant Division Superintendent at Boston, in charge of intelligence matters, when the two defendants were arrested thirty years ago by Massachusetts authorities in or about May, 1920, for the payroll hold-up and murder at South Braintree. One of the two defendants, believed to be VANZETTI, was involved in another hold-up at Bridgewater, Massachusetts, and both of them were tried and convicted for the hold-up and murder at South Braintree. Without recourse to records, it is the belief of Mr. WEST that one of them, possibly VANZETTI, prior to the murder trial, had

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Director: Re: SACCO-VANZETTI CASE

already been convicted of the other hold-up at Bridgewater. At any rate, both were arrested by local authorities in May, 1920.

As to the statement of LOWENTHAL that they "were under Bureau of Investigation surveillance because of their belief in radical theories" at the time of their arrests, this was absolutely without any foundation in fact. It is the present recollection of Mr. WEST that nothing was known of them in the Boston office at the time of their arrest or prior thereto, with the possible exception of one short report of a meeting of Italian anarchists at Milford, Massachusetts, some two or three years before 1920, in which the name of one of them, which not now recalled, appeared among the names of other alleged Italian anarchists present thereat. Other than this nothing was known of them here.

At the time of arrest, it is believed, they had so-called radical literature in their possession and it subsequently came to light that they had been in Mexico during the war period to avoid possibility of being drafted, because of their opposition to the Selective Service Act. This would have accounted, probably, for the lack of information in our files concerning them during the period prior to arrest.

Further, before the murder trial, it was agreed between counsel for both sides that no reference was to be made to their ideologies or so-called radical activities, and no reference was made thereto until their own counsel brought it into the case. His explanation of the reason for the introduction of such evidence is not now recalled, but it is recalled that counsel for the defense was the first to introduce that subject.

In 1918 or 1919 bombs had been exploded in seven or more cities of the United States at practically the same time on the same day. One was exploded outside the home of the Attorney General in Washington, D. C., and its explosion was apparently premature, as the man who was placing it was killed in the act. One of those bombs was exploded at the home of a local district court judge in Boston, who had previously sentenced some so-called radicals. Naturally, as a result of those anarchistic activities the Bureau and Department were interested.

On September 16, 1920, a bomb was exploded in Wall Street, New York City, killing more than thirty persons, beyond question the

Director:

Re: SACCO-VANZETTI CASE.

work of an anarchist or anarchists. In the summer of 1920 there was formed in Boston the Sacco-Vanzetti Defense Fund, in which it was reported, over three hundred thousand dollars was eventually collected, and that organization circularized the entire world. Many of the contributors were recognized as anarchists, although most, of course, were not. The Bureau and Department were, naturally, interested in the anarchist contributors to the fund in the hope of obtaining evidence concerning the Washington and New York bomb explosions.

The reference in Mr. LOWENTHAL'S book to an affidavit of an ex-Agent, referred to above, is undoubtedly a reference to one of several ex-employees who were not employees of the Bureau in May, 1920, having come in under appointment by Director BURNS in 1921, or at any rate, who were fired by Director HOOVER in or about July, 1924. A Mr. WILLIAM G. THOMPSON, now deceased, who was counsel here at one time for SACCO and VANZETTI, collected all of those affidavits. SACCO and VANZETTI were electrocuted by the State in August, 1927.

Mr. WEST reports that the Bureau has a file on the SACCO-VANZETTI case, whereas Boston now has nothing in its files that would be of any assistance, as all Boston files up to February 22, 1932, or thereabouts, were removed to New York City for storage in the old Federal Building on Washington Street there, when the Boston Office was closed. Hence, this relation is from the present recollection of Special Agent WEST.

If the Bureau desires or can utilize a fuller account from Special Agent WEST perhaps it would be well to instruct Mr. WEST to go to Washington in order that he might have the entire file available for perusal and study.

I think this should
be done
Wm

Very truly yours

J. E. Thornton
J. E. THORNTON
SAC

JET:EPL

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: January 23, 1951

FROM : L. B. Nichols

SUBJECT: SACCO-VANZETTI CASE

| | |
|------------|---|
| Tolson | ✓ |
| Ladd | |
| Clegg | |
| Glavin | |
| Nichols | ✓ |
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| Nease | |
| Gandy | |

The files and reports of the Bureau in the 1919-24 era are sketchy, to say the least. Over the years the critics have been harping on the Sacco-Vanzetti Case, and while our files do give us a sketchy account of what happened in the Bureau, there has always been some question in my mind as to the knowledge of our office in Boston. At that time Special Agent S. J. West was actively connected with the Sacco-Vanzetti Case, in fact, he was the one who had conferences with the defense attorneys.

When I was in Boston in December I asked SAC Thornton to have West prepare a detailed memorandum of his recollections of just what the Bureau did or didn't do, bearing in mind that the critics usually rest their case upon the affidavits of two former Agents of the Bureau who made the statement that the Bureau files contained information which would establish the innocence of Sacco-Vanzetti. We are now in receipt of the attached letter from SAC Thornton advising that the files of the Boston Office on Sacco-Vanzetti were transferred to New York for storage in the old Federal Building when the Boston Office was closed on February 22, 1932.

Mr. Thornton suggests if the Bureau desires a fuller account from Mr. West we might desire to have Mr. West come to Washington in order that he might review the Bureau files and fill in the gaps. I think this should be something that would be very worthwhile and shouldn't take more than two or three days. I would like to recommend that we have West come down here whenever it is convenient to review the Bureau files and prepare a detailed memorandum setting forth his recollections of exactly what the Bureau Agents in the field did or didn't do. I think that it is important to have this for future reference.

LEN:CMC

Attachment

I don't see the need for this

Let it be done.

Standard destroyed 1-24

West will be down 2/26

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols
 FROM : M. A. Jones ✓
 SUBJECT: SACCO-VANZETTI MATTER

DATE: March 10, 1951

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Attached is the research conducted by Special Agent W. J. West of the Boston Office. We have gone over the memorandum and it is felt that it is the final answer as far as the Sacco-Vanzetti matter is concerned.

Case Summary

Briefly, the Bureau had no interest in Sacco and Vanzetti prior to their arrest except for the fact that their names appeared on the mailing list of an anarchist publication. We conducted no investigation. In regard to the statements by two former Agents that the Bureau took a very active part in the Sacco-Vanzetti affair, Agent West set forth the facts indicating that neither of these Agents had anything to do with the matter, and furthermore that the reputations of both of them were exceptionally bad.

The other contention that the Bureau withheld information which might have proved the innocence of Sacco and Vanzetti is completely disproved. As Mr. West points out, there is absolutely nothing in the files either in Boston or Washington which would indicate this.

Agent West did a very excellent job in this regard.

Very well done

7 ENCL
Attachment

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*W. J. West
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MEMORANDA

Re: Sacco-Vanzetti Matter

The statement set forth in this memorandum is a reply to statements appearing on pages 379 to 381, Chapter 34, captioned "Business As Usual Under A New Attorney General," in the book entitled "The Federal Bureau of Investigation," by Max Lowenthal, New York City, 1950.

The pages referred to above cover his allusions to the Sacco-Vanzetti case in Massachusetts.

In those pages the following statement occurs:

The Bureau of Investigation made use of opportunities to assist in State cases against radicals, even when the specific indictments had nothing to do with the issue of radicalism. The best-known example of this was the Sacco-Vanzetti case, in Massachusetts. Two Italian immigrants, Nicola Sacco, a cobbler, and Bartolomeo Vanzetti, a fish peddler, were under Bureau of Investigation surveillance because of their belief in radical theories.

The two men were tried and convicted for the murder of payroll guards in South Braintree, Mass. In the course of proceedings to secure their retrial and freedom, on grounds that included the contention that an unjust verdict had been obtained by appeals to prejudice during a period of anti-radical hysteria, affidavits were submitted by two former Bureau of Investigation agents, men with years of service in its Boston branch office. Their statements included the following:

"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....

"The understanding in this case between the agents of the Department of Justice in Boston and the (State's) District Attorney followed the usual custom, that the Department of Justice would help the District Attorney to secure a conviction, and would help the agents of the

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Department of Justice to secure information that they might desire."

The agents said that the Bureau used the State criminal trial as a means of securing admissions by the defendants that they were believers in anarchy, so that the Bureau might get them deported if they were acquitted of the murder charge. To this end, the Federal police bureau gave the State's attorney "information about the radical activities of Sacco and Vanzetti to be used in their cross-examination." The counsel for the defense did not receive, until after the conviction, the affidavits of the two former agents providing information about the part the Bureau had secretly played in the murder trial.

Bureau agents who worked on the case for Washington headquarters and attended the murder trial in its behalf were themselves sure, so their two former colleagues said in affidavits, that the defendants "had nothing whatever to do with the South Braintree murders." The Boston agents of the Bureau recognized that "their conviction was the result of cooperation between the Boston agents of the Department of Justice and the District Attorney." Furthermore, the affidavits said, "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."

According to the affidavits, everything that the Bureau's Boston branch knew was also known to the Bureau in Washington, the former keeping the latter fully informed; the correspondence between the two on the Sacco-Vanzetti case was voluminous, the agents said.

Sacco and Vanzetti were executed on August 23, 1927.

After a careful review of the files of the Federal Bureau of Investigation at Washington, relating to the Sacco-Vanzetti case, and to other matters deemed possibly to have a pertinent interest, this statement has been prepared.

**Attempted Holdup at Bridgewater, Massachusetts,
December 24, 1919.**

Early on the morning of December 24, 1919, a number of men, allegedly of foreign appearance, in an automobile, blocked the passage of a truck containing the payroll of the White Shoe Company at Bridgewater. Two men in the street tried to capture the truck. Their shots were answered by those in the payroll truck and both men fled back to their car and escaped.

Michael Stewart, Chief of Police of that town, and Captain Proctor, of Massachusetts State Police, continued the investigation for some months in endeavoring to trace the automobile used in the alleged attempted holdup. ("The Sacco-Vanzetti Case," by Osmond K. Fraenkel, p. 10)

**Holdup and Murders at South Braintree, Massachusetts,
April 15, 1920.**

At about 9:30 am, April 15, 1920, Frederick Parmenter, manager, and Alessandro Serardelli, a guard, both employees of the Slater and Merrill Shoe Company, while carrying a payroll of approximately \$15,000, from one building of the company to another, were shot and killed by several men and the payroll stolen, the escape of the highwaymen being made in a Buick automobile.

A doctor in a nearby town reported the theft of his automobile shortly before the Bridgewater offense of December 24, 1919, and that Buick, suspected of having been used in the holdup, was found abandoned in the woods near Bridgewater two days after the South Braintree offense of April 15, 1920.

Chief of Police Sullivan of Braintree did little investigative work, if any, on these cases after April 15, 1920, and the investigation was carried on thenceforth by Captain Prester, of the Massachusetts State Police, and Chief of Police Michael Stewart of Bridgewater. Their efforts were directed towards locating a group of Italians with an automobile. On April 17, 1920, they ascertained one Mike Bede, of Bridgewater, had taken his car to the garage of one Johnson, at West Bridgewater, and arrangements were made with Johnson to notify the police if he called for the car. (Ibid., pp. 10-11)

Arrests of Sacce and Vanzetti

On the evening of May 5, 1920, four Italians called for this unlicensed car at the Johnson garage at West Bridgewater and the police were notified by Mrs. Johnson. It later developed that the four men were Mike Boda, Riccardo Orciani, Nicola Sacce and Bartolomeo Vanzetti. Orciani and Boda were on a motorcycle and Sacce and Vanzetti were arrested on a trolley car by the Brockton, Massachusetts, Police Department, and were taken to the Bridgewater, Massachusetts, Police Department. Orciani was apprehended the following day at his place of employment but was discharged on proof he had been employed on April 15, 1920. Boda was never seen thereafter.

When arrested Sacce had in his possession a .32 Colt pistol with cartridges and Vanzetti a .38 Harrington and Richardson revolver with no extra cartridges but a number of loose shotgun shells. (Ibid., pp. 11-13)

**Conviction of Vanzetti for Crime at Bridgewater,
December 24, 1919.**

June 11, 1920, at Plymouth, Massachusetts, indictment was returned in the State Court charging Vanzetti with intent to rob and with intent to kill. Trial at Plymouth, in Plymouth County, was before Judge Webster Thayer and a jury. The Commonwealth was represented by Frederick S. Katzmann, District Attorney. Attorney John P. Vahey, of Plymouth, represented Vanzetti. Trial lasted from June 22, 1920, to July 1, 1920. The defendant was not placed on the stand. Found guilty he was sentenced on August 16, 1920, to a term of twelve to fifteen years in State Prison. (Ibid., p. 14)

**Trial of Sacco and Vanzetti for South Braintree
Offense of April 15, 1920.**

On September 11, 1920, indictments returned by a Norfolk County Grand Jury at Dedham, Massachusetts, charged Sacco and Vanzetti with the murders of April 15, 1920. Trial was held at Dedham, Massachusetts, from May 31, 1921, to July 14, 1921, when a verdict of guilty was returned. The State was represented by Frederick G. Katzmann, District Attorney for Norfolk and Plymouth Counties, and his then assistant, Harold P. Williams, subsequently District Attorney for these counties, United States Attorney for Massachusetts, and presently Judge of the Massachusetts Supreme Judicial Court.

At the trial Attorney Frederick Moore, a western radical lawyer known in Massachusetts for having represented two radicals on a murder charge at Lawrence, Massachusetts, was chief counsel for Sacco, and Jeremiah J. and Thomas F. McInerney, brothers, well known Norfolk County practitioners, represented Vanzetti. (Ibid., pp. 14-15)

Attention is invited to the fact that verdicts of guilty were returned on July 14, 1921.

Motions for New Trials for Sacco and Vanzetti Following Convictions.

From November 2, 1921, when first motion for a new trial on account of weight of the evidence was argued before Judge Webster Thayer, until October 1, 1924, when the Thayer decision denied all motions, some five supplementary motions had been filed and argued.

On May 12, 1926, conviction of Sacco and Vanzetti, which had been up on appeal, was affirmed by the Supreme Judicial Court.

On May 26, 1926, another motion based on an alleged confession of one Medeiros, a convict under sentence of death, was entered and subsequently denied, appealed and denial affirmed by the Supreme Court on April 5, 1927.

Sentences of death were imposed by Judge Thayer on Sacco and Vanzetti on April 9, 1927.

William G. Thompson, of Boston, a conservative and prominent attorney, came into the case in or about January, 1923, and argued motions and appeals thereafter until sometime in or about August, 1927, before the decision of the Advisory Committee of the Governor of Massachusetts had been made public, when he retired from the case. (Ibid., pp. 18-24)

Administrative Setup of U. S. Department of Justice
and its Bureau of Investigation in 1920 and 1921.

On April 15, 1920, when the South Braintree offense occurred, A. Mitchell Palmer was Attorney General of the United States. Mr. William J. Flynn was Director of the Bureau of Investigation and Mr. John Edgar Hoover was Special Assistant to the Attorney General. Mr. George F. Lamb was Special Agent in Charge of the Bureau's New York City Office and Mr. George E. Kelleher in charge at Boston, the latter succeeded thereafter by Mr. John B. Haurahan. (Report of U. S. Attorney General, 1920, and statement of writer.)

On March 4, 1921, President Harding placed the Department of Justice under Harry M. Daugherty. On August 22, 1921, Attorney General Harry M. Daugherty placed the Bureau of Investigation under William J. Burns, and Mr. John Edgar Hoover, theretofore Special Assistant to the Attorney General, became Assistant Director of the Bureau. (Report of U. S. Attorney General for 1921, p. 128)

Mr. Burns was Director of the Bureau of Investigation from August 22, 1921, to June 14, 1924, when he was superseded by Mr. John Edgar Hoover, our present Director. Director Hoover, of course, actually assumed duties of acting Director on May 10, 1924, when Burns gave up control of the Bureau.

In October, 1921, Mr. Charles A. Bancroft, formerly a deputy United States Marshal, was appointed Special Agent in Charge of the Boston Office of the Bureau of Investigation, replacing John B. Haurahan. Director Burns on October 3, 1921, appointed Lawrence Letherman as Special Agent in that office. Special Agent Letherman assumed the duties of Assistant Special Agent in Charge until March 4, 1922, when he was appointed Special Agent in Charge, replacing Charles A. Bancroft, who thereafter continued as Special Agent until he resigned in or about 1922.

Special Agent in Charge Haurahan was continued in the capacity of Special Agent until June 23, 1922, when his resignation was asked. (67-650-16, 23, 35, 36, 37, 38, 42)

Special Agent in Charge Letherman continued in the position from March 4, 1922, until he submitted his resignation on July 11, 1924, at the request of Director J. E. Hoover, dated June 28, 1924. (67-650-9, of July 11, 1924)

**Pertinent Matters Handled by the General Intelligence
Division of the Bureau of Investigation, United States
Department of Justice, in 1920 and 1921.**

The files reviewed, and occasionally referred to in this memorandum, contain numerous reports of the Bureau relative to investigations of anarchists and others during the years 1919 to 1923, generally all made for the purpose of securing information for the Bureau on the following matters:

1. Cooperation with the United States Immigration Service, at that time in the United States Department of Labor, now known as the United States Immigration and Naturalization Service, in the Department of Justice, in the obtaining of evidence concerning alien anarchists who were deportable under the then existing Immigration Acts. Prominent among this classification was the investigation centered at Boston in the so-called "Cronaca Sovversiva" Group of Italian anarchists headed by Luigi Gallucci.
2. An endeavor to ascertain the perpetrators of the bomb outrages of June 2, 1919, when the home of Attorney General Palmer at Washington, and other buildings in other sections of the country were bombed.
3. To ascertain the perpetrators of the Wall Street, New York City, bomb explosion of September 16, 1920, when a bomb exploded near the United States Sub-Treasury Building killed more than thirty persons.
4. To prevent the assassination of American diplomatic and consular officers abroad and the bombing of United States embassies and consulates by Sacco-Vanzetti sympathizers. (61-126-796)

Allegation of Aid given by the Bureau to the District Attorney, Dedham, Massachusetts, prior to and during the trial of Sacco and Vanzetti, May 31, 1921, to June 14, 1921.

Mr. Lowenthal in his publication states (pp. 279-280):

The Bureau of Investigation made use of opportunities to assist in State cases against radicals, even when the specific indictments had nothing to do with the issue of radicalism. The best known example of this was the Sacco-Vanzetti case, in Massachusetts.

The then District Attorney for Plymouth and Norfolk Counties, Mr. Frederick G. Katzmann, and his then assistant, Mr. Harold P. Williams, at no time before the arrests of Sacco and Vanzetti on May 5, 1920, or thereafter from May 5, 1920, up to the date of the guilty verdict on July 14, 1921, sought or received any information from the files of the then Bureau of Investigation concerning the so-called radical activities of the defendants. The only features on which any information was sought, and this was by District Attorney Katzmann, was the location of Mike Boda and a check of [REDACTED]

- b7d
1. Information sought as to location of Boda and location of \$15,000 stolen in South Braintree Crime.

In quoting from the affidavits of Special Agents Lawrence Letherman and Frederick J. Weyard, Mr. Lowenthal states (p. 280):

"The understanding in this case between the agents of the Department of Justice in Boston and the (State's) District Attorney followed the usual custom, that the Department of Justice would help the District Attorney to secure a conviction, and that he in turn would help the agents of the Department of Justice to secure information that they might desire."

A review of the files indicates that the only instance from which it might be inferred that District Attorney Katzmann was given any cooperation at all up to the time of the conviction of these defendants on July 14, 1921, was the following:

In November, 1920, Special Agent H. J. East, Boston, visited Mr. Kitzmann for the purpose of arranging to place an informant in the jail and at that time Mr. Kitzmann stated he would appreciate any information that would lead to the location of Mike Hoda and any information that would show the disposition of the \$15,000 stolen at South Braintree. He asked in this connection that if inquiry could be made

[REDACTED] b7d
Boston letter of November 29, 1920, requested this information.

New York City Office made this inquiry and [REDACTED] b7d

(61-126-789)

B. Placing of Informant Domenico Carbone in Dedham Jail.

Bureau files show:

May 14, 1920, George E. Kelleher, then Division Superintendent of the Boston Office of the Bureau, wrote to the Assistant Director of the Bureau, referring to the "Cronaca Sovversiva" group of Italian anarchists and to the bomb explosions of June 2, 1919, reporting the arrests of Sacco and Vanzetti on May 5, 1920. He stated that the Massachusetts State Police had inquired at the office for any information concerning the defendants and were advised that the only thing known of them was that their names appeared upon a subscription list of the "Cronaca Sovversiva." (61-126-789) b7c

October 2, 1920, Special Agent [REDACTED] Newark, New Jersey, Office submitted a report stating Bartolomeo Vanzetti, a member of the Luigi Galleani "Cronaca Sovversiva" group of anarchists, of which one Aldino Felicani was secretary, was on trial for highway robbery at Plymouth or possibly Boston. This is re alleged activities of Aldino Felicani in June 2/19 bombings. (20-713) (61-126-789)

The name of Nicola Sacco appears upon an unidentified mailing list, presumed to be the mailing

list or subscription list of the Italian anarchist publication "Cronaca Sovversiva" published by Luigi Galleani, of Boston. This was found in the Boston file of Galleani and had been found in a barn on property at 204 Adams Street, Newton, Massachusetts, on the property of Auguste Rossi, an active member of the Galleani group of anarchists. Rossi left the United States in July, 1919, shortly after the June 2, 1919, bomb explosions. (61-1611-S, 61-126-789)

On another mailing list, supposed to be that of "La Jacquerie," found at Paterson, New Jersey, February 14, 1920, appears the name of "Bartolomeo Vanzetti, Sussex Lane, Plymouth." (61-4645, 61-126-789)

In November, 1920, pursuant to instructions from George F. Lamb, Division Superintendent of the Bureau at New York City, Special Agent V. J. West, Boston (Boston at that time being a sub-office of the New York Division), "inquired of District Attorney Katmann if arrangements could be made without interference in his case to place an informant in the Dedham Jail, solely for the purpose of seeing if any clue or clues could be obtained to the perpetrators of that outrage (Wall Street Bomb Explosion, September 16, 1920). A conference was had with Mr. Katmann and Sheriff Cupen at Dedham, Massachusetts, and both saw no objection to the same...." "In accordance with that arrangement the informant reported to the Boston office from Mr. Lamb and was placed in Dedham Jail. He was instructed carefully that he was not to approach Mr. Sacco, nor was he under any circumstances to refer to anarchist activities, but was to let the man approach him. On December 1, 1920, a complaint was made from the jail that through his haste to secure information he had disclosed himself and rendered himself useless. On December 3, 1920, he was taken out of there and directed to report to Mr. Lamb" (at New York City). (61-126-705)

October 18, 1920, Mr. John B. Marahan, Special Agent in Charge, Boston, wrote Division Superintendent Lamb, New York City, "Referring to suggestions of Mr. Flynn (Director of Bureau of Investigation at that time) and yourself that Bartolomeo Vanzetti and Nicola Sacco be worked on in connection with the Wall Street Bomb Explosion, it is desired to inform you that Sacco has not yet been sentenced and that Vanzetti's followers and sympathizers are active at the present time in

attempting to secure a new trial (on Bridgewater conviction) for him as there does not seem much possibility of obtaining any information from them by direct methods."
(61-126-708)

On January 12, 1921, Frederick Moore and William J. Callahan (letter of Brockton, Massachusetts), counsel for Sacco, addressed a letter to Special Agent W. J. West, Boston, advising they had been informed the addressee had placed one Domenico Carbonari in Dedham Jail with instructions "to act in the capacity of stool pigeon on the above named Nicola Sacco; that he was held there in that capacity for upwards of a week," and inquired as to his identity and his reason for being there. No answer was made but the letter was transmitted to Division Superintendent Lamb on January 17, 1921.
(202600-418-13, 61-126-709)

C. Other miscellaneous activities of the Bureau during the same period re Nicola Sacco and Bartolomeo Vanzetti.

Review of the Bureau's files shows the following: b7c

September 30, 1920, Special Agent [redacted] Boston, submitted a report on the personal history of Bartolomeo Vanzetti, obtained from the records of the Massachusetts State Prison. (61-165-789)

On October 11, 1920, John B. Manrakan, then Special Agent in Charge at Boston, in response to an inquiry from the Bureau dated October 5, 1920, advised that Vanzetti is not a citizen of the United States but a declarant, and asked whether it was desired a brief be submitted to the United States Immigration Service, then in the Department of Labor, looking toward deportation proceedings, because of Vanzetti's conviction of the Bridgewater offense. (22-4358, 61-126-789)

In reply to the above the Bureau, on October 19, 1920, advised him it should be ascertained whether he was convicted of a crime of moral turpitude within five years after his arrival in the United States so as to bring him within the Immigration Acts of May 5, 1917, and October 16, 1918. (22-4358, 61-126-789) b7c

On October 13, 1920, Special Agent [redacted]

67c
Boston, submitted a report in compliance with instructions from then Special Agent in Charge Burahan, Boston, who transmitted to [redacted] letter of October 21, 1930, from then Division Superintendent George F. Lamb, New York City Office. This report covers the personal history of Nicola Sacco, who had been arrested May 5, 1920, and at that time was in Dedham, Massachusetts, Jail awaiting trial. (61-5-section 10, formerly 211205-64)

Allegation of Surveillance of Sacco and Vanzetti by the Bureau of Investigation.

Mr. Lowenthal in his book (p. 260) states:

Two Italian immigrants, Nicola Sacco, a cobbler, and Bartolomeo Vanzetti, a fish peddler, were under Bureau of Investigation surveillance because of their belief in radical theories.

The writer of this memorandum states that nowhere in the mass of files reviewed is there the slightest intimation that either Sacco or Vanzetti, or both, were ever the objects of "surveillance" at any time by the Bureau of Investigation. Up to the time of their arrest on May 5, 1920, the only information concerning them was the appearance of their names on subscription lists of anarchist papers.

Alleged Giving of Information to State District Attorney to be used by him in cross-examination of Sacco and Vanzetti in trial, May 31 to July 14, 1921.

Concerning the above allegation, Mr. Lowenthal in his book (p. 260) writes:

The agents (Letherman and Weyand) said that the Bureau used the State criminal trial as a means of securing admissions by the defendants that they were believers in anarchism, so that the Bureau might get them deported if they were acquitted of the murder charge. To this end, the Federal police Bureau gave the State's attorney information about the radical activities of Sacco and Vanzetti to be used in their cross-examination." The counsel for the defense did not receive, until after the conviction, the affidavits of the two former agents (Letherman and Weyand) providing information about the part the Bureau had secretly played in the murder trial.

The above allegation is refuted in the preceding section of this writing.

The Bureau did not give the State's attorney information concerning the so-called radical activities of the defendants nor was there any need to do so as that information was brought out at the trial by their own counsel.

On July 5, 1921, while Vanzetti was on the stand in direct examination, "the question of radicalism came for the first time into the case." The subject of the political beliefs of the defendants had not entered into the case of the State until after the defense had opened. "Whether to bring in this topic had been the subject of serious discussion among counsel for the defense and John W. McNarney (for the defense) was called in for his opinion. He believed, as was later disclosed before the Lowell Committee, that the case made out by the prosecution was such as to necessitate full disclosure by the defendants of the reason for their acts (at time of arrest on May 5, 1920), even if that disclosure involved bringing before the jury their radical beliefs." Thus arose the consciousness of guilt controversy of the case, and appears first in J. J. McNarney's (counsel for defense) direct examination of Vanzetti. (See "The Sacco-Vanzetti Case" by Osmond K. Fraenkel, pp. 69-70)

The above testimony by the defense was deemed necessary to account for the finding of the men armed at the time of their arrest on May 5, 1920, and to explain alleged false statements to Chief of Police Michael Stewart, of Bridgewater, at that time, which statements defense claimed were made to protect friends and the existence of radical literature in their possession. (Ibid., pp. 69-70)

Affidavits of Agents Frederick J. Weyand
and Lawrence Letherson

Dr. Lowenthal states: (page 200)

"The two men were tried and convicted for the murder of payroll guards in South Braintree, Mass. In the course of proceedings to secure their retrial and freedom, on grounds that included the contention that an unjust verdict had been obtained by appeals to prejudice during a period of anti-radical hysteria, affidavits were submitted by two former Bureau of Investigation agents, men with years of service in its Boston branch office. Their statements included the following:

"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--

"The understanding in this case between the Agents of the Department of Justice in Boston and the (State's) District Attorney followed the usual custom, that the Department of Justice would help the District Attorney to secure a conviction, and that he in turn would help the agents of the Department to secure information that they might desire."

Both these affidavits because of their length are not being set out in full in this memorandum, but copies of them will be found in Bureau file 61-126-705, attached to letter from Boston office to the Bureau dated July 17, 1928, commenting on them.

They are described in lesser detail in the book of Fraenkel, "The Sacco-Vanzetti Case," at page 126-129.

It is intended now to present only a few of the discrepancies in them.

Weyand states that the informer, Carbone, was placed in the jail under an arrangement among the District Attorney, the Sheriff, and former Agent Feri F. Weiss. Weiss, who resigned November 1, 1919,

never knew the informant, never had any knowledge of him, and had nothing to do with placing him in Dothan Jail. (61-126-705, 721)

Weyand stated on page three of his affidavit:

"We also assigned a certain 'under-cover' man, as we called them, to win the confidence of the Sacco-Vanzetti Committee, and to become one of the collectors."

That is not so. No such informant was ever used in the Sacco-Vanzetti Committee. (61-126-705, 721)

On page four of his affidavit he states:

"I was assigned to cover the trial for the purpose of reporting the proceedings and picking up any information I could in regard to the radical activities of Sacco and Vanzetti or of any of their friends. Mr. West also attended the trial for the same purpose." b7c

The trial, May 31 to June 14, 1921, was not attended so far as can be ascertained from the records by Mr. Weyand or Mr. West. It was attended by Special Agent [redacted] who had been sent from New York City for that purpose, and by Special Agent [redacted] then of Boston and now of Pittsburgh. [redacted] also was accompanied by two members of the Bomb Squad of the New York City Police Department. Mr. Weyand apparently attended two hearings on the supplementary motions for new trial on October 29, 1921, and November 5, 1921. (61-126-705, 721)

Mr. Letherman in his affidavit, second paragraph, states:

"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." (61-126-705, 721)

Suffice it to say that Mr. Letherman was removed as Post Office Inspector in 1915 and nothing was known of either Sacco or Vanzetti until their arrest on May 5, 1920.

In a still later section of his affidavit he states:

"I know that Mr. West cooperated with Mr. Katzmann, the District Attorney, during the trial of the case, and later with Mr. Williams." (61-126-705, 721)

Mr. Letherman was not appointed until October 3, 1921, at which time the trial had ended on June 15, 1921, and the writer has grave doubts that Mr. Letherman ever was sufficiently interested to read the file up to the date of October 3, 1921. (61-126-705, 721)

As an indication of the condition of his mental processes, Mr. Letherman states:

"One of the men employed by West at one stage of the Sacco-Vanzetti case was named Shaughnessy; he was subsequently convicted of highway robbery and is now serving a term in Massachusetts State Prison." (61-126-705, 721)

That statement is not only inaccurate but decidedly untrue. Shaughnessy, an informant, was used back in 1918 by the Boston Office in the administration of George E. Kelleher, Special Agent in Charge, and of A. Bruce Bislaaki, Chief of the Bureau at that time. He was summarily dismissed for violation of some regulation in 1918 and thereafter had no connection in any way with the Bureau. (61-126-705, 721)

A complete detailed review of the Letherman affidavit will be found in Bureau file 61-126-721, under Part III, thereof.

April 4, 1927, Special Agent John A. Dowd, Boston, wrote the Bureau advising that on that date Attorney William G. Thompson had interviewed John B. Hanrahan, former Special Agent in Charge, Boston, but he submitted no affidavit. That former Special Agent in Charge stated Mr. Thompson advised him that he, Thompson, discovered Letherman was wrong in his dates in stating alleged cooperation between the office of Post Office Inspector and the Bureau in the Sacco-Vanzetti Case as there was a lapse of years after Letherman left the Post Office Department. Thompson stated he, therefore, had the affidavit amended. Letherman, says Thompson, then told him he intended to aver that his knowledge of the case came while he, Letherman, was with the William J. Burns Detective Agency "For the reason that the Burns Agency at that time was investigating for A. Mitchell Palmer (Attorney General of the United States) the Wall Street Bomb Explosion and was also investigating the Sacco-Vanzetti Case." Hanrahan is also reported to have told Attorney Thompson that Letherman had been dismissed by the Post Office Department and that Weyand, "who had always been a bootlegger" had been dismissed by the Bureau. Mr. Thompson is reported as having said he was very glad to know of those two situations but in a way regretted them and did not realize that such was the true situation. Mr. Hanrahan pointed out other discrepancies in the affidavits.

On August 23, 1927, former Special Agent [redacted] Boston, submitted to the Boston Office an affidavit stating that on August 22, 1927, in answer to a note received at his home on Sunday,

August 21, 1927, he met at the Hotel Bellevue, Boston, one Thomas O'Connor, who apparently represented counsel for Sacco and Vanzetti, but did not furnish an affidavit. [redacted] states that he told O'Connor that after the arrests of May 5, 1920, he obtained at the State Prison, from the records, the history of Vanzetti; that he, [redacted] had never before the arrests known anything of Sacco or Vanzetti; that he, [redacted] on the date of the Fall Street Bomb Explosion had been in Milford, Massachusetts, checking on anarchists and there for the first time, from the Chief of Police, learned that Sacco had been formerly a resident of that town; that he, [redacted] know nothing of the connection between Sacco and Vanzetti and Galleani; that he, [redacted] did not recall ever hearing the innocence or guilt of these men discussed in the Boston Office; that he, [redacted] heard nothing of an informant being placed in the jail at Dedham until after it occurred and had no knowledge of its details; and that he, [redacted] said "if I knew anything that would in any way prove the innocence of Sacco and Vanzetti or anything that would in any way help save a life, I would have no hesitancy in telling him (O'Connor)."

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ANDREA SALSEDO

Mr. Lammiman in "The Federal Bureau of Investigation," pages 72-73 and 102, refers to Andrea Salcedo, his arrest, detention and suicide in May 3, 1930, at the Bureau's New York City Division, but makes no mention in pages 172, 184, 221, which referred to the Boston office and the Sacco-Vanzetti case, concerning Salcedo. In fact no one at the Boston office had any knowledge of the detention of Salcedo or of his death until the press announced it on May 4, 1930, the day before the arrests of Sacco and Vanzetti.

Andrea Salcedo and Roberto Elia were prominently mentioned at the trial of Sacco and Vanzetti.

"The group of Italian radicals to which Sacco and Vanzetti belonged was concerned about this confinement, contributed money to assist the two men and late in April, 1930, sent VANKYI to New York to find out what Salcedo's situation really was. Vanzetti made the trip and conferred with the prisoner's friends. He was told among other things that a new series of governmental raids should be expected around May 1, (1930), and was advised to hide away all radical literature with the whereabouts of which he might be familiar." (Osmond K. FRANKEL, "The Sacco-Vanzetti Case," page 11-12)

Bureau files show that Andrea Salcedo was a New York anarchist who did some printing of radical documents and who appears to have been associated with Roberto ELIA. Four the home of A. Mitchell Palmer, Washington, bombed on June 2, 1919, were found a number of pink circulars, or manifestoes as they are called among the anarchists, entitled "PLAINFORDS." Investigation indicated this circular was printed in the shop of ANDREA SALSEDO, who had some assistance from Elia, and Salcedo confessed during his confinement in the New York City office his printing of the circulars. May 3, 1930, Salcedo committed suicide by jumping from the fourteenth floor of the office building. During the trial of Sacco and Vanzetti evidence of their activities on behalf of Sacco and Vanzetti was brought out. (61-126-730)

Bureau files indicate Vanzetti was friendly with Salcedo, and also with ELIA, as both had been employed with CALLEANI'S "CRONACA SOVVERSIVA." Vanzetti had conducted meetings for them among the anarchists in Massachusetts to aid them in their difficulty with the Government, and to engage for them an attorney in place of Attorney Donato who represented them, arranging with LUIGI QUINTILLIANI, of New York City to have Attorney Edward Da Silva represent them. (61-126-710)

During the trial of Soosa and Yanetti, May 21, 1931, to July 14, 1931, claim was made that just prior to May 4, 1930, Yanetti made his trip to New York City to obtain new counsel for Salcedo and that Soosa and Yanetti arrests on May 4, 1930, in their opinion, were made because of these activities and their political opinions. Salcedo and Rita, who occupied the same room with Salcedo in the Bureau's office at New York City, had been in custody approximately six weeks. Salcedo was apparently there with the approval of his attorney, one Donato, who had an office in the same building. Salcedo committed suicide early in the morning of May 2, 1930. (62-18674-0)

Quoted Opinions of Bureau Agents
in the Innocence of Sacco and Vanzetti.

Mr. Loeenthal states: (page 200)

"Bureau agents who worked on the case for Washington headquarters and attended the murder trial in its behalf were themselves sure, so their two former colleagues said in affidavits, that the defendants had nothing whatever to do with the South Braintree murders." The Boston Agents of the Bureau recognized that "their conviction was the result of cooperation between the Boston agents of the Department of Justice and the District Attorney." Furthermore, the affidavits said, "it was the opinion of the Department agents here (Boston) that a conviction of Sacco and Vanzetti for murder would be one way of disposing of these two men."

The above is opinion evidence and is not to be commented on other than to say, so far as is known from the files, there is no indication of anyone expressing any definite opinion.

**REFUSAL TO PERMIT ATTORNEY WILLIAM G. THOMPSON,
COUNSEL FOR SACCO AND VANZETTI TO REVIEW BOSTON
BUREAU FILES**

July 3, 1926, Attorney William G. Thompson wrote U. S. Attorney General John E. Sargent:

"At the suggestion of Senator Butler (Massachusetts) I am writing you to inquire whether Mr. William J. West, now a Special Agent of the Department of Justice in Boston, may be authorized to talk with me concerning the Sacco-Vanzetti case, and to show me whatever documents and correspondence are on file in his office dealing with the investigation made by the Boston agents before, during, and after the trial of Sacco and Vanzetti, which occurred in June and July, 1921." (61-126-698)

July 3, 1926, Director Hoover suggested to Attorney General Sargent that he might want to consider communication from then U. S. Attorney Harold P. Williams, Boston, dated July 1, 1926. That letter from Mr. Williams to Mr. Hoover said, in part, commenting on prior report of Special Agent West:

"It is not a report, in my opinion, which should be submitted to counsel for the defendants. It sets forth information which should be regarded as confidential and contains nothing which would be of any benefit in the present litigation to the defendants. Unless Mr. William G. Thompson, who I assume was the attorney who took up the matter with the Attorney General, has some other specific matter in mind, I am clearly of the opinion there is nothing to be disclosed to him." (61-126-694, 693)

Summaries of reports in the files were subsequently sent the Director, particularly one sent the Bureau October 1, 1926. (61-126-721, 732)

An additional summary dated January 26, 1927, was sent the Director, prepared by the writer. (61-126-725X)

This agitation for opening of files continued up to within a few days of the execution of the defendants. In the meantime the Director had made the voluminous search set out more in detail in that portion of this memorandum which deals with the question as to whether or not the files contained any evidence of guilt or innocence

August 6, 1927, a memorandum for the files, was prepared by Director Hoover, stating in part:

"Mr. Farnum (acting Attorney General) stated that he felt that the attitude of the Department in refusing access to the files had been entirely proper, as there was nothing contained therein that would be of assistance to either Sacco or Vanzetti in the trial of the case in Massachusetts." (62-156-700)

July 12, 1928, Director Hoover telephoned the Boston Office and instructed Special Agent in Charge John A. Dowd to communicate with Attorney Thompson relative to his request for information from Bureau files and ascertain exactly what he wanted and to furnish Mr. Thompson with such information as he felt was entirely proper and should Mr. Thompson make request for any information about which he, Dowd, had a doubt should be supplied him, should inform Mr. Thompson he would submit the request to Washington and it would be passed upon there. Mr. Dowd called back, stating he had called Mr. Thompson for the purpose of arranging an appointment so that he, Dowd, and Special Agent West might call on Mr. Thompson. Mr. Thompson inquired whether he, Dowd, had received instructions to turn over all of the files in the Sacco-Vanzetti case to him. Mr. Dowd informed Mr. Thompson he had not received instructions to that effect but had received instructions to see him and obtain from him detailed information as to what he wanted and to furnish the same if it was available. Mr. Thompson became very abusive and accused the Department of having "railroaded" Sacco and Vanzetti. Mr. Dowd states he did not enter into any controversy with Mr. Thompson but let him do all the talking. The result was that Mr. Thompson refused to see Mr. Dowd and engaged in this abusive attitude. The result was that Mr. Thompson never saw the files.

Did the Bureau's files at any time contain any evidence of the guilt or innocence of Sacco and Vanzetti?

Over the course of years the Bureau and its local offices have made general reviews of their files for the purpose of ascertaining whether there was any evidence relating to the guilt or innocence of Sacco and Vanzetti.

When the affidavits of former agents, Frederick J. Weyand and Lawrence Letherman, dated July 1, 1926, and July 8, 1926, respectively, became public, search was made because of a letter dated July 9, 1926, from William G. Thompson, of counsel for Sacco and Vanzetti, to then Attorney General John S. Sargent. At the suggestion of Senator Butler of Massachusetts, Mr. Thompson wrote to the Attorney General asking for authority to talk to Special Agent J. W. West, of Boston. Thompson wanted to see the official reports and correspondence in file dealing with the investigations before and during the trial of Sacco and Vanzetti.

Mr. J. Edgar Hoover, present Director, under date of July 6, 1926, transmitted copy of the Thompson communication to Boston. July 8, 1926, then Special Agent in Charge John A. Dowd, wrote Director Hoover that he failed to note any evidence that would aid Mr. Thompson, nor do the files show anything touching on the guilt or innocence of the defendants in the murder case. Mr. Harold P. Williams, at that time United States Attorney at Boston, and former prosecutor of Sacco and Vanzetti concurred. (61-126-700)

July 15, 1926, Mr. Harold P. Williams wrote Director J. Edgar Hoover, "absolutely nothing has been found which would be of any assistance to either of the present defendants (Sacco and Vanzetti), or which could be made a basis for any action on the part of their counsel to obtain any new trial." (61-126-704)

October 1, 1926, Special Agent in Charge John A. Dowd, Boston, sent to the Director, in compliance with the latter's request of September 16, 1926, a full and complete summary of the files in the Boston Office relating in any way to that case. (61-126-72)

January 26, 1927, a memorandum on the case was prepared for the Director by Special Agent W. J. West, Boston, stating in part, "There is absolutely nothing in the files of the Boston Office of the Bureau of evidentiary value that would shed any light upon the guilt or innocence of the defendants." (61-126-735X)

August 6, 1927, Mr. Harold Nathan, Assistant Director, prepared and submitted to Director Hoover "an exhaustive review of all Bureau files, including all reports, letters, documents and all papers of any kind and nature whatsoever pertaining to the Sacco-

Yanetti matter, and beg to report that there is nothing therein which would in any way bear directly or indirectly upon the guilt or innocence of the subjects in this case." (61-126-790)

August 14, 1937, Thomas GULLY addressed a memorandum to the Director stating "I have made an exhaustive review of all (Bureau) files relating in any way to Sacco and Yanetti. I have not found anything bearing directly or indirectly upon the guilt or innocence of these two men." (61-126-793)

August 15, 1937, Special Agent F. J. West, Boston, as directed on August 11, 1937, submitted a memo without finding any evidence as to guilt or innocence. (61-126-797)

August 16, 1937, Mr. Frederick H. Furr, then U. S. Attorney, Boston, reported he reviewed files with Mr. J. L. Cronan, then Agent in Charge, Boston, and found nothing of any substantial importance. He adds, "I report, therefore, that there is in my judgment, nothing in this office regarding this case which should be given the public." (61-126-801)

August 18, 1937, J. H. BILLY, then Special Agent in Charge, New York City, advised Bureau he read all office files and found nothing relating to their guilt or innocence or any indication of collusion between State and Government officers. (61-126-801)

August 15, 1937, H. A. Jacob and John AEMONE, Assistant U. S. Attorneys, New York City, advise Attorney General they have read all the files of the New York City office of the Bureau and they show nothing as to innocence or guilt or any indication of collusion. (202600-418-221; 61-126-802)

August 17, 1937, Director Hoover transmitted to Mr. George H. Farnum, Acting Attorney General in the absence of Attorney General John O. Sargent at Ludlow, Vermont, reviews of Bureau files at Washington, New York City and Boston that would in any way relate the case. Mr. Hoover suggested also that Departmental Attorneys at Washington and U. S. Attorneys at New York City and Boston read same and indicate whether "there was any information contained in those files that would give any indication of evidence as to the guilt or innocence of Sacco and Yanetti and further to ascertain any information that might indicate any alleged collusion between the Federal and State authorities in this case." Director Hoover suggested they be sent to Mr. Sargent at Ludlow. (61-126-798)

August 15, 1937, Attorney F. M. Parrish, wrote Acting Attorney General A. G. Farnum, Mr. Parrish reports concerning Washington Bureau files: (61-126-796)

FILE REFERENCES

Among the pertinent Bureau files reviewed were the following:

BUREAU FILE NUMBER

SUBJECT

61-6
61-34
61-71
61-150
61-153
61-344

61-373
61-381
61-317
61-318
61-1161

61-1611
62-18674

Wall Street Bomb Explosives
Weekly Confidential Reports
Radical Activities, Philadelphia
Weekly Confidential Reports
Sacco and Vanzetti
LUIGI CALLEANI and
"CROZAGA SOVVEREINA"
Sacco-Vanzetti and "The Worker"
Same as above
World War Veterans Mass Meetings
Workers Party of America
Bombing of home of Judge
Webster Thayer, 9/27/33
Augusto Rossi, Anarchist
Andrea Salcedo