

SACCO AND WANTED

An Unfinished American Injustice

By Neil Thomas Proto

It is strange that this story is told so rarely in America.

n Aug. 23, 1927, shortly after midnight, Bartolomeo Vanzetti and Nicola Sacco were executed in the dark reaches of the Charlestown State Prison in Massachusetts. They had been convicted in 1921 — "through the most

reprehensible abuse of legal power" — of having committed a robbery and murdering a shoe company paymaster in South Braintree.¹

Their real crime: they were Italians at a time of largely unbounded rage and unfettered discrimination against immigrants, whose ideas about individual dignity, humane working conditions, commitment to family and community, and the freedom to speak and organize were feared in this country and repressed daily and mercilessly.

Government led the repression. Hundreds of federal agents, "under the instructions of the Department of Justice," descended into Italian neighborhoods throughout the nation, ripped families apart, arresting people indiscriminately without warrants, without hearings and without counsel.² They were placed in cells without sanitation, amidst a numbing cold and demeaning filth.³ The law was intended to serve only one purpose: preserve an Anglo-Saxon dominated capitalistic system that exploited the poor.⁴ One federal judge characterized the government's conduct as "the terroristic methods" of "a mob." ⁵ Upton Sinclair called it the "White Terror." ⁶

The evidence against Sacco and Vanzetti, as we now know, was deliberately and perversely concocted by the manipulation of Massachusetts officials, with the knowing complicity of the attorney generals of the United States, from A. Mitchell Palmer through John G. Sargent, and the affirmative, malignant guidance of the trial judge, Webster Thayer. ⁷ Evidence to exonerate them was withheld knowingly. Many of those who testified in support of their innocence, those who placed both men — Vanzetti, a fish peddler, and Sacco, a highly

skilled shoemaker and night watchman — elsewhere when the crimes were committed, were denigrated verbally by District Attorney Frederick Katzmann. Their truthfulness was discounted because they were Italians, barely able to speak the language.⁹

The FBI did not believe either man committed the crimes. It refused to disclose its files. ¹⁰ It watched with deceit. The county sheriff conveyed

his own unbridled prejudice. Both defendants were caged throughout the trial. Police stationed within the courtroom carried shotguns, rifles and pistols. Daily, "the defendants, manacled to officers, were marched back and forth between the jail and courtroom by 28 policemen bristling with firearms . . . "11 The message was conveyed to the jury. There was no pretense at subtlety. These men, and their beliefs, imperiled the republic and the lives of those sitting now in judgment.



Vanzetti (left) and Sacco in the Dedham courthouse, 1923.

Vanzetti, slender, standing five feet and eight inches, with a walrus mustache, who had arrived through Ellis Island in 1908 with thousands of his countrymen, now 39 years old, rose with a special dignity from his steel encaged dock in the courtroom, and looked at Thayer after being sentenced to death. With a recognized eloquence and self-taught grasp of the English language, he said directly:

"I have struggled all my life to eliminate crimes, the crimes that the official law and the moral law condemns, but also the crime that the moral law and the official law sanction and sanctify — the exploitation and the oppression of the man by the man, and if there is a reason why I am a here as a guilty man, if there is a reason why you in a few minutes can doom me, it is this reason and none else . . .

"We have proved that there could not have been another judge on the face of the earth more prejudiced, more cruel and more hostile than you have been against us . . . This is what I say: . . . I would not wish [a dog or a snake, the most low and misfortunate creature of the earth] what I have had to suffer for things I am not guilty of . . . I have suffered because I was an Italian, and indeed I am an Italian . . ."12

* * * *

For seven years these two men languished in cells eight feet long and less than two feet wide. 13 Vanzetti was visited regularly by Beltrando Brini, the young son of the family with whom he boarded in North Plymouth. Vanzetti had encouraged Beltrando to learn the violin. He did, and with a gentle eloquence and deep love, surrounded by his parents, Beltrando would play, softly, in the prison hallway for Vanzetti to hear. 14

SACCO VANZETTI

ARE INNOCENT HEN

WE WANT

JUSTICE

SACCO VANZETTI

DEFEND

VINDICATE

SACCO VANZETTI

LIBERATE

Demonstration for Sacco and Vanzetti, Boston, March 1, 1925.

LIBERTA

MORTE!

Vanzetti's understanding of English increased. He wrote a biography, The Story of a Proletarian Life, a novella, a poem about nature, and articles for Italian newspapers and periodicals. He always had read "omnivorously, . . . Darwin, Spencer and Laplace; the novels of Hugo, Tolstoy, and Zola; the poetry of Guerrini, Rapisandi, and Garducci . . . and Dante's Divine Comedy, a favorite of his

youth, much of which he knew by heart."15

His main interest now was social and political readings, Marx, Mazzini's Duties of Man, and Ernest Renan's The Life of Jesus, "which proclaimed that in one view Jesus was an anarchist, for he had no notion of civil government, which seemed to him an abuse, pure and simple." ¹⁶ To Upton Sinclair, in his 1928 novel Boston, Vanzetti "was gentle, he was wise, and he was dignified. The humiliations of prison life had failed to affect him; he had conquered his jailers . . . He had a style now—both in English and Italian."17

Sacco's fate was more problematic. He was visited by his wife, Rosina, a small and slender woman with dark brown eyes, a fair complexion, and "fine copper colored hair." They met in 1911 and married shortly thereafter. Sacco, described by many who knew him as "a young man of exemplary character," shared with his wife a love of theatre. 19 Both performed in dramatic societies. They appeared in plays - with original scripts and homemade scenery — that told stories about social justice, like The Assassination of Francisco Ferrer, a Spanish socialist who tried to help the poor, and the Martyrs of Chicago, a story about the denigration of women factory workers and the riots and deaths that followed.20

Sacco's temperament was different than his friend Vanzetti. His in-

GHASTLY

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OF JUSTICE

terests waned. He struggled to keep his sanity.21 It was during this time, anticipating if not welcoming the end of his life, that Sacco, who was 36 when he died, penned letters to his Dante. Woodie Guthrie, in 1945, and, later, Pete Seeger set these

It also was during this time that neither man believed the outcome would be anything other than death. They "understood

letters to music and song.22

and realized their predicament much better than any individual working with any organization devoted to their rescue."23 The Sacco-Vanzetti Defense Committee did not remain idle. The

original defense team, led by Fred Moore, who had defended strikers and labor leaders, was replaced by William Thompson.²⁴ Distinguished for his skill and impeccable credentials within the Massachusetts Bar, Thompson entered this case offended deeply by the conduct of Thayer.²⁵ His intent was to uncover the facts and expose the abuse. He did both.

Appeals were taken, objections were raised, and another trial sought. New evidence was found. The ballistics expert had misled the jury under a secret agreement with the district attorney. It was now acknowledged that the fatal bullet did not come from the revolver allegedly used by Sacco.26 A confession was obtained by the man whose gang had committed the crime. Sacco and Vanzetti were not there, he said.²⁷



Guards were prepared for action when Sacco and Vanzetti were scheduled to die, 1927.

SEPTEMBER 1996 ITALIAN AMERICA

MUSMANNO'S APPEAL

Editor's Note: The following statement has been excerpted from the text of Michael Angelo Musmanno's appeal to Massachusetts Gov. Alvan T. Fuller, on May 19, 1927. Musmanno was dispatched to aid in the defense of Sacco and Vanzetti by the Order Sons of Italy in America.' On July 19, 1977, Massachusetts Gov. Michael Dukakis issued a proclamation attesting to bigotry, not evidence, as the overriding reason for the guilty verdict, and designated Aug 23, 1977, the 50th anniversary of their execution, as a day of memorial for Sacco and Vanzetti. Copies of the full text of Musmanno's appeal and Gov. Dukakis' proclamation are available through the archives collection of the Order Sons of Italy in America, at the Immigration History Research Center, University of Minnesota, Twin Cities.

"Daily there come to you protests, petitions, entreaties seeking aid for Nicola Sacco and Bartolomeo Vanzetti. They come from every station of life; they come from various countries and nationalities. Today I bring the earnest entreaty of the Sons of Italy of America — Sons of Italy in that they hail from or are descendants of those that hail from Italy, but otherwise completely and genuinely Americans . . .

"The Sons of Italy constitutes the largest organization in America of Ítalian descendants. Nicola Sacco and Bartolomeo Vanzetti are not members of this organization. The interest of this organization therefore, is not one of the household. The Sons of Italy does not undertake to interest itself in every Italian or Italian descendant caught in the toils of the law; on the contrary it frowns upon those Italians who by legal conviction are presumably guilty, and thus to that extent prove themselves unworthy of their name. But the Sons of Italy have seen fit in this case, in spite of the conviction of Sacco and Vanzetti, to step forward and express their doubt, their individual and collective doubt as to the guilt of these two men . . .

"If these two Italians are placed upon the electric chair, a pall of gloom will settle over all Italians in this country. And the millions of law-abiding sons of Italy, from New



York to California, now proudly claiming the stars and strips as their own, will wonder how, under the ample folds of liberty and equality of that beloved flag, the cause of true Americanization has been advanced. They will wonder if, after all, they are not outcasts in a land discovered by their own countryman. I honestly believe this will not come to pass."

 Ehrmann, The Case That Will Not Die, (Little Brown: New York, 1969), 482.

Attorney Michael Musmanno with Nicola Sacco's wife, Rosina, leaving the state prison. The district attorney refused to investigate further. "We believe we have found the truth," he said.²⁸

It got worse. The jury foreman was exposed. He had said *before* the trial to another jury member: "Damn them, they ought to hang them anyway." During the jury's deliberation he referred to both men as "dagoes." ²⁹ In a breach of the most elementary ethical propriety, Judge Thayer discussed the case outside the courtroom with friends, lawyers, and those attending the trial. His

I have suffered because I was an Italian, and indeed I am an Italian . . .

view was unequivocal. These men, he declared to others, were "bastards." ³⁰ He had already said of Vanzetti, his "ideals are cognate with the crime." ³¹

Thayer ruled the same way each time: no new trial. No prejudice existed.³² They were guilty, Thayer said, not because of eyewitnesses or physical evidence but because they had a "consciousness of guilt." ³³ It was a legal theory without legitimate precedent in American jurisprudence.

Felix Frankfurter, professor of law at Harvard and later a U.S. Supreme Court justice, asserted publicly in 1927, in a widely read article in *Atlantic Monthly*, that "with deep regret, but without the slightest fear of disproof," Thayer's opinions stand "unmatched for discrepancies . . . with a farrago of misquotations, misrepresentations, suppressions and mutilations" motivated by a "spirit alien to judicial utterances" against these two Italians.³⁴ He was not alone.

Massive demonstrations in support of their freedom were held in London, Geneva, Buenos Aires, and Paris. Luigia Vanzetti, who had not seen her brother in 19 years, stopped in Paris on her way to America, stood motionless amidst the undulating crowds, weary and teary-eyed, as those around her wailed in anger.³⁵ French novelist Anatole France, "in one of his last public ut-

terances, pleaded with America to save Sacco and Vanzetti: "save them for your honor, for the honor of your children and for the generations yet unborn." ³⁶

Rallies, filled with invective and pity, were held in San Francisco, New York, and Chicago. The artistic and intellectual community descended on Boston. John Dos Passos, Dorothy Parker, Edna St. Vincent Millay, and Michael Gold mixed with Italian Americans demonstrating on the state capitol grounds. Surrounded by police with horses and clubs, they were arrested daily and released to demonstrate again.³⁷

Italian-American intellectual and political activists, especially Carlo Tresca, risked certain deportation with their presence. Tresca had led visible, rough fights in support of immigrant mine workers in Ludlow, Colo., and the Mesabi mines in Minnesota against Rockefeller money interests. He emerged, along with most Italian Americans, as an articulate foe of fascism and Mussolini's rise to power.³⁸

Like many other Italian intellectual activists, Tresca was threatened constantly with deportation and was regularly tried on fabricated charges and acquitted. ³⁹ He faced a double threat. The American establishment, notably Henry Luce of *Fortune*, had embraced Mussolini. ⁴⁰ Activists deported back to Italy were soon jailed, their fate uncertain. ⁴¹ Tresca's ultimate fate was less kind. In 1943, he was assassinated by Mussolini's henchman, a known criminal, who stalked Tresca on "a dark street in lower Manhattan . . ." ⁴²

Only a month before these massive demonstrations, Clarence Darrow, the most renowned trial lawyer of his day, was defending two Italian Americans, in New York, accused of murdering two of Mussolini's blackshirts. Darrow took the case "not only because he 'detested Mussolini and everything he stands for' but because he had seen in the Sacco-Vanzetti affair how 'prejudice and passion' could result in a questionable verdict." The proceedings were compared to the degenerative injustice of the Salem Witch Trials. 44

It made no difference. The Massachusetts Supreme Court, in opinions that defy logic and law and reflect a discomforting coldness, upheld Thayer.

Michael Angelo Musmanno, a young,



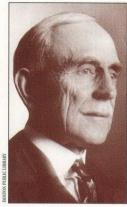
Sacco and Vanzetti being escorted to court on Nov. 1, 1921.



Massachusetts Gov. Alvan Fuller in 1925.



Sacco and Vanzetti leave Dedham Courthouse after being sentenced in 1927.



Judge Webster Thayer

committed Italian-American lawver from Pittsburgh, joined the defense team. He and others sought, without success, stays of the execution by U.S. Supreme Court justices Oliver Wendell Holmes, Louis Brandeis, and Harlan Fiske Stone. 45 Holmes declined to intercede. For all his eloquence in other settings, Holmes stood peculiarly muted by what he characterized as "state . . . jurisdiction." 46 Brandeis had a different problem. He had an ethical conflict and the integrity to recognize it. Sacco's wife had stayed in

Brandeis' family home during the trial.⁴⁷ Unacknowledged, however, was something more problematic if disclosed publicly. Brandeis had secretly encouraged Felix Frankfurter to support Sacco and Vanzetti. 48 Stone, by all accounts, merely said no. 49

The judicial process was over. It was a sad, dark moment in the history of American jurisprudence, particularly for Italian Americans. The verdict told them in indelible symbols — and told all those in positions of power and responsibility, in education, law, business, and the media — that Italian Americans were not worthy of the law's protection. Further heartache and a now sanctioned discrimination could be the only results. The singular characteristic of many Italian Americans then and now — to value the integrity of the individual and the family and to participate in and insist on social justice in our communities — was no longer viewed as worthy and esteemed.

Massachusetts Gov. Alvan T. Fuller was asked for a pardon. Virtually every university in the nation supported it.50 William O. Douglas,

then on the Yale faculty and later a Supreme Court justice, wrote letters and circulated petitions. To him, these men were "unfairly tried [and] unfairly convicted."51 Lawyers of national repute, Arthur Garfield Hays, Frank Walsh, and Francis Fisher Kane, formerly a federal prosecutor in Pennsylvania, volunteered their efforts and talked to the governor.52

Tens of thousands of people signed petitions. Albert Einstein was among them. 53 Congressman Fiorella LaGuardia, from New York, visited Fuller to plead personally for both men.⁵⁴ It was fruitless. Harvard President A. Lawrence Lowell, as chairman of a Special Advisory Committee established by the governor, declared the trial fair and justice done. 55 Only a few years earlier Lowell had placed limits on the number of Jews who could enter Harvard. He opposed the nomination of Louis Brandeis to the Supreme Court largely for the same reason. 56 He also must have been discomforted by Sacco's testimony at the trial:

"When I had been started work here very hard and been work 13 years, hard worker, I could not been afford much a family the way I did have the idea before. I could not put any money in the bank; I could no push my boy some to go to school . . . the capitalist class, they know, they are against [education for the laboring class], they are against that, because the capitalist class, they don't want our child to go to high school or college or Harvard College. There would be no chance, there would not be no — they don't want the working class educationed; they want the working class to be a low at all the times, be underfoot . . . [I want for the better education to give chance to any other peoples, not the white people but the black and the others . . . "57

With a callous charade of objectivity, Fuller denied the pardon and allowed the execution to go forward.⁵⁸ Musmanno, who later became a



The funeral procession for Sacco and Vanzetti in Boston.

justice of the Pennsylvania Supreme Court and a jurist of nationally renowned intellect, affirmed, in 1961, Frankfurter's statement made in 1927: "If another judge presided, or if the governor of Massachusetts at that time had been a less crude, illiterate, self-confident, purse-proud creature than Alvan Fuller, other things might have happened." To Musmanno, it "would have been the release of Sacco and

The heart of the story was over. Only hard questions remained for Italian Americans and their children.

Vanzetti" from the conviction of a crime "which the record shatteringly establishes they did not commit." ⁵⁹

Within hours of the pardon's denial, Sacco and Vanzetti prepared to die. Katherine Anne Porter, later a Pulitzer Prize winner for her anti-facist novel *Ship of Fools*, who, as a young woman, that August night, stood vigil with thousands of others outside Charlestown prison, wrote in 1977, that "for an endless, dreary time we stood there, massed in a measureless darkness, waiting, watching the light in the tower of the prison. At midnight, this light winked off, winked on and off again, and my blood chills remembering it even now . . . "60"

A few days later, beneath a gray sky and a torrential downpour and amidst the riotous, disdainful effort of the Boston Police to disperse and demoralize the mourners, more than 100,000 people, largely embittered and saddened Italian Americans, steadfastly accompanied the funeral procession to the final resting place, at the Forest Hills Cemetery outside Boston.⁶¹

The heart of the story was over. Only hard questions remained for Italian Americans and their children.

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Footnotes

- 1. Porter, Katherine Anne, The Never Ending Wrong, Little, Brown (1977), 57.
- Colyer, et al. v. Skeffington, 265 E17, 18-21 (D. Mass., 1920); Sinclair, Upton, Boston (New York: Albert and Charles Boni, 1928), 194-195, 206-208; Gambino, Blood of My Blood, (Anchor Press: Garden City, New York, 1974), 117-120. See also Salsedo v. Palmer, 278 E92 (2nd Cit., 1921); Avrich, Sacco and Vanzetti, The Anarchist Background (Princeton University Press: New Jersey, 1991), 122-136.
- 3. Skeffington, 17-21; Gambino, Blood of My Blood, 117-120.
- See, e.g., Shannon, David, Twentieth Century America (Rand McNally: Chicago, Ill., 1963) 179-183; Sinclair, Boston, 194-195, 206-208;
 Curti, Merle, The Growth of American Thought (Harper and Row: New York, 1964), 675. See also Frobwerk v. United States, 249 US 204, 208 (1919); Debs v. U.S., 249 US 211-214 (1919); Frankfurter, Felix, "The Case of Sacco and Vanzetti," Atlantic Monthly (1928), 418.
- 5. Colyer, et al. v. Skeffington, 265 F.17, 19, 20, 21 (D. Mass., 1920).
- 6. Sinclair, Boston, 156
- 7. Musmanno, Michael, Book Review, University of Pittsburgh Law Review, Vol. 22, 1960-1961, 658-659, 672 and others below, n.8 and n.32.
- 8. O'Connor, Tom. "The Origini of the Sacco-Vanzetti Case," Vanderbilt Law Review (Vol. 14, 1961), 992-999, 1002-1004 (Pinkerton Investigation Report for Travelers Insurance Co.); 10005 (the cap); see also Frankfurter, Felix, "The Case of Sacco and Vanzetti,"
 Atlantic Monthly (1928), 415.
- 9. Musmanno, Book Review, 999-1000; Frankfurter, Felix, Atlantic Monthly, "The Case of Sacco and Vanzetti," 420-421.
- 10. O'Connor, "The Origin of the Sacco-Vanzetti Case," 989-990; Sinclair, Boston, 522-526.
- 11. Musmanno. Book Review. 668-669.
- 12. Sinclair, Boston, 537; Images, A Pictorial History of Italian-Americans, Center For Migration Studies: New York (1986), 95.
- 13. Sinclair, Boston, 750.
- Sinclair, Boston, 558; Avrich, Paul, Sacco and Vanzetti, The Anarchist Background, (Princeton University Press: Princeton, New Jersey, 1991), 41.
- 15. Avrich, Sacco and Vanzetti, 35; Sinclair, Boston, 564-565, 641-642.
- 16. Avrich, Sacco and Vanzetti, 35; Sinclair, Boston, 564-565.
- 17. Sinclair, Boston, 527.
- 18. Avrich, Sacco and Vanzetti, 24; Porter, The Never Ending Wrong, 37.
- 19. Avrich, Sacco and Vanzetti, 24.
- 20. Avrich Sacco and Vanzetti, 55, 29; Sinclair, Boston. 111-114
- Morgan, Edmund and Joughin, G. Louis. The Legacy of Sacco and Vanzetti (Harcourt, Brace and Co: New York, 1948), 464-465;
 Sinclair. Boston. 490.
- Folk Song America, A 20th Century Revival. Smithsonian Collection, 103; Sinclair, Boston, 671-673; Avrich, Sacco and Vanzetti, 15; O'Connor,
 "The Origins of the Sacco-Vanzetti Case," 988.
- 23. Porter, The Never Ending Wrong, 10.
- 24. Avrich, Sacco and Vanzetti, 15; O'Connor, "The Origins of the Sacco-Vanzetti Case," 988.
- 25. Id. and Frankfurter, "The Case of Sacco and Vanzetti," 421.
- Musmanno, Book Review, 672; Frankfurter, "The Case of Sacco and Vanzetti," 424-427; O'Connor, "The Origins of the Sacco-Vanzetti Case," 1001-1002; Sinclair, Boston. 481.
- Musmanno, Book Review, 672-673; Frankfurter, "The Case of Sacco and Vanzetti," 428-431; Avrich, Sacco and Vanzetti, 4; Sinclair, Boston, 520.
- 28. Musmanno, Book Review, 672-673
- 29. Musmanno, Book Review, 658.
- 30. Musmanno, Book Review, 659-663.
- 31. Musmanno, Book Review, 671; Frankfurter, "The Case of Sacco and Vanzetti," 424; Gambino, Blood of My Blood, 120.
- 32. Musmanno, Book Review, 672; Sinclair, Boston, 630., The Boston Herald, which had supported the verdict, "reversed [its] original judgment" in a widely read editorial and strongly supported a new trial. Similar requests came from the Springfield Republican, the Hartford Courant, the Duluth Herald, the Macon Telegraph, the New York World, the St. Louis Post Dispatch and numerous other newspapers, magazines and individuals. It was to no avail. Joughin and Morgan, The Legacy of Sacco and Vanzetti, 262-271; Sinclair, Boston, 543.
- 33. Frankfurter, "The Case of Sacco and Vanzetti," 416-419; Musmanno, Book Review, 667.
- 34. Frankfurter, "The Case of Sacco and Vanzetti," 431-432; Sinclair, Boston, 553
- 35. Sinclair, Boston, 674.
- 36. Musmanno, Book Review, 652; Sinclair, Boston, 746; Avrich, Sacco and Vanzetti, 4.
- Porter, The Never Ending Wrong, 33-34, photograph op. 32; Musmanno, Book Review, 657-658; Sinclair, Boston, 637, 646, 648, 652, 669, 683-685, 693.
- Avrich, Sacco and Vanzetti, 29, 189; Images, A Pictorial History of Italian Americans, 81, 91; Gallagher, Dorothy, All the Right Enemies, The Life and Death of Carlo Tresca, (Rugers University Press, 1988), 102, 105-106, 128-131, 137-138, 144-145.
- 39. Avrich, Sacco and Vanzetti, 29, 209; Sinclair, Boston, 447; Gallagher, All the Right Enemies, 49, 56-62, 98-109.
- Sinclair, Boston, 447; Gambino, Blood of My Blood, 319-320; Gallagher, All the Right Enemies, 98-109. In 1925, Judge Elbert Gary, President of U.S. Steel was "installed as an honorary Fascist." Id.
- 41. Avrich, Sacco and Vanzetti, 209, 213-215.
- 42. Talese, Gay, Unto The Sons, (Alfred A. Knopf: New York, 1992), 590; Gallagher, All the Right Enemies, 215, 228.
- 43. Avrich, Sacco and Vanzetti, 213.
- 44. Sinclair, Boston, 598-602; O'Connor, "The Origins of the Sacco-Vanzetti Case," 994; Porter, The Never Ending Wrong, 8-9.
- Baker, Liva, The Justice from Beacon Hill (Harper, 1991); 605-611; Sinclair, Boston, 686, 699; see also, Commonwealth v. Sacco and Vanzetti, 255 Mass. 369 (S. Ct. 1926); 257 Mass. 128 (S. Ct. 1927); 261 Mass. 12 (S. Ct. 1927).
- 46. Sinclair, Boston, 707; Baker, The Justice from Beacon Hill, 607, 608, 609-611; Musmanno, Book Review, 651-652.
- 47. See, generally, Joughin and Morgan, The Legacy of Sacco and Vanzetti, 226-233, 324, 463, 510-511 (role of Mrs. Alice Brandeis and the Brandeis' family friend, Elizabeth Glendower Evans). The Brandeis' home was a few blocks from the County Jail in Dedham, the site of the trial.
- 48. Murphy, Bruce, The Brandeis/Frankfurter Connection, (Oxford University Press, 1982), 78-82; Sinclair, Boston, 686-687.
- 49. Sinclair, Boston, 686; Baker, The Justice From Beacon Hill, 609.
- 50. Sinclair, Boston, 601.
- 51. Douglas, William O., Go East Young Man (Random House: New York, 1974). 167.
- 52. Sinclair, Boston, 662, 699, 732.
- 53. Musmanno, Book Review, 657.
- 54. Sinclair, Boston, 709.
- 55. Musmanno, Book Review, 673-674; Gambino, Blood of My Blood, 121; Sinclair, Boston, 573-604.
- 56. Gal, Allan, Brandeis of Boston (Harvard Press; Cambridge, 1980), 195-196; Sinclair, Boston, 686.
- 57. Frankfurter, "The Case of Sacco and Vanzetti," 419-420.
- 58. Sinclair, Boston, 731-733; O'Connor, "The Origins of the Sacco-Vanzetti Case," 987
- 59. Musmanno, Book Review, 55.
- Musmanno, Book Review, 55.
 Porter, The Never Ending Wrong, 44; Sinclair, Boston, 737-747.
- 61. Sinclair, Boston, 749-755. Vanzetti's remains were removed later by his sister Luigia.