

CHAPTER XXV.

The Programme of the Defense — Mayor Harrison's Memories — Simonson's Story — A Graphic Account — A Bird's-eye View of Dynamite — Ferguson and the Bomb — "As Big as a Base Ball" — The Defense Theory of the Riot — Claiming the Police were the Aggressors — Dr. Taylor and the Bullet-marks — The Attack on Gilmer's Veracity — Varying Testimony — The Witnesses who Appeared.

MR. MOSES SALOMON opened the case for the Anarchists on Saturday, July 31. He proceeded to state that the defendants had steadily refused to believe that any man on the jury would be willing to convict any of the defendants because of being an Anarchist or a Socialist.

"Mr. Grinnell," said Mr. Salomon, "failed to state to you that he had a person by whom he could prove who threw the bomb, and he never expected to make this proof until he found that without this proof he was unable to maintain this prosecution against these defendants; and it was as this case neared the prosecution end of it that the State suddenly changed front and produced a professional tramp and a professional liar, as we will show you, to prove that one of these defendants was connected with the throwing of it. They then recognized, as we claimed and now claim, that that is the only way they can maintain their case here."

Mr. Salomon next directed the attention of the jury to the charge against the defendants and said:

"As I told you a moment ago, they are not charged with Anarchy; they are not charged with Socialism; they are not charged with the fact that Anarchy and Socialism is dangerous or beneficial to the community; but, according to the law under which we are now acting, a charge specific in its nature must be made against them, and that alone must be sustained, and it is the duty of the jury to weigh the evidence as it bears upon that charge; and upon no other point can they pay attention to it. Now, gentlemen, the charge here is shown by this indictment. This is the accusation. This is what the case involves, and upon this the defendants and the prosecution must either stand or fall. This indictment is for the murder of Mathias J. Degan. It is charged that each one of these defendants committed the crime, each defendant individually; and it is charged in a number of different ways. Now, I desire to call your attention to the law governing this indictment and to read it to you; and I am presenting the law to you now, gentlemen, so that you can understand how we view this case and how the evidence is affected by what the law is."

Mr. Salomon then read the law touching murder and the statute on accessories and explained:

"The law says, no matter whether these defendants advised generally the use of dynamite in the purpose which they claimed to carry out, and sought to carry out, yet if none of these defendants advised the throwing of that bomb at the Haymarket, they cannot be held responsible for the action of

others at other times and other places. What does the evidence introduced here tend to show? It may occur to some of you, gentlemen, to ask: 'What, then, can these defendants preach the use of dynamite? May they be allowed to go on and urge people to overturn the present government and the present condition of society without being held responsible for it and without punishment? Is there no law to which these people can be subjected and punished if they do this thing?' There is, gentlemen, but it is not and never has been murder, and if they are amenable, as the evidence introduced by the prosecution tends to show, it is under another and a different law, and no attempt on the part of the prosecution to jump the wide chasm which separates these two offenses can be successful unless it is done out of pure hatred, malice, ill-will, or because of prejudice. The law protects every citizen. It punishes every guilty man, and according to the measure of his crime; no more and no less. If a man be guilty of conspiracy, or if he be guilty of treason, he is liable to punishment for that offense, and not for a higher one. This is what the people of the State of Illinois have said, and that is their law. That is what they want enforced, and that is what I stand here for as the advocate of these defendants. I claim for them, and for the entire people of this State, that the law shall be applied as it is found, and as they have directed it to be enforced. Now, what is the statute on conspiracy, of which these defendants may be guilty, if they are guilty of anything?"

He next read the law with reference to conspiracy and proceeded:

"The proof in this case, with the exception of Gilmer's testimony, showed and shows only that the State has a case within those sections which I have last read to you, and no other, if they have a case against them at all. Now, gentlemen, I have read to you the section of the statute relating to accessories. As I have told you before, it is only the perpetrator and abettor in the perpetration of a crime who, under the decision of almost every supreme court in the United States and England, can be held."

Mr. Salomon touched on one or two minor points and concluded as follows:

"That view of the law, that they must be proven to be accessories to the crime, is the one point only upon which the prosecution can sustain their case, and is the only one upon which this case must proceed, according to our view. Now, these defendants are not criminals; they are not robbers; they are not burglars; they are not common thieves; they descend to no small criminal act. On the contrary, this evidence shows conclusively that they are men of broad feelings of humanity, that their only desire has been, and their lives have been consecrated to, the betterment of their fellow-men.



MOSES SALOMON.

From a Photograph.

They have not sought to take the life of any man, of any individual, to maliciously kill or destroy any person, nor have they sought to deprive any man of his property for their own benefit. They have not sought to get McCormick's property for themselves; they have not sought to get Marshall Field's property for themselves, and to deprive Marshall Field of it feloniously, but they have endeavored and labored to establish a different social system. It is true they have adopted means, or *wanted* to adopt means that were not approved of by all mankind. It is true that their methods were dangerous, perhaps; but then they should have been stopped at their inception. We shall expect to prove to you, gentlemen, that these men have stood by the man who has the least friends; that they have endeavored to better the condition of the laboring man. The laboring men have few friends enough. They have no means, without the combination and assistance of their fellow-men, to better their condition, and it was to further that purpose and to raise them above constant labor and constant toil and constant worry and constant fret, and to have their fellow-men act and be as human beings and not as animals, that these defendants have consecrated their lives and energies. If it was in pursuance of that, wrought up, perhaps, through frequent failures and through the constant force exercised against them, that they came to the conclusion that it was necessary to use force against force, we know not, and we do not expect to prove nor to deny that these defendants advocated the use of force, nor do we now intend to apologize for anything they have said, nor to excuse their acts. It is neither the place nor the time for counsel in this case, nor of the gentlemen of the jury, to either excuse the acts of these defendants nor to encourage them. With that we have here nothing to do. Our object is simply to show that these defendants are not guilty of the murder with which they are charged in this indictment. But the issue is forced upon us to say whether it was right or wrong, and whether they had the right to advocate the bettering of their fellow-men. As Mr. Grinnell said, he wanted to hang Socialism and Anarchy; but twelve men nor twelve hundred nor twelve thousand can stamp out Anarchy nor root out Socialism, no more than they can Democracy or Republicanism, that lie within the heart and within the head. Under our forms of government every man has the right to believe and the right to express his thoughts, whether they be inimical to the present institutions or whether they favor them; but if that man, no matter what he advocates or who he be, whether Democrat, Republican, Socialist or Anarchist, kill and destroy human life deliberately and feloniously, that man, whether high or low, is amenable to criminal justice, and must be punished for his crime, and for no other.

"Now, what was the object of these defendants, as they are charged, in being so bloodthirsty? Their purpose was to change society, to bring into force and effect their Socialistic and Anarchistic ideas. Were they right or were they wrong, or have we nothing to do with it? As I told you, they had the right to express their ideas. They had the right. They had the right to gain converts, to make Anarchists and Socialists, but whether Socialism or Anarchy shall ever be established never rested with these defendants, never rested in a can of dynamite or in a dynamite bomb. It rests with the great mass of people, with the people of Chicago, of Illinois, of the United States, of the world. If they, the people, want Anarchy, want Socialism, if they want Democracy or Republicanism, they can and they will inaugurate it. But the people, also, will allow a little toleration of views.

Now, these defendants claim that Socialism is a progressive social science, and it will be a part of the proof which you will have to determine. Must the world stand as we found it when we were born, or have we a right to show our fellow-men a better way, a nobler life, a better condition? That is what these defendants claim, if they are forced beyond the issue in this case. . . . In furtherance of that plan, what have these defendants done? Have they murdered many people? What was their plan when they counseled dynamite? They intended to use dynamite in furtherance of the general revolution; never, never against any individual. We will show you that it was their purpose, as the proof, I think, partly shows already, that when a general revolution or a general strike was inaugurated, when they were attacked, that then, in fact, while carrying out the purposes of that strike or that revolution, that then they should use dynamite, and not until then. If it is unlawful to conspire to carry out that thing, these men must be held for that thing. We shall show you that these men, in carrying out their plan for the bettering of the condition of the workingmen, inaugurated the eight-hour movement. They inaugurated the early-closing movement. They inaugurated every movement that tended to alleviate the condition of the workingman and allow him a greater time to his family, for mutual benefit. That is what these defendants set up for a defense. That is what they claim was their right to do, and that is what they claim they did do, and they did nothing more.

"Now, gentlemen, we don't say that we desire to go into this proof, because we think it has nothing to do with this case, if our theory is correct; but if we are forced to show why they did these things it is simply to convince you that their objects were not for robbery, not for stealing, not to gain property for themselves, and not to maliciously or willfully destroy any man's good name or his property interests.

"We expect to show you, further, that these defendants never conspired, nor any one of them, to take the life of any single individual at any time or place; that they never conspired or plotted to take, at this time or at any other time, the life of Mathias Degan or any number of policemen, except in self-defense while carrying out their original purpose. We expect, further, to show you that on the night of the 4th of May these defendants had assembled peaceably, that the purpose of the meeting was peaceable, that its objects were peaceable, that they delivered the same harangue as before, that the crowd listened, and that not a single act transpired there, previous to the coming of the policemen, by which any man in the audience could be held amenable to law. They assembled there, gentlemen, under the provision of our Constitution, to exercise the right of free speech, to discuss the situation of the workingmen, to discuss the eight-hour question. They assembled there to incidentally discuss what they deemed outrages at McCormick's. No man expected that a bomb would be thrown; no man expected that any one would be injured at that meeting; but while some of these defendants were there and while this meeting was peaceably in progress, the police, with a devilish design, as we expect to prove, came down upon that body with their revolvers in their hands and pockets, ready for immediate use, intending to destroy the life of every man that stood upon that market square. That seems terrible, gentlemen, but that is the information which we have and which we expect to show you. We expect to show you further, gentlemen, that the crowd did not fire, that not a single person fired a single shot at the police officers. We expect to show you

that Mr. Fielden did not have on that night, and never had in his life, a revolver ; that he did not fire, and that that portion of the testimony here is wrong. We expect to show you further, gentlemen, that the witness Gilmer, who testified to having seen Spies light the match which caused the destruction coming from the bomb, is a professional and constitutional liar ; that no man in the city of Chicago who knows him will believe him under oath, and, indeed, I might almost say that it would scarcely need even a witness to show the falsity of his testimony, because it seems to me that it must fall of its own weight. We expect to show you, gentlemen, that Thompson was greatly mistaken ; that on that night Schwab never saw or talked with Mr. Spies ; that he was at the Haymarket early in the evening, but that he left before the meeting began and before he saw Mr. Spies on that evening at all. We expect to show that Mr. Parsons, so far from thinking anything wrong, and Fischer, were quietly seated at Zepf's Hall, drinking, perhaps, a glass of beer at the time the bomb exploded, and that it was as great a surprise to them as it was to any of you. We expect to show you that Engel was at home at the time the bomb exploded, and that he knew nothing about it. With the whereabouts of Lingg you are already familiar. It may seem strange why he was manufacturing bombs. The answer to that is, he had a right to have his house full of dynamite. He had a right to have weapons of all descriptions upon his premises, and until he used them, or advised their use, and they were used in pursuance of his advice, he is not liable any more than the man who commits numerous burglaries, the man who commits numerous thefts, who walks the streets, is liable to arrest and punishment only when he commits an act which makes him amenable to law.

"I did not expect to address you concerning Mr. Neebe, and it is unnecessary for me to make much comment on that, but we will show you that Mr. Neebe did not know of this meeting, that he was not present, that he was in no manner connected with it, and there is no proof to show that he was. We will also prove to you, gentlemen, that Mr. Fielden did not go down the alley, as some of the witnesses for the State have testified, but that he went down Desplaines Street to Randolph, and up Randolph, as, indeed, if my memory serves me right, the statements made by Mr. Fielden immediately after the occurrence already sufficiently show.

"Now, gentlemen, in conclusion, as I stated to you a moment ago, we do not intend to defend against Socialism, we do not intend to defend against Anarchism ; we expect to be held responsible for that only which we have done, and to be held in the manner pointed out by law. Under the charge upon which these defendants are held under this indictment, we shall prove to you, and I hope to your entire satisfaction, that a case has not been made out against them. Whether they be Socialists or whether they be Anarchists we hope will not influence any one of you, gentlemen. Whatever they may have preached, or whatever they may have said, or whatever may have been their object, if it was not connected with the throwing of the bomb it is your sworn testimony to acquit them. We expect to make all this proof, and we expect such a result."

On the Monday following, being the 2d of August, the defense began its testimony. The first witness introduced was CARTER H. HARRISON, then Mayor of Chicago. His evidence was as follows :

"I am Mayor of the city of Chicago since over seven years. On the 4th of May last I was present during a part of the Haymarket meeting so-called. On the day before there was a riot at McCormick's factory, which was represented to me to have grown out of a speech made by Mr. Spies. During the morning of the 4th I received information of the issuance of a circular of a peculiar character and calling for a meeting at the Haymarket that night. I directed the Chief of Police that if anything should be said at that meeting that might call out a recurrence of such proceedings as at McCormick's factory, the meeting should be dispersed. I believed that it was better for myself to be there and disperse the meeting myself instead of leaving it to any policeman. I went to the meeting for the purpose of dispersing it in case I should feel it necessary for the safety of the city. I arrived there about five minutes before eight. There was a large concourse of people about the Haymarket, but it was so long before any speaking commenced that probably two-thirds of the people there assembled left, as it seemed to me. It was about half-past eight when the speaking commenced and the meeting congregated around Crane's building, or the alley near it.

"Mr. Spies may have been speaking one or two minutes before I got near enough to hear distinctly what he said. I judge I left the meeting between 10 and 10:05 o'clock that night. I staid to hear Mr. Spies' speech, and I heard all of Mr. Parsons' up to the time I left, with the exception of five or ten minutes, during which I went over to the station. When I judged that Mr. Parsons was looking towards the close of his speech I went over to the station, spoke to Capt. Bonfield, and determined to go home, but instead of going immediately I went back to hear a little more; staid there about five minutes longer and then left. Within about twenty minutes from the time that I left the meeting I heard the sound of the explosion of the bomb at my house. While at the meeting I noticed that I was observed when I struck a match to light my cigar and the full blaze showed my face. I thought Mr. Spies had observed me, as the tone of his speech suddenly changed, but that is mere conjecture. Prior to that change in the tone of Mr. Spies' speech I feared his remarks would force me to disperse the meeting. I was there for that purpose; that is to say, it was my own determination to do it against the will of the police. After that occurrence the general tenor of Spies' speech was such that I remarked to Capt. Bonfield that it was tame."

"Did anything transpire in the address of either Spies or Parsons, after the incident of the lighting of your cigar to which you have referred, that led you to conclude to take any action in reference to the dispersing of the meeting?"

The State objected to an answer, and the objection was sustained.

"I did in fact take no action at the meeting about dispersing it. There were occasional replies from the audience, as 'Shoot him,' 'Hang him' or the like, but I do not think, from the directions in which they came, here and there and around, that there were more than two or three hundred actual sympathizers with the speakers. Several times cries of 'Hang him' would come from a boy in the outskirts, and the crowd would laugh. I felt that a majority of the crowd were idle spectators, and the replies nearly as much what might be called 'guying' as absolute applause. Some of the replies were evidently bitter; they came from immediately around the stand. The audience numbered from eight hundred to one thousand. The

people in attendance, so far as I could see during the half hour before the speaking commenced, were apparently laborers or mechanics, and the majority of them not English-speaking people — mostly Germans. There was no suggestion made by either of the speakers looking toward calling for the immediate use of force or violence toward any person that night; if there had been I should have dispersed them at once. After I came back from the station Parsons was still speaking, but evidently approaching a close. It was becoming cloudy and looked like threatening rain, and I thought the thing was about over. There was not one-fourth of the crowd that had been there during the evening listening to the speakers at that time. In the crowd I heard a great many Germans use expressions of their being dissatisfied with bringing them there and having this speaking. When I went to the station during Parsons' speech, I stated to Capt. Bonfield that I thought the speeches were about over; that nothing had occurred yet or looked likely to occur to require interference, and that he had better issue orders to his reserves at the other stations to go home. Bonfield replied that he had reached the same conclusion from reports brought to him, but he thought it would be best to retain the men in the station until the meeting broke up, and then referred to a rumor that he had heard that night which he thought would make it necessary for him to keep his men there, which I concurred in. During my attendance of the meeting I saw no weapons at all upon any person."

On cross-examination Mr. Harrison stated:

"The rumor that I referred to was related to me by Capt. Bonfield immediately after my reaching the station. Bonfield told me he had just received information that the Haymarket meeting, or a part of it, would go over to the Milwaukee and St. Paul freight-houses, then filled with 'scabs,' and blow it up. There was also an intimation that this meeting might be held merely to attract the attention of the police to the Haymarket, while the real attack, if any, should be made that night on McCormick's. Those were the contingencies in regard to which I was listening to those speeches. In listening to the speeches, I concluded it was not an organization to destroy property that night, and went home. My order to Bonfield was that the reserves held at the other stations might be sent home, because I learned that all was quiet in the district where McCormick's factory is situated. Bonfield replied he had already ordered the reserves in the other stations to go in their regular order.

"Bonfield was there, detailed by the Chief of Police, in control of that meeting, together with Capt. Ward. I don't remember of hearing Parsons call 'To arms! To arms! To arms!' When I speak of a rumor in regard to a possible attack upon McCormick's, the fact is it was not a rumor that came from others, but rather a fear or apprehension on my own part, and it was suggested first by myself that this might be the aim of this meeting. There was a direct statement by Mr. Bonfield to me that he had heard the rumor about the freight-houses."

BARTON SIMONSON, a traveling salesman for E. Rothschild & Bros., wholesale clothing, concluded, after taking supper at his mother's house, No. 50 West Ohio Street, to take in the Haymarket meeting, and he went there and remained throughout the proceedings, until the explosion of the bomb. He testified:

"The speakers were northeast from me, in front of Crane Bros'. building, a few feet north of the alley. I remember the alley particularly. As far as I remember Spies' speech, he said: 'Please come to order. This meeting is not called to incite any riot.' He then said that McCormick had charged him with the murder of the people at the meeting the night before; that Mr. McCormick was a liar. McCormick was himself responsible. Somebody had opposed his speaking at the meeting near McCormick's because he was a Socialist. The people he spoke to were good Christian, church-going people. While he was speaking, McCormick's people had come out. Some of the men and boys had started for them, and had had some harmless sport throwing stones into the windows, etc. Then he said that some workingmen were shot at and killed by the police. That is as far as my memory goes.

"Parsons illustrated that the capitalists got the great bulk of the profit out of everything done. I remember in his speech he said: 'To arms! To arms! To arms!' but in what connection I cannot remember. Somebody in the crowd said, 'Shoot' or 'Hang Gould,' and he says, 'No, a great many will jump up and take his place. What Socialism aims at is not the death of individuals, but of the system.'

"Fielden spoke very loud, and as I had never attended a Socialistic meeting before in my life, I thought they were a little wild. Fielden spoke about a Congressman from Ohio who had been elected by the workingmen and confessed that no legislation could be enacted in favor of the workingmen; consequently he said there was no use trying to do anything by legislation. After he had talked awhile a dark cloud with cold wind came from the north. Many people had left before, but when the cloud came a great many people left. Somebody said, 'Let's adjourn,'—to some place, I can't remember the name of the place. Fielden said he was about through, there was no need of adjourning. He said two or three times, 'Now, in conclusion,' or something like that, and I became impatient. Then I heard a commotion and a good deal of noise in the audience, and somebody said, 'Police.' I looked south and saw a line of police when it was at about the Randolph Street car-tracks. The police moved along until the front of the column got about up to the speakers' wagon. I heard somebody near the wagon say something about dispersing. I saw some persons upon the wagon. I could not tell who they were. About the time that somebody was giving that command to disperse, I distinctly heard two words coming from the vicinity of the wagon or from the wagon. I don't know who uttered them. The words were 'peaceable meeting.' That was a few seconds before the explosion of the bomb. As the police marched through the crowd the latter went to the sidewalks on either side, some went north, some few went on Randolph Street east, and some west. I did not hear any such exclamation as 'Here come the bloodhounds of the police; you do your duty and I'll do mine,' from the locality of the wagon or from Mr. Fielden. I heard nothing of that sort that night. At the time the bomb exploded I was still in my position upon the stairs. A reporter talked to me while I was on those stairs. I remember he went down, and just before the police came he ran up past me again. There was no pistol fired by any person upon the wagon before the bomb exploded. No pistol shots anywhere before the explosion of the bomb. Just after the command to disperse had been given, I saw a lighted fuse or something—I didn't know what it was at the time—come up from a point nearly twenty feet south of

the south line of Crane's alley, from about the center of the sidewalk on the east side of the street, from behind some boxes. I am positive it was not thrown from the alley. I first noticed it about six or seven feet in the air, a little above a man's head. It went in a northwest course and up about fifteen feet from the ground, and fell about the middle of the street. The explosion followed almost immediately, possibly within two or three seconds. Something of a cloud of smoke followed the explosion. After the bomb exploded there was pistol-shooting. From my position I could distinctly see the flashes of the pistols. My head was about fifteen feet from the ground. There might have been fifty to one hundred and fifty pistol shots. They proceeded from about the center of where the police were. I did not observe either the flashes of pistol shots or hear the report of any shots from the crowd upon the police prior to the firing by the police. I staid in my position from five to twenty seconds. There was shooting going on in every direction, as well up as down. I could see from the flashes of the pistols that the police were shooting up. The police were not only shooting at the crowd, but I noticed several of them shoot just as they happened to throw their arms. I concluded that my position was possibly more dangerous than down in the crowd, and then I ran down to the foot of the stairs, ran west on the sidewalk on Randolph Street a short distance, and then on the road. A crowd was running in the same direction. I had to jump over a man lying down, and I saw another man fall in front of me about one hundred and fifty to two hundred feet west of Desplaines Street. I took hold of his arm and wanted to help him, but the firing was so lively behind me that I just let go and ran. I was to the rear of the crowd running west, the police still behind us. There were no shots from the direction to which I was running.

"I am not and have never been a member of any Socialistic party or association. Walking through the crowd before the meeting, I noticed from their appearance that the meeting was composed principally of ordinary workmen, mechanics, etc. The audience listened, and once in awhile there would be yells of 'Shoot him!' 'Hang him!' from the audience. I didn't find any difference in the bearing of the crowd during Fielden's speech from what it was during Parsons' or Spies'. In the course of the conversation which I had with Capt. Bonfield at the station before the meeting that night, I asked him about the trouble in the southwestern part of the city. He says, 'The trouble there is that these'—whether he used the word Socialists or strikers, I don't know—'get their women and children mixed up with them and around them and in front of them, and we can't get at them. I would like to get three thousand of them in a crowd, without their women and children'—and to the best of my recollection he added, 'and I will make short work of them.' I noticed a few women and children at the bottom of the steps where I was. I don't think there were any in the body of the crowd around the wagon. At the time the police came up there, I did not observe any women or children."

On cross-examination Mr. Simonson said:

"I have several times visited police stations in the city. I attended a Salvation Army meeting on East Chicago Avenue, and I thought the roughs there interrupted the meeting. I went across to see Capt. Schaack two or three times about it. I was once at the Desplaines Street Station and made complaint against a policeman for abusing an old man, and one

evening I brought there a fellow who asked me for something to get him a lodging on the West Side, and I asked the police to take care of him. And another time, when I heard about the way people who had received lodging at the station were treated there, I went to the station to satisfy myself what was the fact about the matter, and Capt. Ward told me a different story.

"I went to the Haymarket meeting out of curiosity to know what kind of meetings they held, believing that the newspapers ordinarily misrepresented such things. I had my impression that the papers had misrepresented the meetings of workingmen, not from anything definite I had, but from having seen reports in papers of occurrences I had seen, and, as a rule, they were one-sided. I went to the meeting to satisfy myself—to prove or disprove my impression. That was one of my reasons for going there. At that conversation with Mr. Bonfield that I testified to, nobody else was present. It was in the main office of Desplaines Street Station. Capt. Ward, I believe, was walking around at the time. There was a good deal of noise in the police station, and we talked quietly. I believe no one else could hear it. I believe it was last fall that I visited the North Side police station in regard to the Salvation Army again. I visited about a half dozen of their meetings. I saw Capt. Schaack at the station. I did not ask him to arrest any people who had disturbed the meeting, nor to arrest the Salvation Army people. I told him that in going to the meeting I heard somebody swear a very vicious oath and curse the Salvation Army people. The police were standing within hearing, and the crowd joined in the laugh. I told him it seemed to me that the police ought not to allow anything of that kind. The windows of the Salvation Army were filled with boards. I told Capt. Schaack that it seemed not right that in front of the police station they should do any such thing. He said he would order the boards taken down, and if they wanted protection they could get it. I went another time to Capt. Schaack when some of the Salvation Army people were confined in the Bridewell. Mayor Harrison had given me a note to Mr. Felton, telling him to let them go, and I went to Capt. Schaack to tell him that.

"My recollection is that Fielden said: 'The law is your enemy. Kill it, stab it, throttle it, or it will throttle you.' When the police came, I looked at them and at the crowd. I watched both to some extent. I don't know how many lines of police there were. When I saw them at the Randolph Street tracks, I saw a straight line of police filling the whole street. There was more than one column, but I don't know how many. I was at that time contemplating the question of my own safety. I was looking in the direction of the wagon at the time the bomb was thrown. I didn't see the officer command the meeting to disperse, but heard somebody, in some form, tell the meeting to disperse. The only words I remember to have heard were: 'Command—meeting—to disperse.' During the delivery of that, or right after it, I heard somebody say something, of which I caught the two words, 'Peaceable meeting.' The first column of police were standing on about a line with the north line of the alley. I don't know where the other columns were with reference to where the bomb exploded. I only saw the police in a large body march out. It looked to me at the time as if the bomb struck the ground and exploded just a little behind the front line of police. I saw policemen behind the first line of police, but I did not distinguish the columns. I don't know whether the bomb exploded

directly behind the front line, or between the second and the third or third and fourth lines.

"The firing began from the police, right in the center of the street. I did not see a single shot fired from the crowd on either side of the street. I didn't know what became of the men in the wagon. I don't think there were any shots fired in the neighborhood of the wagon. I was not looking at the wagon all the time, but was looking over the scene in general. If you got up on a place as high as I was, and it was dark, you could see every flash; the flashes show themselves immediately when they are out of the revolver, on a dark night. The scene impressed itself so upon me that now, looking back, I see it as I did then. Looking at where the bomb exploded, I could not help looking toward the wagon, too. My impression is, the boxes on the opposite side of the street were from two to four feet high. I have been at the Haymarket, to look over the ground, several times since the 4th of May, so as to get an idea of the dimensions of the thing. I went there of my own volition; nobody asked me to go there. It was on my way to mother's house. I am employed by Rothschild Brothers, on commission."

When this witness returned to the store, the firm by whom he was employed at once discharged him, saying that he was one of the worst Anarchists in the city and they had no use for him.

JOHN FERGUSON, a resident of Chicago for seventeen years, and in the cloak business, passed the Haymarket, and, noticing a crowd there, stopped to listen to the speeches. He was accompanied by an acquaintance. They stood at the Randolph Street crossing and listened about fifteen minutes to Parsons' speech. Said the witness:

"We could hear all of the speaking plainly, from where we stood, as the speakers were facing Randolph Street. During his speech, when he mentioned Jay Gould's name, somebody said: 'Throw him in the lake;' and a man standing almost in front of me took his pipe from his mouth and halloed out: 'Hang him.' Parsons replied that would do no good; a dozen more Jay Goulds would spring up in his place. 'Socialism aims not at the life of individuals, but at the system.' I didn't hear any other responses from the crowd than those I mentioned. After Parsons concluded, another gentleman got up and began speaking about Congressman Foran. After a few minutes I saw quite a storm cloud come up. Some one interrupted the speaker with the remark: 'There is a prospect of immediate storm, and those of you who wish to continue the meeting can adjourn to'—some hall, I don't remember the name of it; but the speaker, resuming, said: 'I haven't but two or three words more to say, and then you can go home.' I walked away from the meeting, across Randolph Street to the southwest corner. There I saw the police rush out from the station in a body. They whirled into the street and came down very rapidly toward us. The gentleman in command of the police was swinging his arm and told them to hurry up. After they had passed us we turned to walk south toward the station, and we heard a slight report, something like breaking boards, or like slapping a brick down on the pavement. We turned, and we had just about faced around, looking at the crowd, when we saw a fire flying out about six or eight feet above the heads of the crowd and falling down pretty near the center of the street. It was all dark for almost a second, perhaps, then there was a deafening roar. Then almost instantly we saw flashes from

toward the middle of the street, south of Randolph on Desplaines, and heard reports. That side of the street where the crowd was was dark. At that time there did not appear to be any light there. Then we hurried away. I did not see any flashes from either side of the street. The majority of the crowd had gone away on the appearance of the approaching storm. The crowd was very orderly, as orderly a meeting as I ever saw anywhere in the street.

"It could not have been longer than five minutes from the time that Fielden said, 'We will be through in a short time,' that the police marched down the street. I am not a Socialist, nor an Anarchist, nor a Communist; I don't know anything about what those terms mean."

LUDWIG ZELLER went to the meeting about a quarter past ten, and took a position at a lamp-post near Crane's alley. A few minutes thereafter the police came, and when they passed him he heard the command of the Captain, but heard no reply from anybody on the wagon or near the wagon.

"I turned and went south to Randolph Street, and in turning I saw a light go through the air about six, or eight, or ten feet south of the lamp. It went in a northwesterly direction, right into the middle of the street and in the middle of the police; then I heard an explosion and shooting, and I tried to get out, because there were a great many men falling around me, and a few were crying. I turned the corner on Randolph Street east toward Clinton. A great many people were running in the same direction; men were falling before me and on the side of me. I heard shooting immediately upon the explosion of the bomb. The shots came from behind me while I ran. The shots came from the center of the street, from north and northwest of me.

"On Sunday, May 2d, I was present at a meeting of the Central Labor Union as a delegate from the Cigar-makers' Union, No. 15. The delegates of the Lumber-shovers' Union at that meeting requested me, as a member of the agitation committee, to send a speaker to a meeting of the Lumber-shovers' Union to be held on Monday, May 3d, at the Black Road. They wanted a good speaker, who could keep the meeting quiet and orderly. In the afternoon of the same day we had another meeting of the Central Labor Union, at which Mr. Spies was present as a reporter of the *Arbeiter-Zeitung*, and I told him personally to go out to the meeting of the Lumber-shovers' Union and speak in the name of the Central Labor Union. The Central Labor Union is a body composed of delegates from about twenty-five or thirty different labor unions of the city. The Lumber-shovers' Union is represented in the Central Labor Union by delegates. There are from fifteen to sixteen thousand laborers represented by those unions. The agitation committee to which I belonged was for the purpose of organizing different branches of trade who had no eight-hour organization at that time. I did not notice any firing back from the crowd at the police, either on Desplaines Street or Randolph Street."

On cross-examination Mr. Zeller stated:

"Since last December, I don't belong to any group. Prior to that I was a member of the group 'Freiheit,' which used to meet on Sherman Street. I only attended three meetings of that group. We had no numbers. I am not an Anarchist. I am a Socialist.

"I was standing about five or six feet south of that alley. I saw the fuse about eight or ten feet south of me. I didn't know what it was. I saw behind that fuse something dark, but I couldn't distinguish what it was. I was only looking where it was going. I cannot say what kind of looking thing it was; it seems to me it was more round, and about as big as a baseball. I cannot say who fired first after the bomb went off. I can't say exactly whether the police fired—I didn't see. On the wagon I only recognized Fielden. I was too far away from the wagon, and it was dark. The gas-light was lighted. I didn't see anybody put it out."

Carl Richter and F. Liebel gave practically similar stories of the riot. The point which the defense seemed to wish to bring out in their testimony was that the *gravamen* lay rather with the police than with the Anarchists. They swore that, although standing close to the famous wagon, they had heard nothing about "bloodhounds."

Along this line, also, was the evidence of Dr. James D. Taylor, who gave a practically identical account of the explosion. This gentleman, however, seemed to be certain that the police had attacked the crowd. He had examined the scene of the riot on the next day and found that the bullet marks on the buildings came chiefly from the direction from which the police had charged. Quite a point was made by the Anarchists upon the fact that a telegraph pole, which was said to have thoroughly borne out Dr. Taylor's testimony, had disappeared from the Haymarket. It was insinuated that the prosecution had made away with this pole. The fact was that the pole had been very prosaically, and in the common course of business, removed by the telegraph company.

Frank Stenner, Joseph Gutscher and Frank Raab gave their memories of the riot, all agreeing closely with the theory of the defense. Wm. Urban, a compositor on the *Arbeiter-Zeitung*, after telling the same story, swore that he saw something shining—which he believed were revolvers—in the hands of the police as they came up toward the meeting. The story of the explosion and the murder of the police, from the Anarchists' point of view, was also detailed by Wm. Gleason, Wm. Sahl, Eberhard Hierzemenzel, Conrad Messer and August Krumm. This last witness, Krumm, also testified that he was lighting his pipe, in company with another man, in Crane's alley, at the time that the bomb was thrown, which, it will be remembered, Gilmer swore had been fired in this alley by Spies and Schnaubelt—and Krumm declared that there was nobody in that little thoroughfare then save his friend and himself.

This was not the only attack on Gilmer's veracity. Lucius M. Moses had known Harry Gilmer six or seven years and would not believe him on oath. John O. Brixey stated on the stand that Gilmer's reputation was bad and that he was not worthy of belief. John Garrick, an ex-deputy sheriff, knew Gilmer and would not believe him on oath. Mrs. B. P. Lee was another who had no confidence in Gilmer's truth and veracity.