



Emma Goldman, *Living My Life*

Volume Two

CHAPTER XLV



Innocent men doomed to die!

The conviction of Warren K. Billings, in spite of absolute proof of his innocence, had caused the defense to investigate the witnesses for the prosecution. Virtually every one of them was proved to be a tool of District Attorney Charles Fickert, and several confessed that their testimony for the State was purchased by threats and bribery. The jury also was found to have been tampered with by agents of the Chamber of Commerce. It was too late to save Billings, but it warned the defense of what it had to expect in the trial of Tom Mooney.

Fickert realized that some of his old witnesses, exposed as perjurers and professional prostitutes, could not be used against Mooney. He therefore prepared others of a similar calibre, the star among them being a certain Frank C. Oxman, an alleged Western cattleman. It was mainly on the evidence of Oxman that Mooney was convicted. He testified that he was in San Francisco on Preparedness Day, and he identified Mooney as the man whom he saw placing a suit-case (supposedly of explosives) on a street-corner along the route of the march. An investigation proved that Oxman had not been in San Francisco on the date of the parade. Moreover, a letter by Oxman to his friend F. E. Rigall was produced, in which Oxman urged him to earn "a piece of money" by coming to testify against Mooney. Rigall was at the time in Niagara Falls and had never been in San Francisco. The proof of Oxman's perjury was so overwhelming that District Attorney Fickert was compelled to bring him to trial.

Notwithstanding all these developments, in spite even of the admission of the trial judge, Franklin A. Griffin, that Mooney had been convicted on false testimony, the Supreme Court of California refused to intervene. Mooney was doomed to die!

The country-wide campaign that Sasha had started for Mooney almost a year previously had meanwhile borne fruit. The case had been taken up by radical and progressive labour organizations throughout the land, and many liberal organizations as well as influential individuals had become interested. Work to save the convicted man from the gallows continued without abatement.

At the peace meeting in Madison Square Garden, arranged jointly by the more radical anti-war organizations on June 1, several of our young comrades were arrested for distributing announcements for our Hunt's Point Palace meeting on June 4. Learning of it, we dispatched a letter to the District Attorney,

taking entire responsibility for what the arrested boys had done. We pointed out that if it was a crime to give out the handbill, we, its authors, were the guilty per-