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SYDNEY.

June 16th 1917. ONE PENNY.

THE

FRAME-UP SYSTEM

How Labor Organisers are Sent to the Gallows on Perjured Evidence.

The Frame-Up System is an institution which exists in all countries under capitalist rule. It is a system which has been organised by the industrial magnates and the detective force. "Its army is composed mostly of private detectives, a sprinkling of regular policemen, and a loose galaxy of petty and great criminals who sell their services with the revolver and sling shot in the strike-line and trade their souls for cash in Labor trials."

The Frame-Up System exists for the purpose of silencing labor agitators, strike leaders, and union organisers per medium of the gale.

The dregs of the slums are employed to commit some act of violence, and the detectives then hop along and arrest a strike leader or labor organiser, charge him with the crime, then hire witnesses to perjure themselves to swear away the man's life. Money is nothing to the System, and it will pour out tons of cash in order to "get its man."

This system seems to have reached its highest point in America. We might ask: "Why were men charged with forgery allowed to go free after they had given evidence against the I.W.W. in Sydney? Why were men, who as the police know, are guilty of conspiracy, allowed to escape jail because they swore against the I.W.W. men? And why, who we ask, were the detectives who "worked up the I.W.W. case" given a sum of money for their work? These questions have never been answered.

But we wish to deal with the case of Tom Mooney, of America, who was charged with murder in the first degree over the San Francisco bomb explosion.

Robert Minor, writing upon this case, exposes a few of the System's plots. He says:

"Hans Le Jenne was a gunner for the Employers' Association; he went to the hotel room of Anton Johansen, organizer for the Carpenters' Union. Johansen reached his gun first and held up the detective, and the latter, in fright, lest he be killed, confessed to the method that was to be applied to the Stockton labor situation. A suitcase of dynamite was to be secretly placed in Johansen's room; another suitcase of dynamite was to be deposited in the baggage-checking room of the Southern Pacific station and the check slipped into a pocket of Orlaf A. Twincorn, secretary of the California Building Trades Council. More dynamite was to be "planted" in a mail and a fourth which were then involved in the labor struggle. Five hundred pounds of dynamite was found in the possession of the detectives."

A man was arrested, with a suitcase full of dynamite in his hand in Bay Point a few days later, and thrown into gaol. Then it was discovered that he was J. J. Emerson, a private detective for the Merchants' Manufacturers and Employers' Association, which asked that he be released. Emerson was liberated without a charge being placed against him.

Two young men made it their business to expose the outrage. The System has never forgotten the two: Ed Nolan and Tom Mooney. The exposure by Mooney and Nolan caused the re-arrest of Emerson and his confession, but he was acquitted. The "Frame-Up System" saw that that. Crime attended the trial of Emerson and made notes on the testimony, which notes were heralded in press reports three years later in the San Francisco DIARY OF HER DEALINGS WITH DYNAMITE.

In the slang of the gunmen of the Frame-Up System, the word "find" has a peculiar meaning of its own. It does not mean to find the justice of a victim, but to place incriminating evidence on the justice of a victim, to "find" it. They call dynamite "overalls." This information is taken from the confession of Emerson, the gunner.

Tom Mooney, the victim of the frame-up, was sentenced to hang by the neck until dead at the San Quentin prison, on May 17th, 1917.

But owing to a bit of bungling in the payment of the hired witnesses, some of them have begun to squall,

and the whole murderous plot is now exposed.

The "Tri-City Labor Review," not an I.W.W. paper, has the following to say on this hellish frame-up.

In large black letters across the front page it says: "How the Big Business Prosecutor, Judge and Jury, Sent Tom Mooney to Death on Perjured Evidence." It continues as follows:-

THE CONFESSIONS.

In the criminal history of the world, nothing can be found to equal the damnable plot engineered by the San Francisco Chamber of Commerce through District Attorney Fickert's office, to legally murder the Mooneys, Billings, Nolan and Weinberg.

Witnesses were bought, like so many pounds of meat, to perjure these five lives away. It makes one's blood run cold to think of "Frame-up." Steve Bonner, Fickert and Cunha drilling evidence into Ed Rigall, which would have naturally led towards hanging Tom Mooney, when they knew that RIGALL WAS AN NIAGARA FALLS ON THE DAY OF THE EXPLOSION.

"YOUR EVIDENCE WILL HANG MOONEY, MAKE ME A BIG STATE OFFICIAL, AND ELECT FICKERT GOVERNOR OF CALIFORNIA," CUNHA TOLD RIGALL.

This terrible judicial murder has been averted. Are we going to stop at that? A thousand times NO! We must ferret out every detail of this damnable plot and every operative conspirator. We must not alone vindicate the honor of organized labor, but we MUST KILL THE FRAME-UP SYSTEM. The Kesters and Dollars must be dragged out into the light of day and they must answer to an outraged public for this unrelenting conspiracy to murder innocent workers and besmirch the entire labor movement with the stains of a terrible crime, that may in the fulness of time, be traced to their own doors.

Let us read the confessions.

ESTELLE SMITH EXPOSES OXMAN AS BRIBER, TOO.

State of California, City and County of San Francisco--

Estelle Smith, being first duly sworn, deposes and says:

The said Oxman asked affidavit if it was not a fact that he had seen the defendant, Israel Weinberg, standing by a post on the afternoon of July 22nd, 1916, in front of said 721 Market street. That my affiant told Oxman that she had never in her life seen said Weinberg until after his arrest. Said Oxman then stated:

"IF YOU WILL TESTIFY AND PESTIFY RIGHT I WILL SET THAT YOU GET A SUM IN FIVE FIGURES. YOU WILL NOT HAVE TO WORK ANY MORE. NO ONE WHO KNOWS ANYTHING ABOUT THE 'BOMB CASE' WILL EVER KNOW YOU AND YOU CAN START ALL OVER AGAIN WHERE NO ONE KNOWS YOU!"

I asked said Oxman:

"Did Mr. Fickert send you to me?"

And said Oxman answered:

"NO. THE MEN HIGHER UP THAN FICKERT SENT ME TO YOU."

I affiant, repeated in substance the above affidavit to said Charles M. Fickert at about the time it occurred.

ESTELLE SMITH

"Subscribed and sworn before me this 16th day of April, 1917.

J. D. BROWN.

Notary Public in and for the City and County of San Francisco.

State of California.

Witness: T. M. O'Connell.

RIGALL'S STORY.

F. E. Rigall, hotel proprietor, Graysville, Illinois, states:

"Last December I received a letter from Frank Oxman asking me to come to San Francisco, as it was in an important case. I came, thinking that it was

a scrape the younger Oxman got into and I was needed as a character witness.

"When I got here Oxman told me that I was to corroborate him in his evidence that Billings and Mooney planned the bomb at Market and Steuart streets. I told Oxman that I couldn't do it, as I was at Niagara Falls on the day of the explosion.

"Oxman replied, 'YOU WERE AT MARKET AND STEUART STREETS ON THE DAY OF THE EXPLOSION, AS MUCH AS I WAS. THERE'S PLENTY OF MONEY IN THIS.'

"Then Oxman got me in touch with District Attorney Fickert, his deputy, Mr. Cunha, and Lieutenant Bonner. They began coaching me in the testimony I was to give. I didn't like the look of things, and I made up my mind that I would have nothing to do with them. I played around with them a few days and then lit out for home. They coached me pretty thoroughly. One of them would ask me, 'Mr. Rigall, repeat your testimony.' I'd answer wrong on purpose. I'd say, 'At 3 o'clock I was at 1075 Market street. Then they'd shout in a chorus, 'Rigall, it was 2 o'clock at Market and Steuart streets.'

"THIS SHOULD MAKE FICKERT A CONVICT.

"When they thought they had me pretty well coached, Cunha told me, 'RIGALL, YOUR TESTIMONY WILL HANG MOONEY, MAKE ME A BIG STATE OFFICIAL AND ELECT FICKERT GOVERNOR OF CALIFORNIA.'

"It was such a cold-blooded conspiracy that it made me sick. They gave me a good time though, and wined and dined me at the Palace Hotel, the Cliff House, the Black Cat and a lot of other cafes. Fickert brought me up to the Olympic Club and got me guest privileges.

"I couldn't bring myself to perjure this evidence and put the rope around an innocent man's neck. I'm very glad that the gang got caught and I will help all I can to expose them."

THE LETTERS.

"Terminal Hotel, San Francisco, Dec. 14, 1916.

"F. E. Rigall, Graysville, Ill.--

"Dear Ed: It has been a long time since I heard from you. I have a chance for you to come to San Francisco as an expert witness. A very important case. You will only have to answer three or four questions, and I will post you on them. You will get mileage and all that a witness can draw. Probably 100 dollars in the clear, so if you will answer me quick in care this hotel and I will arrange the balance. It is all O.K., but I need a witness. Let me know for you can come. January 3rd is the date set for trial. Keep this confidential.

"Yours truly,

"F. C. OXMAN."

Upon receipt of this message Rigall telegraphed Oxman:

"Will come. Wire transportation and expenses."

On December 18, 1916, Oxman wrote Rigall on the stationery of the Terminal Hotel the following:

"San Francisco, Cal. Dec. 18, 1916.

"Dear Ed: Your telegram received. I will wire you transportation in plenty of time, also expense money. Will route you via Chicago, Omaha, Union Pacific, South Pacific to San Francisco. I think you can make the trip and see California and save a little money, as you will be allowed to collect 11c per mile from the State, which will be about 200 dollars, besides I can get your expenses and you will only have to say you saw me on July 22nd in San Francisco and that will be easy done. I will try and meet you on the way out and talk it over. The State of California will pay you, and I will attend to the expenses. The case won't come up till January 3rd or 4th, 1917. I'll be glad to see you. You will know that the silent road is the one and say nothing to anybody. The fewer people that know it the better when you come Register as Evansville, Indiana, the more mileage. Yours, truly,

"F. C. OXMAN."

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