

CSI Labor History: Haymarket and the Forensics of Forgetting

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It is of course true, as declared by Leon Fink in his introduction to the research note “The Haymarket Bomb: Reassessing the Evidence,” by Timothy Messer-Kruse, James O. Eckert Jr., Pannee Burckel, and Jeffrey Dunn, that labor historians must stay on top of new scholarly evidence, following fresh material and perspective wherever they lead. Yet in reading Messer-Kruse et al. carefully, it is clear that there is little, if any, new evidence in this article, and what is presented as new is compromised and problematic. Older, and quite compelling, evidence is, in contrast, bypassed or understated.¹

Messer-Kruse et al. concentrate on the scientific testing of bombs assembled as evidence (albeit illegally) in 1886 and other metal fragments associated with the deaths of policemen at the Haymarket rally/riot on the evening of May 4, 1886, but the research reproduces the inconclusiveness of expert chemists’ testimony in 1886, at least insofar as guilt or innocence in terms of the legal charges and prosecutorial allegations during the trial is concerned. This new report thus adds little if anything to an original court transcript that documented exceedingly loose arguments of guilt by association and inaccurate and unproven allegations of the accused being involved in a conspiracy to use deadly force at the Haymarket meeting, even in a plot to unleash The Revolution on May 1, 1886, which were countered by the defendants themselves.²

1. All parenthetical page references refer to either Leon Fink, “Editor’s Introduction,” or Timothy Messer-Kruse, James O. Eckert Jr., Pannee Burckel, and Jeffrey Dunn, “The Haymarket Bomb: Reassessing the Evidence,” *Labor: Studies in Working-Class History of the Americas* 2, no. 2 (2005): 1–3, 39–51. The author thanks James Green, David Roediger, and Joan Sangster for reading a preliminary draft of this essay.

2. A lengthy appeal brief for the defendants was filed before the Supreme Court of Illinois in 1887, addressing the law of conspiracy and the state’s inability to prove the existence of such a conspiracy. See *In the Supreme Court of Illinois: The Anarchists’ Cases; Brief for the Defendants; Leonard Swett* (Chicago 1887), esp. 83–96, 203–19. It was replied to in two separate briefs for the state. See *In the Supreme Court of Illi-*

In spite of repeated qualifiers—“insufficient to reach a firm conclusion” (43), “contaminated” (43), “impossible to make any historical comparisons” (43), “lingering questions as to the exact provenance” (44), “must be viewed with circumspection” (50)—Messer-Kruse et al. conclude on a rather wild note of speculation. Alluding to the state’s claims of the Haymarket defendants’ involvement in a conspiracy culminating in the bombing, Messer-Kruse et al. suggest that they may well have uncovered “a new circumstantial piece of evidence linking the defendants to at least one of the bombs found in Chicago” (51). Leon Fink translates all of this into the surprisingly incautious claim, which even Messer-Kruse et al.’s current article does not, I think, establish, that this investigation “tends to support the prosecution’s claim that not only Louis Lingg but several other anarchist defendants had likely connections to a bomb plot” (2).

It is apparent that a deep valorization of “forensic science” facilitates a slippage away from some of the well-established, incontrovertible issues long associated with the Haymarket bombing and the subsequent trial and conviction of August Spies, Michael Schwab, Samuel Fielden, Albert R. Parsons, Adolph Fischer, George Engel, Louis Lingg, and Oscar Neebe on charges of accessory to murder before the fact. In this brief response, I counter the Messer-Kruse et al. presentation of reassessing the evidence, not to deny the general validity of such reexamination, but to indicate problems in the logic of interpretation and to stress the need to make absolutely unambiguous what the Haymarket trial was about: the conviction of eight revolutionary advocates of overthrowing capitalism, not for any criminal acts, but *for their ideas*.

We do not now know who threw the bomb that killed the Chicago police in 1886,³ and we are not even certain of how many officers died directly as a consequence of the missile, for some may have succumbed to crossfire from their own

nois: *Northern Grand Division; August Spies et al. v. The People of the State of Illinois; Brief on the Facts for the Defendants in Error; Hunt, Grinnell, Ingham, Walker, and Furtham* (Chicago: Barnard and Gunthorp, 1887); . . . *Brief on the Law for the Defendants in Error; Hunt, Grinnell, Ingham, Walker, Furtham* (Chicago: Barnard and Gunthorp, 1887). Henry David discusses this material at length in *The History of the Haymarket Affair: A Study in the American Social-Revolutionary and Labor Movements*, 2nd ed. (New York: Russell and Russell, 1958), 289–314.

3. The prosecution and much informed commentary from the time originally posited that the bomb thrower was Rudolph Schnaubelt, Schwab’s brother-in-law. See Charles Edward Russell, *These Shifting Scenes* (New York: George H. Doran, 1914), 88; Sigmund Zeisler, *Reminiscences of the Anarchist Case* (Chicago: Chicago Literary Club, 1927), 13. Schnaubelt appears as the bomb thrower in Frank Harris’s fictionalized *The Bomb* (London: John Long, 1908). Both Henry David and Paul Avrich are dubious of Schnaubelt’s involvement in the bombing, with Avrich suggesting other possible candidates, including George Schwab (no relation to the defendant of the same surname): David, *History of the Haymarket Affair*, 264–71; Avrich, *The Haymarket Tragedy* (Princeton, NJ: Princeton University Press, 1984), 437–45. Avrich would later offer another possible candidate: George Meng. Avrich, “The Bomb-Thrower: A New Candidate,” in *Haymarket Scrapbook*, ed. Dave Roediger and Franklin Rosemont (Chicago: Charles H. Kerr, 1986), 71–73. There were those, such as Albert Parsons and defense counsel William P. Black, who steadfastly maintained that the bomb had been thrown by an agent provocateur: *The Accused, the Accusers: The Famous Speeches of the Eight Chicago Anarchists in Court . . . On October 7th, 8th, and 9th, 1886* (Chicago: Socialistic Publishing Society, 1886), 111; Lucy E. Parsons, ed., *Life of Albert R. Parsons* (Chicago: Lucy Parsons, 1903), 6–7.

ranks.⁴ But we do know who did not throw the bomb. It was *not* one of the four men who were executed by the state in 1887; it was *not* Louis Lingg, who chose suicide over giving his body to the scaffold of bourgeois justice; and it was *not* the three surviving Haymarket martyrs who were eventually pardoned by John Peter Altgeld, progressive governor of Illinois, in 1893. Indeed, that none of these defendants threw the fatal bomb was acknowledged by the prosecution, although there had been a rather unconvincing attempt to secure testimony implicating Spies as a direct accessory to the bombing. The great majority of those convicted in 1886 were not even physically present on Haymarket Square when the bomb exploded.

Even if the police, the prosecution, and the judiciary entered the trial blinded by blood and convinced that the eight accused were responsible for murder as a consequence of their alleged conspiracy of May 3, 1886, supposedly hatched at Grief's Hall, the evidence presented in court was telling enough, had it been listened to dispassionately. The so-called conspiracy was asserted rather than established as having existed, few of the defendants even attended the so-called Monday night conspiracy meeting (two, possibly three, were there), and the Grief's Hall discussions hardly related directly to the bomb thrown at what was, until late in the Haymarket proceedings, a peaceful and relatively uneventful gathering of laboring people and radicals protesting police killings of striking workers. If this traditional understanding is to be overturned, Messer-Kruse et al. will need to present new and convincing evidence relating to conspiracy, but there is nothing of the sort developed in their current article. The forensics of forgetting, so evident in the Messer-Kruse et al. overdetermination of the *politics* of repression in 1886–87 with the “science” of our times, manages to mask what is important in the living memory of Haymarket.⁵ Instead, we have the same flimsy, ideological tissues of inference that floated throughout the sordid proceedings of 1886–87 used again to “convict” men whose crime was not their actual involvement in a bombing but the unfathomable “treason” (this word was used by the prosecution) of proclaiming the need to end capitalism's exploitative reign of the few over the many.

4. It is surprising that Messer-Kruse et al. do not pursue more vigorously the forensic evidence of bullet fragments, since shrapnel tweezed from the body of officer Barbour suggests, in their words, “perhaps a piece of bullet” (50). The question is, “What kind of bullet?” Would it not be possible to secure ammunition utilized by the Chicago police forces in the 1880s, test it, and compare it to the Barbour fragments, whose alloy composition differs markedly from other bomb/shrapnel tested? (See table 2, 45.) But this kind of question is not pursued. For the prosecution's claims of the crowd firing first and ballistic evidence secured in the surgical removal of bullets from policemen's bodies, as well as exaggerated suggestions of how this purportedly proved the existence of a conspiracy, see *Brief on the Facts for the Defendants in Error*, 286.

5. For discussion of the memory of Haymarket, see *Haymarket Scrapbook*, 179–251; James Green, *Taking History to Heart: The Power of the Past in the Building of Social Movements* (Amherst: University of Massachusetts Press, 2000), 121–46; William J. Adelman, *Haymarket Revisited: A Tour Guide of Labor History Sites and Ethnic Neighborhoods Connected with the Haymarket Affair* (Chicago: Illinois Labor History Society, 1986). As David Roediger has reminded me, the Haymarket events are not unrelated to current Illinois controversies over the death penalty.

We can start with some fundamentals. It is necessary to understand, first, that Chicago was an American cauldron, in which the experiences and ideas of the old and new worlds mixed in threatening and destabilizing ways. The ultraleft of the broad workers' movement was, to be sure, never a monolithic and unified bloc, and it was also countered by more conservative elements. But both the mainstream of the labor movement and its revolutionary left contended for the hearts and minds of a broad working-class constituency, and influences ran in various directions. Conventional authority had been reacting to this dangerous challenge with repressive measures for more than a decade preceding the Haymarket bombing. Its explosion unleashed and licensed the first U.S. red scare; the 1886 proceedings were the most blatant use of judicial terror employed in the country up to that time. All scholarship turning on issues of evidence, law, and interpretation skirts this context at great peril and is necessarily subject to scrutiny.

The men brought to trial in Chicago were revolutionaries of varying sorts whose shared commitment was to the root and branch transformation of the social order. They were staunch in their refusal to concede much to capitalism as an economic-political order. For many, and certainly during the climate of repressive panic in 1886–87, the reductionist designation of *anarchist* captured their political essence; some of the martyrs indeed chose to embrace the identity and politics of anarchism, although this was never a simple process that easily conveyed the complexity of proletarian and revolutionary ideas jostling creatively within the Chicago radical and labor movements of the 1870s and 1880s. Undoubtedly, there were those who, in Floyd Dell's words, engaged in "bomb-talking,"⁶ and none of those brought to trial would, in principle, have refused the right of the destitute, the dissident, and the downtrodden, when faced with violent onslaughts, to respond with a defensive violence protecting their persons and their rights to freedoms of speech, assembly, and thought.

Louis Lingg made bombs and advocated the use of dynamite. Pigeon-holed into a caricatured Bakuninism, in which "propaganda by deed" and exemplary acts of violence were seen as springboards into the inevitable insurrection of the masses that would topple monopoly and despotism and usher into being the cooperative commonwealth, Lingg was the one Chicago martyr who has most consistently been demonized and separated from his comrades.⁷ But this is to miss what this most youthful and ardent revolutionary shared with his fellows, extending well beyond the solidarity of the cell. The cult of dynamite, seemingly lived so dramatically by Lingg and most commonly associated in the late nineteenth century with Johann Most, was far less pronounced in the Windy City than what has come to be named the "Chicago idea." This embodied an eclectic blend of socialism, communism, cooperation, anarchism, and trade unionism, all fused in a revolutionary project of anticapitalist agita-

6. Floyd Dell, "Bomb-Talking," in Roediger and Rosemont, *Haymarket Scrapbook*, 74.

7. For an early statement see Russell, *These Shifting Scenes*, 98–99, and for a useful counter see Franklin Rosemont, "The Most Dangerous Anarchist in All Chicago: The Legend and Legacy of Louis Lingg," in Roediger and Rosemont, *Haymarket Scrapbook*, 51–56.

tion premised on the notion that working-class organizations would be the nucleus of the much vaunted "free society." Spies and Parsons were articulate spokesmen of this evolving revolutionism and, as such, like many of their codefendants, found themselves repeatedly involved in a complicated duality.

On the one hand, programmatically, they espoused the need for all workers to join them in the relentless and, if need be, violent assault on capitalism and its institutions. They had reason and much historical example to sustain their convictions. Few cities provided more brutal reminders of police capacity for violence, and capital's appetite for suppressing working-class initiative, than Chicago; no period seethed with the resulting class tension more than early May 1886. On the other hand, Chicago's social revolutionaries found themselves practically immersed in trade-union and other economic and political struggles that were, however prosaic in character, of fundamental importance in securing better lives for workers, endeavors that even the most ultraleft rightly learned not to denigrate. For this was the stuff of the making of anarchists, socialists, and a politics of revolutionary opposition. The struggle for the eight-hour day, the strike at the McCormick agricultural implements works, and the agitations of the Lumber Workers' Union, all of which provided an immediate background of rising class antagonism, labor-capital-police conflict, and, eventually, on May 3, 1886, the killing and serious wounding by gunshot of striking workers, were just these kinds of events, prefacing the Haymarket bombing.

The irony, which would be so tragically evident in 1886–87, was that the Chicago social revolutionaries, eight of whom would be targeted and victimized by the state, were, in general, humane, gentle, kindly souls, deeply moral and selflessly committed to the cause of the working class. Their acute understanding that the parasitic rulers would not give up their spoils of privilege without a violent struggle led them, justifiably, to a language of denunciation and an espousal of views that were always easily misrepresented in the jaundiced bourgeois press (and, later, in the courtroom) as the ravings of insurgent anarchy, the threatening voice of the dangerous classes.⁸

Yet, in a trial marked by a lack of decorum and witnesses whose honor and veracity were easily assailed, the accused maintained a heroic dignity. Those who faced the end of their lives in November 1887 continued in this manner. If Lingg was the most defiant in the dock, who can say that his final address to the courtroom was wrong? "It is not murder," he thundered, "of which you have convicted me. . . . *I despise you. I despise your order; your laws; your force-propped authority.* HANG ME FOR IT!" And then he refused them that last victory. The speeches of Spies and Parsons are among the most moving cases made for socialism in the history of the American revolutionary movement, the latter offering an eight-hour oration spread over two days. Oscar Neebe, against whom the prosecution's case was so obviously without foundation that he was originally sentenced to fifteen years rather than death, con-

8. For a brief discussion of the general context, see Bryan D. Palmer, *Cultures of Darkness: Night Travels in the Histories of Transgression* (New York: Monthly Review, 2000), 232–56.

cluded his statement to the judge with a selfless solidarity: “There is no evidence to show that I was connected to the bomb-throwing . . . [but] it is more honorable to die suddenly than to be killed by inches. I have a family and children; and if they know their father is dead, they will bury him. . . . Your honor, I am sorry I am not to be hung with the rest of the men.”⁹ Who can read these words, more than a century later, and not feel a sense of outrage about what was done in 1886–87, in the name of property and propriety? Who among those consciously standing with the Haymarket martyrs does not feel some pride in the legacy of these victims of bourgeois rage and vindictiveness?

Some of the better-known and more public figures of the movement reacted to their notoriety with humor and good grace, deflecting purposeful caricature and skewed misrepresentation. Spies’s bravado in January 1886, when he handed a reporter from the *Chicago Daily News* a bomb casing, with the regretful words, “Take this to your boss, and tell him we have nine thousand more like it—only loaded,” should perhaps be understood in this context. Parsons and his wife Lucy engaged in a few standard quips with two newspapermen on the fateful evening of May 4, 1886, at a point when it was unclear if they were even intending on going to the Haymarket demonstration: “Parsons stopped an Indiana street car, slapped me familiarly upon the back, and asked me if I was armed, and I said, ‘No; have you any dynamite about you?’ He laughed, and Mrs. Parsons said, ‘He is a very dangerous looking man, isn’t he?’”¹⁰

Dangerous proved not to be the word for it. As the smoke cleared from the Haymarket, almost seventy-five police officers had fallen to the bomb and the flurry of random bullets that followed the explosion, many possibly fired from their own guns; seven would eventually die. Blood was demanded for blood. Wholesale arrests, beatings, ransackings, insulting racist harangues (Lucy Parsons was assailed by police as a “black bitch”), illegal searches and seizures—all of this set the stage for a trial the likes of which had never before been witnessed in the United States. Messer-Kruse et al.’s description of this as “a fierce investigation that included many warrant-less searches, dozens of arrests, and harsh interrogations” (39) does not quite do the post-Haymarket bombing “legal” scene justice. Nor does the statement that the accused were “charged as accessories before the fact, which under Illinois law carried the same penalties for murder as the deed itself” (39), capture adequately the ways in which Judge Joseph E. Gary manhandled the law and its exercise at every step of the trial, from the impaneling of a jury to the broad leeway allowed the prosecution to, finally, Gary’s instructions at the court’s final moment of decisive deliberation.

9. *The Accused, the Accusers*, with quotes from Lingg, 42, and Neebe, 35.

10. This inadequate snapshot depiction of the milieu of social revolutionaries and the Chicago idea in the above paragraphs draws on standard treatments, including Bruce C. Nelson, *Beyond the Martyrs: A Social History of Chicago’s Anarchists, 1870–1900* (New Brunswick, NJ: Rutgers University Press, 1988); Avrich, *Haymarket Tragedy*, with Spies’s quote at 173; David, *History of the Haymarket Affair*. The quote relating to Parsons is from *The Anarchists’ Cases*, 21.

It was the latter that was undoubtedly most injurious to the defendants, whose counsel perhaps did not appreciate sufficiently that the courtroom charades—which were a theater of judicial impropriety and blatant partiality—were going to end in a deadly determined conclusion. Gary “manufactured the law,” in the words of one contemporary jurist, “and disdained precedent in order that a frightened public might be made to feel secure.” The judge essentially allowed the prosecution’s failure to establish who had thrown the bomb to become irrelevant, and positioned the meaning of conspiracy so loosely and distantly from the act of using the deadly incendiary device, that it was the defendants’ ideas alone that were to be the basis of their “guilt.” If the accused, according to Gary, “by print or speech advised, or encouraged the commission of murder, without designating time, place, or occasion at which it should be done, and in pursuance of, and induced by such advice and encouragement, murder was committed, then all of such conspirators are guilty of murder, whether the person who perpetrated such murder can be identified or not.” As Gary would later acknowledge, in a luridly constructed defense of his actions, he had “strained the law” a bit, precisely because the case had been so novel. It was vital, in his view, to convict the defendants for their horrible deeds, which the judge’s arguments indicated were less about *acts* than about *thought*. Preeminent among the crimes of the defendants were “envy and hatred of all people whose condition in life was better than their own.”

At issue was nothing less than the preservation of capitalism. In Gary’s response to the final speeches of the accused, it was not the murder of a policeman that loomed large, but the sacred rights of property. “The people of the country love their institutions. They love their homes. They love their property. They will never consent that by violence and murder their institutions shall be broken down, their homes despoiled, their property destroyed.” And to this end, Gary, who invited adoring young females to sit on the bench with him for his amusement during the trial, and who surrounded himself with abundant and gay arrangements of flowers, did everything in his considerable powers to secure the conviction of the accused, and accursed, “anarchists.” In this he was ably supported by the notorious red-hunter, Capt. Michael J. Schacck; a prejudiced bailiff, Harry L. Ryce, who impaneled an equally prejudiced jury; and the tireless and far from scrupulous prosecutor, Julius S. Grinnell. When, in the aftermath of their success, a clemency movement arose, it was not the small American homeowner who rushed to crush any last gasp of mercy, but a phalanx of Chicago’s wealthiest magnates: George M. Pullman, Marshall Field, Cyrus H. McCormick Jr., and Philip D. Armour.¹¹

11. The above paragraphs draw on Avrich, *Haymarket Tragedy*, 263, 277–78, 420; Samuel P. McConnell, “Personal Recollections of an American Tragedy,” *Harper’s Magazine*, May 1934, 733–38; Joseph E. Gary, “The Chicago Anarchists of 1886: The Crime, the Trial, and the Punishment,” *Century Magazine*, April 1893, 805–9. On Gary and his opening of his bench to women spectators, see the analysis in Carl Smith, *Urban Disorder and the Shape of Belief: The Great Chicago Fire, the Haymarket Bomb, and the Model Town of Pullman* (Chicago: University of Chicago Press, 1995), 147–74. For a thorough canvassing of the defendants’ complaint of legal error in the trial, see *The Anarchists’ Cases*.

The circus-like atmosphere of the show trial, especially the collusion between the blatantly prejudiced jurors and the state forces of prosecution, *is* critical to what is avoided in the Messer-Kruse et al. reassessment of evidence, for it is precisely this *political* alignment that brings into examination the crucial Brayton bomb. Supposedly made by Lingg in 1886, the circular explosive was actually given by Schaack to a juror as a “memento” after Lingg committed suicide just prior to the Haymarket executions. This is stated in the Messer-Kruse et al. narrative as though it is a perfectly normal happening rather than indication of an offensive collaboration sealed in the grisly tragedy of November 1887.

That there are immense problems in the chain of evidence that ties this particular bomb to Lingg is obvious. It, along with so much other evidence, was illegally procured and introduced into the trial. As Messer-Kruse et al. acknowledge, there is no possible way of knowing, given the number of bombs “discovered” and taken by the police as evidence, in different locales, whether or not the Brayton bomb was made by Lingg, was seized in his apartment, or appeared fortuitously in one of a number of public placements. Lingg, his erstwhile friend/landlord and fair-weather radical William Seliger, and at least three others were said to have constructed thirty to fifty bombs on the afternoon of May 4, 1886, most of which were dispersed throughout the city, secured in places that could well have been accessed by any number of individuals and all kinds of people.¹² The state itself acknowledged that on May 4, 1886, “during the whole day men were continually coming and going” from the Seliger-Lingg household.¹³ Trial testimony, as Messer-Kruse et al. note, contains discrepancies about so-called “Lingg bombs” and their timely unearthing by the police. One informant indicated, for instance, that nine bombs were found under a wooden sidewalk, while another, who said that he put them there, declared that Lingg had only given him three incendiary globes (49). This is all pretty murky stuff; in a present-day courtroom it would provide a field day for competent defense counsel.¹⁴ Moreover,

12. To some, the mere making of bombs in this number is an indication of a conspiracy to use them. But in the absence of other evidence, this is mere conjecture. First, no one denies that Lingg and others forged explosive devices, that there were revolutionaries who believed in arming themselves against the possibility of police violence, and that bombs were placed in certain locales. What is lacking, to date, is evidence that this was a coordinated, conspiratorial project and that it had any direct, conscious relation to the organization of the Haymarket protest meeting or to the actual throwing of the bomb on the evening of May 4, 1886. Second, in my judgment, the making of this number of bombs in one day is a factual issue that probably needs to be questioned seriously. It is unlikely that this volume of production could have been sustained in the time period in question, largely confined to the afternoon of May 4, 1886. If as many as fifty bombs went out of the Seliger-Lingg residence on a single day, many would have had to have been at least partially constructed previously.

13. *Brief on the Facts for Defendants in Error*, 339.

14. In our times we have seen the consequences of the glove that did not fit (O. J. Simpson) and of witnesses who lacked credibility (Michael Jackson). The point is not to suggest that the legal climate of 1886 was the same as that of our times. Rather, it is to acknowledge what contemporaries of the Haymarket martyrs understood well: the evidentiary chaos of the bomb trial was sufficient that no conviction against the defendants was legally justified.

almost one hundred years have elapsed since this “souvenir” bomb passed from the hands of the police, through generations of a juror’s family, and into the archives of the Chicago Historical Society.

Such problems notwithstanding, the general thrust of the Messer-Kruse et al. research is to retest bombs and bomb fragments to confirm the findings of two chemistry professors, Walter S. Haines and Mark Delafontaine, whose 1886 testimony was that various bombs said to be built by Lingg and bomb fragments that came from the Haymarket explosion, and alleged to have killed policeman Mathias Degan, were similar in their composition: the tin component of four tested “Lingg bombs” and the shrapnel fragments ran from 1.6 to 7 percent. The prosecution used this testimony to argue that the bomb thrown on the night of May 4, 1886, had been made by similar methods, following a similar recipe supposedly used to construct the bombs linked to Lingg. Messer-Kruse et al. make much of the failure of historians to address this evidence, but their comment could equally apply to Gary-Grinnell admirer Michael J. Schacck, whose extensive account of the “anarchist case” contains a brief and innocuous reproduction of the testimony of Haines and Delafontaine, or to another contemporary publication sympathetic to the prosecution, George N. McLean’s *The Rise and Fall of Anarchy in America*.¹⁵ They might also note that defense counsel made little of this testimony in the thorough Supreme Court challenges relating to errors in evidence.¹⁶

Messer-Kruse et al. stress, after retesting various bombs and shrapnel, that Haines’s “original figures were reasonable and honestly reported,” suggesting implicitly that the testimony had been held in disrepute, which, in actuality, it had not. Furthermore, if such figures were reasonable, what is new in the evidence presented? In the end, Messer-Kruse et al. go over old ground, confirming earlier expert testimony. Their retesting of the Brayton bomb suggests to them that “the bomb maker worked from a single recipe and was consistent in his methods.” Furthermore, there was a “relatively high degree of consistency in methods and ingredients, at least in the casting of this one bomb.” From this, they conclude that “the bomber followed a consistent method and that the products of his workshop can be traced to him by their similar composition.” Messer-Kruse et al. link their conclusions to those of “the state of Illinois . . . in 1886” (46).

15. Michael J. Schacck, *Anarchy and Anarchists: A History of the Red Terror and the Social Revolution in America and Europe; Communism, socialism, and nihilism in doctrine and in deed; The Chicago Haymarket conspiracy, and the detection and trial of the conspirators* (Chicago: F. J. Shulte and Co., 1889), 475–76; George N. McLean, *The Rise and Fall of Anarchy in America, from Its Incipient Stage to the First Bomb Thrown in Chicago; A comprehensive account of the great conspiracy culminating in the Haymarket massacre, May 4th, 1886 . . . the apprehension, trail, conviction and execution of the leading conspirators* (Chicago and Philadelphia: R. G. Badoux and Co., 1888).

16. It would have been possible to challenge the state’s interpretation of this expert testimony. Haines and Delafontaine reported on the similarity of the composition of the bombs examined but acknowledged that all differed. The state simplified this testimony to the conclusion that the bomb thrown and those ostensibly made by Lingg were “identical.” See *Brief on the Facts for the Defendants in Error*, 233–40, 339.

Thus, there is no new evidence presented in the Messer-Kruse et al. reassessment of bombs linked to the Haymarket trial. Rather more to the point, this evidence means little when interrogated in terms of the legal charges: it appears of dubious worth in ascertaining conspiracy or anyone's direct involvement in throwing the fatal bomb. Consistency of method in the production of the explosive missile and the making of it through recourse to a common recipe would of course be standard if any number of individuals in a common milieu—social revolutionaries or agents provocateurs—were following closely and carefully a common and widely known mixing procedure.¹⁷ Such production could have taken place in different settings and at different times. Yet Messer-Kruse et al. present a singular bomb maker, *even conflating this designation with “the bomber,”* but it is evident from varied testimony that the so-called Lingg bombs, constructed at the Seliger-Lingg residence, were made by a number of men, possibly five or more sets of hands being involved. Unless the scientific retesting of the Brayton bomb is able to establish unequivocally that the alloy composition of it and the bomb fragments extracted from the officer killed at the Haymarket are so similar as to make it an absolute impossibility that the two bombs in question were made by different individuals—and Messer-Kruse et al. do not state this to be the case—the argument of similarity is not even adequate to establish that Lingg (or Seliger, or others working with them) made the bombs in question.

To conclude, in alliance with the prosecution of 1886, that consistency of method in the production of bombs scientifically and legally trace the bomb to one particular figure (who shared his accommodations as a boarder and opened his door to other social revolutionaries, and possibly unknowingly to undercover detectives and paid police informants, even provocateurs) and his place of residence (rather menacingly elevated to a workshop) simply does not follow. And, to make the obvious point, even if Lingg and his “squealer” associate, William Seliger (whose testimony was purchased by the police, who provided Schacck with a number of different—and somewhat contradictory—statements, especially relating to the use of bombs on the night of May 4, 1886,¹⁸ who was exempted from prosecution, and after the trial had his and his family's way paid to Germany), made the bombs in question, there is only the most dubious and conjectural speculation that these bombs were transported to the Haymarket meeting. Nor is there much in the way of credible testimony that any of the eight accused, least of all Lingg, consciously and purposively provided bombs to anyone who could have been perceived to have the intent of using them against the police on the night of the May 4 protest meeting. Lingg did not attend the so-called Monday night conspiracy, except possibly for two or three minutes, and he was not in attendance at the Haymarket event. Links of the other defendants to the bomb evi-

17. This is exactly what the prosecution suggested, attributing knowledge of bomb-making to Most's *Science of Revolutionary War*; see *Brief on the Facts for the Defendants in Error*, 65–66, 75–76, 256.

18. On this crucial point in particular, see *The Anarchists' Cases*, 96–112, esp. 107.

dence remain, however loosely the inferential net is cast, unconvincing at best, non-existent at worst.¹⁹

No one ever challenged this forensic evidence, or argued against its significance with much vehemence, then, precisely because, as Lingg stated, it established nothing except what was already known—that Lingg (and others in his circle) made bombs, which was no more a crime in 1886 than the production of handguns. “A couple of chemists have been brought here as specialists, yet they could only state that the metal of which the Haymarket bomb was made bore a certain resemblance to those bombs of mine,” Lingg declared in his final statement to the judge and jury. Lingg also pointed out that Grinnell’s special assistant, George C. Ingham, complicated this issue of identification by denying the obvious physical difference of some of the bombs introduced into evidence. What none of this proved, Lingg rightly insisted, “is that any of these bombs were taken to the Haymarket.”²⁰

There is a final leap of evidentiary faith in the conclusion to the Messer-Kruse et al. statement, and one even more compromised in its speculative reproduction of the prosecutorial case of 1886. They end with a suggestion that the Brayton bomb composition is such that it could have been “cast from the discarded letters and pages of a printing shop.” This notion of type being used to make a bomb then scaffolds the thoroughly unsupported claim that this would provide “circumstantial evidence” linking those anarcho-communist editors/agitators and printers of the 1880s—Spies, Parsons, Schwab, Engel, and Fischer—to one of the explosive devices that surfaced in the repressive sweep of 1886.

This reading of material culture and so-called culpability rests on such a wide interpretive latitude that it is almost impossible to know where to begin a critical rejoinder. Suffice it to say that even *if* the belief that the Brayton bomb hemispheres were constituted in part of type metal could be proven to be true, it is hardly the case that editors of *Arbeiter Zeitung*, the *Alarm*, and *Anarchist*, or journeyman typographer revolutionaries, would be the only individuals to have access to the alloy refuse

19. Messer-Kruse et al. concede that much of the case against Lingg ultimately depends on the credibility of prosecutorial witnesses Seliger and Lehman. This is fair enough, but it is incumbent upon those making any such argument to at least point out the obviousness of confused, contradictory, implausible, and possibly perjured testimony that was presented by a parade of prosecution witnesses. In Seliger’s case it is critical to acknowledge that he was originally charged with murder and that his testimony was secured under the threat of prosecution. Upon providing the state with valued testimony, charges against him were dropped, and he benefited materially thereafter. See, for a full accounting, the various briefs filed in the Supreme Court of Illinois appeals of 1887. David, *History of the Haymarket Affair*, goes over much of this material. The conclusions that the prosecution drew from Seliger’s testimony, directed at Lingg, were troublingly overstated and one sided. See *Brief on the Facts for the Defendants in Error*, 339.

20. *The Accused, the Accusers*, 39; Zeisler, *Reminiscences of the Anarchist Case*, 28–29. Messer-Kruse et al. allude to physical differences in People’s Exhibits 129 and 130 (48), but there is some confusion in their reference to figures 1 and 2, because figure 1 is labeled “People’s Exhibit #129A” (49) and figure 2 is a depiction of Louis Lingg (50). Note as well table 2 (45), which indicates a tin range of 2.3–11.8 percent, yielding an average of 7.1 percent for the Brayton top shell, a range that (to a layperson) seems rather wide.

of a print shop. And were such a connection to be proven, it could well invalidate the circumstantial evidence of Lingg's association with the Haymarket bomb, on which much of the prosecution's and Messer-Kruse et al.'s arguments rest. I can only conclude, given Messer-Kruse et al.'s uncharacteristic concluding flourish, "If these men did conspire together in the bombings as the prosecution alleged, then the bomb may have had a symbolic meaning in addition to its military purpose—it would have been the literal transformation of their words into deeds" (51), that this reassessment of the evidence has descended into a particular discourse, a rhetoric of representation deformed in its fashionable attachment to unsubstantiated, socially constructed symbolism and its uncritical alliance with the legal terror of 1886–87.

The Messer-Kruse et al. research note ends with the claim that by more extensive testing of physical evidence we may find out "new facts" about Haymarket. I would not want to stop such examination in its tracks, for it could indeed yield invaluable findings. But unless such a project acknowledges older evidence, and situates the enterprise within an appreciation of the ugliness of America's first red scare, especially the ideological carnage and personal devastations that flowed in its wake, it is destined to derail in a forensic forgetting. As it stands the Messer-Kruse et al. research note is old wine in some new, and rather transparent, bottles. The state, the judiciary, and the capitalist class had blood on their hands in 1886–87. Those of us offered a drink of this old wine adorned with the new label of Messer-Kruse et al. science should look and sniff rather carefully before partaking of the libation. We may end up with the sickly sweet repugnance of blood on our lips. ■

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