

SEPTEMBER 11, 1915

I. W. W. S CHEER

SANGER'S SENTENCE

Noisy Court Scene Follows
Birth Limit Advocate's
Effort to Be Martyr.

JUSTICE SCORES HIM

When **William** Sanger, **architect** and decorator, was sentenced by Justices McInerney, Herbert and Salmon of Special Sessions yesterday to pay a fine of \$150 or serve thirty days in prison for circulating an alleged indecent book entitled "Family Limitation," which was written by Margaret Sanger, his wife, he declared:

"I will not pay the fine. I would rather be in prison with my ideals and convictions intact than out of it stripped of my self-respect and manhood."

A storm of applause burst from a
h of en well known in

hood."

A storm of applause burst from a hundred men and women well known in I. W. W. and radical circles who thronged the court room. Alexander Berkman, the anarchist leader, stamped and clapped his hands in company with Leonard Abbot, president of the Free Speech League, and Carlo Tresca. Elizabeth Gurley Flynn, the I. W. W. agitator, was among the women who waved fans and cheered defiantly. Mrs. Amos Pinchot watched the proceedings near the bench.

Justice McInerney, after pounding vainly with his gavel, ordered the room to be cleared, directing that any one who resisted should be arrested. The attendants charged on the crowd, but it was ten minutes before the court was empty and the disturbance quelled.

No sympathizer thought to take advantage of the opportunity to accompany Sanger to jail. In the corridor outside the court a mass meeting was held at which Leonard Abbot stated that no appeal would be taken, but that \$1,000 had been raised to circulate "a million copies" of the forbidden pamphlet, with additional material on the **Sanger** case. When District Attorney Perkins was informed of this counter-stroke he said that all future offenders would be prosecuted in the same way as Sanger.

The pamphlet, which dealt with birth control, was obtained from **Sanger** on December 19, 1914, at his studio, 10 East Fifteenth street, by Charles Bamberger, an agent for Anthony Comstock. Comstock testified that when he arrested Sanger later he found work in the studio and that his investigation disclosed that

The pamphlet, which dealt with birth control, was obtained from **Sanger** on December 19, 1914, at his studio, 10 East Fifteenth street, by Charles Hamberger, an agent for Anthony Comstock. Comstock testified that when he arrested **Sanger** a month later he found five copies of the work in the studio and that his investigation disclosed that **Sanger** had previously distributed the book with injunctions not to reveal the name of the distributor, as that would cause trouble for him.

Mrs. **Sanger** left the country after having been indicted by the Federal Grand Jury for sending through the mails a publication called "The Woman Rebel," which was suppressed after three issues. It was stated by **Sanger** before his trial that she would return from Europe shortly and stand trial.

Sanger undertook to defend himself without an attorney, having dispensed with the services of Gilbert E. Roe, the lawyer who represented him in two unsuccessful appeals for a jury trial before Judge Swann of General Sessions and the Appellate Division of the Supreme Court.

In a five page, typewritten statement, which he attempted to present to the court Sanger contended that his wife's aim in writing the pamphlet was to disseminate certain vital information among the laboring classes so that their condition would be alleviated by insuring that "fewer and better children would be born and fewer children would die." Early in his remarks he made this assertion:

"I admit that I broke the law, and yet I claim that in every real sense it is the law and not I that is on trial here here to-day."

Sanger accused Anthony Comstock of p[er]secution. The court suspended him. He pleaded guilty. Finally the justice shut off all further statements by saying:

Sanger accused Anthony Comstock of promising to have the court suspend sentence on him provided he pleaded guilty. Finally the Justice shut off all further statements by saying:

"If that's all you've got I think you're crazy."

After the Justices convicted him unanimously Justice McInerney declared:

"In my opinion this book is not only indecent but immoral. You may think that the law is on trial, but I feel that the book is contrary not only to the laws of the State but to those of God. Any man or woman who is guilty of circulating literature like this is a menace to the community.

"Many people believe to-day that it is a crime to bear children, and you evidently belong to that class. There are communities where the birth rate is at a standstill. If some of the women who go about advocating equal suffrage would spend their time advocating that Christian women should bear children this town—and many other communities—would be better off. That is my personal opinion."