

# At the Bar of Justice

Fernando Tarrida del Mármol

1897

In Barcelona, following a monstrous attack that I, let me say it once and for all, energetically condemn, numerous innocents were pursued, imprisoned, tortured, and assassinated.

We can't revive the dead, but we can rehabilitate their unjustly insulted memory; we can't return the unhappy victims who no longer exist to the tenderness of their families, but we can wash the stain from their names. Finally, we can return the freedom of the innocents who were sent to rot in filthy cells.

It has been nearly a year that I have, in secret and with persistence, carried out a thorough inquest. It is only in the past few days that I have been able to clarify all the obscure points. Without being the judge responsible for preparing the case, without needing to employ torture, I am in a position to oppose to the lying case of Marzo and Portas a new trial, one logical and real, where the former victims will appear as accusers, the former accusers as the accused.

The author of the odious attack on Calle Cambios Nuevos of Barcelona was never in the hands of Judge Marzo. It's not for me to denounce him, but rather to deliver him from justice. But I affirm, and I intend to prove the correctness of my affirmations:

1. That the author of the attack, a hotheaded anarchist who claimed he acted only to avenge the tortured of 1893 and the executed of 1894, was never in the hands of justice;
2. That said author declared to several people that he would not turn himself over to Spanish authorities because he saw that this would not save those who weren't guilty, since Ascheri's false declaration admitting that he was

the author of the attack, did not prevent other innocents from being tormented. "I will be one more person tortured and executed," he said, "it's not worth it."

3. That the bombs whose origin Marzo was unable to establish were made, like many others, by a worker named Momo, who works in a factory in San Martin de Provencals and who died a few years ago while making explosives. Momo sold these bombs empty, at a price of 11 franc 50.
4. That the declarations that served as a basis for the monstrous trial at Montjuich are false and were obtained by torture or the threat of inquisitorial torments.

After everything that has been said and written on this subject, what I have just said would only have a relative importance if I weren't ready to prove them at the risk of my life.

Unfortunately, the verdict of the military judges in Madrid, coming from a supreme court, do not allow for a *legal* appeal. I thus spoke of this affair in London with the honorable Mr. Massingham, editor of the Daily Chronicle, who did not hesitate, after having seen the documents that I put in his hands, to associate himself with a work of justice and humanity. We believed that it was necessary, given the impossibility of addressing ourselves to an appeals tribunal, to constitute one or several honorary juries before which I would support my claims, proofs and witnesses at hand.

I leave it to Mr. Massingham – who has already taken up this affair in his newspaper on the third of this month – to propose the people who should form the London jury. At a later date I will constitute an *impartial* jury in Madrid. For the moment I propose as the members of the honorary jury in Paris the following individuals:

M. Henri Rochefort – Editor of *l'Intransigeant*

M. Paul de Cassagnac – Editor of *l'Autorité*

M. Edouard Drumont – Editor of *la Libre parole*

M. Georges Clemenceau – Editor of *la Justice*

M. Alexandre Natanson – Editor of *La Revue Blanche*.

These people, whose honor and good faith cannot be doubted, belong to diverse schools: a socialist, a monarchist, a Catholic, a radical, and an independent. M. de Cassagnac is *grand cordon* of Charles III and *grand-croix* of Isabelle the Catholic; Queen Isabelle is the godmother of his two children.

It is up to M. Canovas to say whether or not the composition of this jury presents sufficient guarantees of honesty. If he doesn't recuse the men I have just named I will call upon to appear before the first honorary jury, personally or by delegation:

MM. Canovas del Castillo, President of the Council of Ministers of Spain; Enrique Marzo, Lieutenant Colonel of the Spanish Army; Narciso Portas, Lieutenant of the Gendarmerie and Chief of the Judiciary Police of Barcelona; Botas, corporal of the Gendarmerie; Manuel Carreras, Tiburcio Estorqui, Felix Carral, Rafael Mayans, Cirilo Ruiz, Leandro Lopez, gendarmes, who tolerated, ordered, or carried out tortures with the goal of having innocents condemned.

I commit that if this jury or, later, other juries declare my accusations unfounded, to have myself imprisoned in Madrid and suffer the punishment the law inflicts on slanderers.

It is not one person, it is public opinion which is justly alarmed and which, on several occasions, has demanded explanations concerning this shadowy affair. If those I have given the name of modern inquisitors want us to believe they were not guilty they can thank me for providing them with the occasion for rehabilitating themselves before the Spain they dishonor and the humanity they insult.

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