

PAUL MATTICK

Background
of the
Plymouth Trial
by
Bartolomeo Danzetti



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VANZETTI'S OWN STORY

The previous trial of Vanzetti alone in Plymouth for an attempted holdup in Bridgewater in the early morning of Christmas Eve, 1919 is one of the keys to the later trial of Sacco and Vanzetti together at Dedham. This previous conviction, though never mentioned, was well-known to the jury and did more than anything to prove their guilt to the public in general.

Even among their defenders there are people who still think that Sacco and Vanzetti had a criminal record when arrested.

The Plymouth trial was a frameup, possibly with the collusion of the lawyer who had taken money from Vanzetti's friends to defend him.

At this moment Vanzetti is serving in Charlestown jail the maximum sentence possible for the crime of which he was convicted. It is important for people to understand the peculiarly subtle game that, consciously or unconsciously, the authorities played in their attempt to railroad these two men to the electric chair.

In a letter to some Mexican comrades Vanzetti has written his version of the case.

Surely in a case like this a man's own opinion, matured by six years in jail (have you ever noticed the frozen look under the eyes of men that have been a long time in jail?) is more important than anything else. We have had acres of print from the outside. It's easy to sit at a typewriter in your own room writing about abstract principles. But must the two men whose lives have been stolen remain forever silent behind the bars while courts and newspapers dispute their right to even the little shadow of life the law has left them?

This is the letter of a man in jail.

THE BACKGROUND

I believe that the Dedham trial cannot be thoroughly understood, and explained without a thorough understanding of the Plymouth trial, because, more than being strictly related to each other, the two trials are but two parts of a same thing: I would say, the reciprocals of the case. I further believe that the whole case cannot be understood and explained without a sufficient knowledge of the human elements by which, and of the time and environment in which, we were arrested and convicted. Very little has been written about the Plymouth trial, and still less about these things, because the necessity of defense for the Dedham trial has absorbed all the time and the energy of those friends and comrades who defend us. Consequently, I have decided to compile a list of statements of facts related to the case and explaining its historical causes, factors and attendant circumstances and also, to give you an outline of the Plymouth trial. Here is the list of the facts which, in my opinion, should explain the case:

The plutocracy rules effectively the world with the help of a big minority of common people and the acquiescence of the great masses. This general historical truth is most strictly related to our case. It does not need explanation. We were handled by supporters of the plutocracy, and judged by them.

We are Anarchists, Italians, and slackers. As Anarchists, we are the most misunderstood, feared, and hated of individuals by the American ragged and golden mobs. As Italians we belong to one of the most scorned and despised nationalities, as adversaries of the war, as slackers, we deserve the rope in the opinion of the vulgar majority of the American people, who tried and judged us.

In our quality of libertarians and workers, we had, before our arrest, fought against the American plutocracy, on the workers' side. Sacco had been very active in the strike of the

Milford Foundery workers and in the Ettore and Giovannitti case. In short: Sacco had been very active in every strike, struggle, and agitation that happened during the time of his libertarian militancy. I had participated in the strike of the Plymouth Cordage Co. workers in 1915. This company is one of the greatest money powers of this Nation. The town of Plymouth is its feudal tenure. Of all the local men who took a prominent part in the strike, I was the only one who did not yield or betray the workers. Towards the end of the strike, the Boston Post, a quasi exclusive creature of the Cordage Company said that "About one hundred Italian Anarchists are keeping the strike on, against the will of all the other strikers." That was an exaggerated half truth. But of all the local men who had taken a big part in the strike, I was the only one who, instead of being compensated, was blacklisted by the company, and subjected to a long, vain and useless police vigilance. And I wholly realized that the Cordage Company would never forget or forgive me for the little that I had done in behalf of its exploited workers. At this point, I must relate the above with the Plymouth trial.

The greater part of the Italian Colony of Plymouth depends upon the Cordage Company, which has such a well organized espionage service, that it knows all the public and private affairs of the town in general, and of its employees in particular. Now many of its employees were positive of my innocence. It was highly voiced by the whole community; Mr. Brown, the Company manager was undoubtedly informed of my innocence, even before the trial. A single word from such a power, and I would have been freed, whereas, in the conduct of the judge, of the prosecutor, and even of my lawyer, the Plymouth trial has, from its very beginning, assumed the appearance of what it has been: a legal lynching. My elimination by legal means, was the revenge of that great money power.

We were arrested and tried while the post war reaction was at its height. The reaction's primitive slogans "The radicals shall not be repressed but suppressed," and "Treat them rough!" were practiced in the streets and in the squares as well as in the police stations and in the courts of this nation. To prove my

assertion, I will, provide you with "The Delirium of Deportation of 1920" by Louis Post, assistant Secretary of Labor, during Palmer's administration, and with "War Time Mobs and Court Violence" edited by the American Civil Liberties Union. These documents will suffice to convince you and every possible Mexican Saint Thomas, that my words are not exaggerations.

The post-war increased criminality weighed very much against us. During the few months previous to our arrest, Massachusetts had been flooded by a terrifying "crime wave"; breaking and entering, bank robberies, highway robberies and murders had been committed. None of the guilty were arrested. The people were frightened and indignant, the press frantically yelling for prompt and drastic police action, and the plutocracy was pressing the authorities to eradicate in any way the rampant criminality. A bill was entered in the Massachusetts Legislature calling for a huge reward for the apprehension, arrest and conviction of the Braintree robbers and slayers. We have lately been told that no proof of the posting of such reward can be found. But we maintain our assertion for there were many rewards of different nature. Also the Slater & Morrill Shoe Company of Braintree and the Bridgewater Shoe Co. posted rewards for the same thing.

The posting of such rewards greatly contributed to our conviction. The whole of our case, as well as each of its details, show that after the posting of those rewards, all were interested in our conviction: the rabble, the police, the prosecution, the State and the plutocracy, all of them. To post a reward for the arrest of a person who is known, beyond any reasonable doubt, as author of a crime or crimes, may be a very sad thing, but it cannot hurt any innocent one, for the simple fact that the guilty ones are known. But to post a big money reward for the apprehension, arrest and conviction of unknown authors of crime, may lead to the conviction of innocent persons. And the conviction of innocent ones becomes so much more possible, nay, so much more probable inasmuch as the ruling groups are interested in obtaining it, and the historical time abnormal and the social environment corrupt. Such a condition of things and of persons creates illicit transaction and gross injustice; it

makes some very willing to pay for service, others to serve for pay, others yet, very apt to be misled in their action and their judgement. The greed or need for the posted money may induce any of the rabble or unfortunate to co-operate howsoever to a conviction, in order to get the reward. By abuse of their authority and power, the police, the prosecution, and the plutocracy may, by intimidation, coercion, or corruption, by menacing, punishment, or by promising favors, protection or promotions, compel or induce some indicted or indictable habitual criminals and others greedy and needy unfortunates to perjure against a defendant, to frame him. This has happened in our case. Moral irresponsibles and mental defectives, harlots and crooks, and venal of all kinds have perjured against us and were believed by two popular juries. It is now irrefutably proven.

The fact that I was a worker, living in a community of Italians and that on the day, hour and moment of the crime I had been among them delivering their previously ordered commission of eels and fish, this fact, I say, was very much agaisnt me at the Plymouth trial. Because it brought all Italian witnesses on the stand to testify in my behalf, the American jurors, laden with racial, religious political and economic prejudice and hatred against the Italian and the radicals, worked out by a shrewd prosecutor and backed by the judge and helped by the counsel of the defense, could not and did not believe those most truthful witnesses.

Webster Thayer, the presiding Judge at both our trials is a bigot, a reactionary, possessed by an ambition to be appointed judge of the State Supreme Court. As a bigot, and a reactionary, he is a natural enemy of the libertarian. As an aspirant to the Supreme Court bench, he foresaw in our case and in our conviction a good opportunity to reach his goal. So Webster Thayer asked to be appointed judge in our case. This explains his unfair, ferocious conduct against us. For his request alone he should not have been appointed. We were told that Judge Thayer was, and still says he is convinced of our guilt. Of course he could not say otherwise—but it may be true. We were also asked: "How do you know that Judge Thayer wanted to

become Judge of the State Supreme Court? and that he wanted to convict you? Well every Judge would be appointed to the Supreme bench—as for the rest it is as to ask an assaulted woman: how do you know that the man wanted to rape you? He may have intended to beat you, believing you deserved it.

Frederick Katzmann, the district attorney at both our trials, had the same reasons and purposes as Webster Thayer, in our conviction. His ambition was to become Attorney General. What he has done against us, speaks for itself, and it portrays what Katzmann is better than all phrases.

At the time of our arrest, the reaction had already deported or dispersed, in one way or another, our most experienced and learned comrades, especially in this State, so that the tremendous task of our defense fell on comrades and friends, all of whom, more or less, were inexperienced in the ways of the American people, police, courts, and legal proceedings. We, ourselves, were most ignorant in such things. Thus inevitably occurred numerous and grave errors which greatly neutralized the world wide agitation and protest made in our behalf by the best part of mankind. Moreover, through our ignorance of men and things, we retained in our defense, betrayers and unfit lawyers who, voluntarily or involuntarily, have ruined the case. Thus was spent a large part of the money provided for our defense by the solidarity of people living in this country, and the task of the counsel, who were and are working honestly in our behalf, was thus rendered extremely difficult.

The retaining of Mr. John Vahey as counsel for the defense in the Plymouth trial, was the greatest of our errors. He betrayed us. I have been told that to charge a lawyer of treason to his client is the worst possible charge, his behavior may have been carelessness and incapacity rather than betrayal. I will only answer that to be betrayed and sent to doom is far worse than to rightly charge a lawyer with treason. How he betrayed us I will tell later. Here I will only give some reasons why he did it.

By a contract between my friends and Mr. Vahey, it was agreed to pay him his fees a certain specified sum regardless of the outcome of the trial. By this fact he had no more interest in

winning than in losing the case. As a lawyer, he had more interest in losing it, which would mean its continuation, appeals for a new trial, etc.—more work and more money for him. His brother in Boston is a lawyer of fair reputation, and from the very beginning, our defense counsel had promised. "If I lose the case, we will call my brother in on it". Webster Thayer, Katzmann, and he, Vahey, are good friends, of the same ring, and are creatures of the Plymouth Cordage Company. After the Dedham trial, Katzmann and Vahey had law offices together.

When arrested and interrogated we told lies. This was strenuously used against us by both the District Attorney and the Judge as a proof of our consciousness of guilt. The defense counsel thesis was that our fear was due to our consciousness of guilt as radicals, that we feared punishment for our radical activity, and that we knew of brutalities, heavy sentences and murders inflicted on many radicals for being such. To destroy this counter thesis, Judge Thayer said to the Jury. "They have lied because they were conscious of guilt, they claim they have been frightened because they are radicals, but as radicals they would only be subject to deportation and they could not have feared it since they intended to go to Italy" (Cited by heart). Here as everywhere and always, Judge Thayer had endeavored to invert, falsify and twist the things in order to send us to the electric chair, and get his promotion. It is time to answer him. It is true that Sacco was prepared to go to Italy, and I intended to go the next winter after a season of fishing. We wanted to go to Italy, yes, but not to be deported. We abhor deportation as a violation of individual right and as an insult to human dignity. We feared it because it would also have deprived us of the possibility of returning to this country, to the making of which we had given the vigor of our youth, the blood of our veins, and to which we are bound by love and friendship. It is a shameless lie that we, as slackers, as anarchists, as revolutionists, when arrested, had only to fear deportation. The very day of our arrest we read in the newspapers that the day before our comrade Salsedo had been thrown out of a window to his death from the 11th floor of the Park Row building in New

York, where he had been unlawfully and incomunicado confined by the Federal agents, together with comrade Roberto Elia. We knew of comrade Marucco of Penn., who was deported to Italy but never reached the Italian shore. We knew that the real betrayers of this Nation and the real German spies had all been freed from the American prisons; but we also knew that there were and still are, in the United States prisons, hundreds of socialists, syndicalists, and anarchists, guilty of having been against the greatest highway robbery and slaying of history, the war, and for it they were monstrously sentenced. Eugene Debs, one of the few men of the world, one of the best of America's children, was in the federal prison at Atlanta. We knew the martyrs of Chicago, the Mooney and Billings frameup, the Centralia case, the Ettore-Giovannitti case, and the fate of John Hillstrom. We had reasons to be afraid, personal and historical reasons. We also knew that during the then recent arrests in Mass. for deportation, several victims had been dragged to insanity and suicide by the mistreatment to which they were subjected by the Department of Justice. We knew that high politicians and officers had said, one of them, "The radicals should first be shot then tried"; another, "I would like to hang all the radicals at the piazza of my house", and the list could be continued, but these prove that we had reason to be afraid, when arrested, even without our consciousness of being radicals, which means we were more hated by the capitalists, judges and prosecutors than are the criminals. We were arrested and most brutally mistreated, insulted and menaced. To give a name, an address or information, would have meant to cause homes to be raided, finding of libertarian literature and private correspondence, hence terrorized, divided families, arrests, indictments, deportations, and so on. Why should we turn spies? We are not men to betray friends and comrades for self liberation; never. Being coerced to speak and determined to hurt none, we were compelled to lie. We are not ashamed of it. It proves only our determination not to be cowards. Our lies are all directed to this, if related to the trial their inconsequence becomes most apparent. And if the Judge and the District Attorney made such a fuss about it, it is

because they were conscious of having nothing better against us than to treasure the doubt, to fill the Jury's mind with doubts, to use the doubt against us and get a conviction.

On our arrest we were searched. A revolver was found on each of us, some extra revolver cartridges on Sacco, and three or four shotgun shells on me. In refusing us a new trial, Webster Thayer said that the Jury had convicted us, not on testimony of eye witnesses, but on circumstantial evidence. Without those two revolvers and few cartridges, there would not even be "a shadow" of material evidence against us. And these objects are not evidence at all, except as proof of what the prosecution has been known to do with them. The same could be said of what Thayer called "circumstantial evidence".

The triumph of reaction through Europe and the advent of Fascismo in Italy have been very inimical to our case. Italian public opinion has always been favorable to us, and so has the whole Italian press. Signor Rolando Ricci, ex Italian Ambassador to Washington, upon his arrival in America, promised to interest himself in our case, "Because I believe them to be innocent, and because they are Italians". On his return to Italy, he declared that "Sacco and Vanzetti were convicted because they are Italians and Anarchists". Marquis Ferrante di Ruffano, Italian Consul in Boston attended almost daily at the Dedham trial. In his report of the trial to the Italian Government, Marquis Ferrante wrote, "Not a shadow of evidence was produced against the defendants, they are convicted on racial and political hatred". So whatever the simpleton and the formalistic may think or say, my opinion is that with any other party and with any other men in the government of Italy, at this time, we would have been freed. By this, we have simply made a statement of fact or rather, of opinion, and we are not asking for anything of any government, not even justice, which we expect from the people.

Many may have wondered, or may wonder that in spite of our innocence, of the world-wide agitation in our behalf, and of the \$300,000,00 spent in our defense, we could have been tried and convicted twice, and still be in prison. But I hope that, after having read and meditated upon the above statements,

every normal person will realize that there is no reason to wonder at the outcome of the case. We should wonder if the contrary had happened. Yet, the case is by no means definitely closed. We expect nothing but injustice and abuse from our prosecutors but we will fight to the last.

THE PLYMOUTH TRIAL

SOME PRECEDING FACTS

We were arrested on the 5th day of May, 1920, late at night at Montello, Brockton, while returning from West Bridgewater on an electric car. On the 6th of May, Riccardo Orciani was arrested and brought with us to the Brockton police station. On the same day we retained Mr. Callahan, a Brockton lawyer, as our counsel. He succeeded in freeing Orciani after a few days, by proving that at the hour of the crime he was working in the Readville Car Shops. Then, on the same day, after Orciani's liberation, I was visited late at night by several of my Plymouth friends, who had come with Mr. Vahey in his own automobile. A Mr. Doviglio Govoni was with them. They told me, in short, that they deemed Mr. John Vahey a more fit lawyer for the case than Mr. Callahan. "We want to do everything for you, but we want a lawyer who has our confidence. Besides this, Mr. John Vahey has a brother who is a great lawyer, and very necessary if the case turns out badly. So sign this card". Mr. Vahey then produced an already prepared declaration of discharge of Mr. Callahan and of the retaining of Mr. Vahey. I signed it. That was the first time that I saw Mr. Vahey. Now a few words about Mr. Doviglio Govoni. He is known as one of the worst characters of the Plymouth Italian colony, so crooked that he had even lost his job as Italian court interpreter, a lazy man, capable of everything but of good and of work. Surely my friends in ordinary circumstances would not even trust a sparrow to him. But the suddenness of my arrest and the grave charge had upset them, they did not know what to do: one of my acquaintances had much trust in Mr. Vahey; and Govoni has a snake-sharp tongue. For us Mr. Vahey was retained as counsel of defense and Doviglio Govoni as his agent. They

railroaded us to the electric chair, and this they did most consciously and intentionally. Mr. Callahan, our former lawyer, participated again in our defense at the Dedham trial, proving himself always sincere and honest with us.

THE PRELIMINARY HEARING

Both Mr. Vahey and Govoni were active and willing in my defense at the beginning. Mr. Doviglio Govoni induced my friends to buy him an automobile to be used to prepare my defense. Then in the second week of May the preliminary hearing against me, took place in the Brockton Court. Mr. Vahey produced no defense witnesses, but he acted energetically against the State witnesses, whom he confounded and annihilated. On the 18th of May 1920, at the East Norfolk Court, took place the preliminary hearing on Sacco's indictment. Meanwhile our friends and comrades had given order and organization to a well co-ordinated, common defense. They decided that my lawyer and Mr. Graham, a Boston lawyer, who had been retained by our Boston comrades as defense counsel for Sacco, should work together in defense of both of us. At the preliminary hearing on Sacco's indictment, it is worth while mentioning that the State had not a single witness who could positively identify Sacco as one of the participants at the Braintree robbery. The conduct of Mr. Govoni and Mr. Vahey changed. After the preliminary hearing, my lawyer and agent changed abruptly and completely their conduct toward us. They stopped every activity in preparing the defense. Mr. Govoni used his automobile, bought by my friends, for everything except to go to Bridgewater and procure eye witnesses in my defense. Indeed he was compelled by someone to go to Bridgewater, but he delayed it as long as possible, and when at the place, he managed to do nothing at all. He did worse: he attempted to convince those who had seen or dealt with me in Plymouth at the hour of the crime, that their testimony would have been of little moment, while he feigned to give great importance to the testimony of those who had seen me in Plymouth on the day of the crime at later hours, in order to lessen the number of those

who had seen me at the hour of the crime. The Plymouth people clearly perceived that besides doing nothing for my defense, he was doing everything to weaken it and to give to Katzmann an opportunity to say that when the witnesses claimed to have seen Vanzetti in Plymouth, he would have had time to return from Bridgewater. But of course Govoni failed to obtain this and numerous witnesses testified to seeing me in Plymouth during the hour of the robbery in Bridgewater. We owe to this betrayal, the fact that my defense has consisted exclusively of my formidable alibi. Undoubtedly, an honest counsel would have produced many eye witnesses in our defense. The matter of the State witnesses must have been altogether a most dirty affair, since in spite of everything, the indignant population of Bridgewater kicked out of office, at the next election, Mr. Stewart, then chief of police of Bridgewater, our principal framer and organizer of the State's witnesses. As for Mr. Vahey, he had asked me very little concerning my defense, and, from after the preliminary hearing to the end of the trial, he did not put to me a single new question about the case. On the contrary, he began to promise me the electric chair. "They will put you with Sacco", and . . . at this point he used to cease to speak, to begin to whistle, tracing upward spiral motions with his right hand, its index finger straight up. This is the sole Herculean fatigue accomplished by Mr. Vahey in my defense, while smoking big cigars bought for him by the poor Italian people. But Mr. Vahey's words proved that he knew before the Plymouth trial that I would be indicted for the Braintree robbery and slaying. This should be constantly remembered, because, joined with other things of which we will speak, it will prove Mr. Vahey's betrayal. To suppose that Mr. Vahey and his agent Govoni might have been induced to such conduct by their conviction of my guilt, would be as wrong as it is unjust. There had been nothing in the case to justify, not even to excuse, such a doubt. I have always protested my innocence; the Italian population and several Americans of Plymouth had run in mass to prove it. The preliminary hearing had proved the impossibility and inconsistency of the charge against me as the record shows. The truth is that both the prosecution and the

defense counsel had realized that without the latter's betrayal, the "frame-up" in the making would have been an utter failure, and my conviction, an impossibility; hence the betrayal.

THE PLYMOUTH TRIAL

It began on the last fortnight of June, 1920, and ended with my conviction in the first week of July, 1920. The indictment was for attempt to rob and attempt to kill. The State claimed that I was one of the participants at the attempted highway robbery which occurred on December 24, 1919, in Bridgewater, Mass., at about 7.45 A. M. So that to quote Mr. Thompson, "The sole question at the trial was whether I was, in fact, one of the men engaged in that affair". It should have been so, but it was not so, as we will see very soon. A little retrospective review of facts now is necessary for my narration.

To eat eels and fish on Christmas Eve, is with the Italian people an ancient tradition, beside, we are very fond of such food. On the 24th of December, 1919, while I was selling eels in Plymouth at 35 cents a pound, the greedy fish peddlers of Boston, abusing the people's fondness for eels, sold them at \$1.25 and \$1.50 a pound. I, being engaged in peddling marine products, and knowing this tradition, thought to provide eels to my customers for Christmas Eve. So during the preceding weeks, I passed from house to house to take orders, which were many. This had never happened before in the history of the Plymouth colony. Its newness and the solemnity of the day on which it happened, made the thing memorable to my customers. But to deliver the orders, I was compelled to work all day long on the 24th of December and to work in Plymouth 30 miles away from the scene of the crime. When the Plymouth Italian population heard that I had been indicted for the Bridgewater crime, they declared my innocence and offered their testimony.

THE DEFENSE WITNESSES ON THE ALIBI

About 30 Italian witnesses took the stand to prove my alibi. There could have been many more, but it would have been only "accumulative". About a dozen of them testified that between 6.30 and 7.00 A. M. on the 24th of December, I had been at their homes, to give them their orders of eels and fish. Louis Bastoni, an Italian baker, testified that at 7.45 A. M. on the 24th of December I had been in his bakery asking him to lend me his horse and wagon, to be used to deliver my orders, and that, because of the exceptionally busy day he needed the horse for himself and was compelled to deny it to me. Asked by the prosecutor how he knew that it was 7.45 A. M. when I was at his bakery he promptly answered, "I remember, and I will never forget, that while Vanzetti was leaving my bakery, I heard the Cordage Company's siren whistle of a quarter to eight o'clock". Made indignant by the behavior of my framers, he took several extra and informal oaths while on the stand, and was warned by the angelic Thayer: "that profanity is not allowed in Court". That was cynicism. Mary Fortini, my landlady, testified about my work late at night on the 23rd of December, to prepare the orders for the next day and that before 6 A. M. I came down from my room to the kitchen on the morning of December 24th, in short: as to my meals, my work, movements and words of that day. Bertrando Brini, then a 13 year old boy, testified that on the evening of the 23rd of December, 1919, I went to his house and asked him if he would like to help me next day to deliver with a wagon, my orders of fish, that before 7.00 o'clock, on the morning of the 24th of December, he met me on Main Street, while going with his father to "bring the bread to the baker" also what I asked him, what he answered, what his father told him to do, that he went home, ate breakfast, put on his rubbers, and came to my house before 8 o'clock. He found me in the yard, preparing the hand car, loading orders. I explained to him why I had been unable to get the horse and wagon. We left the house almost immediately, and began to deliver the orders. He told in detail our tour of that day, from before 8 o'clock in the morning till about 2.40 P. M., he was

steadily with me, on the Streets of Plymouth delivering packages of eels and fish: that he was with me at the time of, or a few minutes later than the robbery. Katzmann kept him for more than two hours on the stand. Using in vain his shrewdness, Katzmann utterly failed to confound the boy for even a second, or to get him to make a single contradiction or discrepancy. Next day, the boy was again called and kept on the stand for over an hour by Katzmann, who spared nothing to weaken and discredit the child, but in doing so only succeeded in showing up himself. But he is a great jurist when he can do all that he pleases. Turning to the jury after the boy's testimony, he said, "The parents of such an intelligent boy are right to be proud of him, but what he told you from the stand is a lesson learned by heart."

That boy is now a student at Boston University and already an excellent musician. He is most willing to tell the world that I am innocent, and that Mr. Katzmann is a liar. The testimony of these and of the other defense witnesses, were logical and consistent. I wonder if in the whole judiciary history of this State, there has been a defendant with a more convincing, coherent, consequent, powerful and what is more, with a more truthful alibi than mine. But in such a time and place as that in which I was tried, before twelve American jurors with their religious, political, racial and economic hatred and prejudice, backed by the judge and helped by my own lawyer, Frederick Katzmann had an exceedingly good play against those Italian witnesses, defending an Italian anarchist. Doviglio Govoni, the defense counsel's agent, in order to help the prosecution, had directly or through the defense counsel, informed Katzmann of the friendship, ideas, business and relationship of the Italian witnesses; and Katzmann used such information to convince the jury that my alibi was false, that is was an heroic effort of my friends and comrades to save me. Hence he began this way. To John Di Carlo, a defense witness, Katzmann asked, "Have you never discussed with Vanzetti the theories of Government?" Then again "Vanzetti used to go into your shop quite often, didn't he?" Then again, "Have you never discussed the rich and the poor between you two?"

To Michael Sassi, another defense witness, Katzmann asked, "You are very friendly with Vanzetti, are you not?"

—Yes, quite friendly.

—And also with Brini, aren't you?

—Brini is from my town, we were children together.

—Did you speak with Vanzetti, when you visited Brini?

—Vanzetti was there with all of us.

—Have you ever heard Vanzetti speaking of his political ideas? Have you heard him make any speeches in the theatre or somewhere else to your friends in the Cordage Company? You have dined many times with Vanzetti, haven't you?

—With Brini as his guest, I dined many times; Vanzetti boarded with him and sometimes he was present.

—You use to play cards with the defendant?

—Vanzetti does not play.

—To smoke, didn't you?

—I do not smoke.

—How many times have you drank with him?

—Vanzetti does not drink.

What a method to find out whether I had been robbing in Bridgewater or delivering fish in Plymouth on the 24th of December, 1919. But this is not the whole of it. The prosecution produced Mr. Steward, then chief of police of Bridgewater, our principal framer, to read to the jury a record of an interrogation to which he submitted me on the night of my arrest. He read among other things that "I am in favor of changing the Government, even by violence, if necessary." Katzmann himself in his final address to the jury, warned the jurors to be alert, because, "The dagoes stand together". What is more likely than this unjust insinuation to excite the jurors' racial hatred? Is it not equivalent to telling them, "You Americans should stand together against the Italians"? That is what they did, and how well they did it. Had the defense witnesses been Americans, instead of Italians, no American jury would have found me guilty. If instead of having worked in Plymouth among Italians on the 24th of December, I had been away in Boston associated with the underworld and engaged in criminal activity, the underworld would have taken the stand and con-

vinced the jury of my innocence. The underworld knows how to testify in Court, it is its business, and it is less hated and despised by most of the American people, judges and prosecutors than the Italians and the radicals are. I know what I am talking about.

THE STATE WITNESSES

All the State witnesses at both trials, who have directly or indirectly related me with the two crimes, are perjurers and are known to be so, all of them, except Mr. and Mrs. Johnson who are however of the rabble as I will prove.

Here of course, I will speak of the State witnesses at the Plymouth trial. They were few, self contradictory and contradictory to one another. At the preliminary hearing three or four of them identified me positively as one of the bandits. Another was "Almost sure that I was the bandit, but not positive". The trouble with them was that they described the bandit—who should have been me—as a very different man than I; "Rather short", and I am not so; "rather young, about 23 or 24 years old", and I was 32 years old, looking older than that because I have always suffered. "Rather light", while I was rather heavy and looking more heavy than I was, because thin and of big frame. "Charlie Chaplin mustache, short, cropped mustache", and my mustache is large and dropped. "Hair, pompadour". Such a cut is a physical impossibility for me on account of my little hair. "At the automboile wheel", and even Katzmann admitted at the Dedham trial that I do not know how to drive an automobile. As I have already said, my lawyer compelled them to make an ugly figure at the hearing. They must also have realized at once that their testimony describing the bandit so different from me, would have corroborated my plea of innocence, instead of proving my guilt. So when they testified at the trial, they did their best to modify as much as possible their former testimony about the physical appearance of the bandit who should have been me. In order to make him look like me, no more "Charlie Chaplin, short cropped mustache", but trimmed and well trimmed at the ends, no more 23 or 24 years old, but 25 or 28 years old. Naturally, also the bandit's

apparent weight was increased proportionally to the increase of his mustache and age. Nothing is easier to persons determined to commit perjury than to describe a non-present person as looking like the defendant who is under their eyes—no comfrontation is possible. This is what the State witnesses did at my trial; but, as they had described the bandit before, at each modification of their former description, they showed themselves liars—liars lying to doom an innocent man. This fact limited and paralyzed the possibility of their intention to change completely their former testimony, and to describe the bandit as looking exactly like me. So in spite of their desperate efforts the bandit described by their final testimony still remained a man physically very different from me. Beside this, one of them put a cap on me; another a hat; a third one took both the cap and the hat off my head, leaving me bare-headed in a cold winter morning, maybe in order to give a fourth one the opportunity to observe the "funny shape" of my "bullet shaped head",—which is a lie like all the rest. I had never been in Bridgewater, before my arrest. They also put me in several different places in the automobile: Giorgina Brooks placed me at its wheel before the assault; another one placed me on the front seat beside the driver after the assault, some others, if I remember well, put me on the back seat at both sides of the machine.

Before beginning a synthetic review of the state perjurers, I deem it useful to outline the happening of the attempted robbery as it was related by the press, by credible bystanders and by the same perjurers, because it discredits the perjurers more than any comment or affirmation. A little after 7 o'clock of the morning of December 24th, the Bridgewater Shoe Company paymaster had been at a town bank and drawn about \$18,000 for the weekly payroll. The money had been enclosed in the safe of the company's pay-truck which was driven by a chauffeur and protected by a guard of the same company. Of course the paymaster was in it too. It was on their return from the bank to the Company's office, while passing through the industrial center near to the railroad depot, that the three men were assaulted by the bandits. At that hour the streets were crowded with working men and women going to the nearby factories,

and others going to their daily business or to their Christmas vacations; and the houses were buzzing with people preparing for the day's work. Of course none of the hurrying passersby, nor of the bystanders, nor of the assaulted, were thinking of or suspecting a robbery. Nothing would have justified such a suspicion or thought; everything was proceeding regularly in that little spot of this little, but best of worlds. Then suddenly some men, armed with guns and revolvers, alighted from an automobile, attacked the company's pay-truck, shooting at its occupants who answered to their fire. The bystanders and the passersby, surprised and frightened by the unexpected sudden shooting, ran frantically hither and thither to shield and safe guard themselves. The company's truck turned back, the bandits ran as they had come, to their automobile and disappeared. All this happened in a few minutes.

Now we return to the State perjurers.

The Bridgewater Shoe Company's paymaster is one, the only one of them who lacked moral courage. He refused to "positively" identify me as one of the bandits, yet at the trial he did his best to testify against me more strongly than at the preliminary hearing. Evidently he was urged to hurt me as much as possible. Anyhow some time after the trial he quit as an employee of that company. The people say that it was due to his refusal to identify me "positively".

Bowles, the company guard, who had been on the truck, identified me "positively" though, according to his own testimony, he had less time and chance to look at me than had the paymaster. He said that "the chauffeur thrust himself down at the first shot and the truck began to zig zag. With the left hand I drove the car, and with the right hand I shot at the bandits." During that time the paymaster did nothing but look at the bandits. So we have to deal with a self proclaimed hero. To tell how he came to my identification, is worthy of its ink. As a company's guard, special police and one of the assaulted, he was thrice interested in our arrest and to come to see us. In fact he came and . . . "He recognized you", the reader's mind may anticipate. He did more than to come to look at us: for three or four days and nights he did nothing else but carry, with

the company's automobile, the Bridgewater people to the Brockton police station to look at us.

He had therefore seen us four days consecutively, but he had failed to identify either Sacco or me. Then he was either at the Brockton police station or in the same automobile in which I was brought from Brockton to Plymouth county jail, but he failed again to identify me. Meanwhile Chief Steward had decided to frame us anyway and Bowles had become his tool. Finally, on the day set for the preliminary hearing Steward and Bowles came to Plymouth from Bridgewater to take me in an automobile to the Brockton Court where the hearing was to be held. Then while on route a strange thing happened. Entering Brockton we met a funeral and Steward was compelled to stop the automobile. When the bier passed before us we took off our hats. It was then that Bowles, turning to Steward exclaimed: "By God, I think I have seen this man before". He meant me, and Steward approved with an articulate noise. Then Bowles asked me, "Say, Bart, have you seen me somewhere? Do you know me?" Not even knowing yet who he was, (he was plainly dressed) I answered: "No, I do not know you, I don't remember to have seen you anywhere." He repeated my words as an echo while the automobile started again. Sure of my innocence, of the sincerity of my answer, and believing his a purely conversational question, I did not mind what had been said nor think that my words could have been harmful. But soon after in Court, I had to wake up when I saw Bowles taking the stand and heard him say that I was one of the bandits. He is indeed a hero, worthy of his epoch and worthy of reward.

Another of the State perjurers was a fourteen year old school boy, a paper-seller who classified himself as a "student". He is a mental defective, whose lack of shame and consciousness proved him to be feeble minded. The time will come in which we will expose minutely the Plymouth frame-up and then we will just reproduce his testimony. Now I omit it for the sake of brevity.

Mrs. Giorgina Brooks was another one to identify me positively; and her testimony also deserves to be outlined. It

runs as follows: On that morning she left her home to go to pass Christmas Day with her parents in Providence, R. I. She took with her her four year old child and a valise. At a certain point, while about to cross a street she saw an automobile stationed but with the engine running, on the other side of the street and occupied by four or five men. She focussed her attention on the man at the wheel: "I took a good look at him". On crossing the street she looked again at him, who looked at her "in a stern way". After having crossed the street, another look was taken: On her way to the depot while carrying the valise in one hand and holding her child with the other hand, she turned several times to look at the man at the wheel, who, according to this lady, was me. But that is not the whole: Once at the depot, she bought a ticket, then went to a window opening on to the street in which the attempted robbery occurred. By the way, the train to Providence should have left Bridgewater depot when the robbery occurred, but that morning it had been late, maybe to give to that lady the opportunity to testify for the State. In fact, she said that from that window she heard the fire arms detonations and saw the flames coming out of them. Now it was found out that between that window and the scene of the crime stands a building which completely obstructs the view point of the scene to everyone except he who can see through the walls. This witness said that she was suffering from eye trouble, and her sight was badly affected, so badly that she later admitted she would not know her own mother if she met her on the street in different clothes.

Yet she saw thorough a building. In order to credit her unbelievable story and justify her reasonable interest and her looks at the "man at the wheel", Giorgina Brooks said that she acted so because "somehow she got suspicious of it all, (the automobile and the men)". She used that lie as a string that passed through and joins tightly together the pearls of a necklace. Why then did she not take the automobile number? Why did she only look at one of the men? Why did she not warn or telephone to the police? No one who knows the American promptness to do such things on the least occasion and

suspicion, and how numerous the automobiles are, can believe her excuse.

He who described my head as "a funny bullet-shaped head", (why not a negro's), was if I remember well, the fourth and last of my identifiers. After having spoken of "flying bullets and people running away" he was asked by my lawyer if he too ran away or hid himself beyond some tree. He replied, "I wanted to do it, but I was so frightened that I could not move from the side walk where I was standing." In other words he was paralyzed by fear, the most proper and favorable condition to visualize, individualize, and memorize a stranger, seen for a few seconds amid great confusion.

Mr. and Mrs. Johnson of West Bridgewater, owners of a garage at which Boda kept his automobile, were the only two State witnesses who told some truth. The testified that on the night of May 5th, 1920, Boda, Orciani, Sacco and another man were at their house to take away Boda's automobile. Mrs. Johnson had telephoned to the police for our arrest. Of course they, and especially she, did all she could to damage us by her testimony. To get the \$200.00 reward our conviction was necessary. To produce them against me was an open violation of the law, because none of them had identified me as one of the men who had been at their house. On the day of my conviction or the next day, Mrs. Johnson went to the Bridgewater Shoe Company's office to claim the promised \$200.00 reward. The Company refused to pay her at once saying that not a cent will be given until I had been sentenced. So Mrs. Johnson got mad and made such a fuss to get the \$200.00 at once—that the Brockton newspaper reported quite a "big piece" about it. \$200.00. Ho . . . the lofty ideal of justice for which that childless and comfortable couple had co-operated for our arrest and conviction. Those were the State's star witnesses and their tales, on which faith, that jury found me guilty.

Excepting Mrs. Brooks whose behavior in court was heart-breaking, my trial had been a vacation and a picnic for the State witnesses.

They, all of Bridgewater, came in mass to the trial for several days; they mocked and glared cynically at me and at the Italians

who were in the court; they perjured with a monstrous indifference, even in gladness; they performed the role of "a hostile American public", of a clique to counterweigh, in the jury's eyes—the manifest sympathy of the Italians for me.

DEFENSE WITNESSES ON MY PHYSICAL APPEARANCE

On my arrival at Plymouth, Mass., eight years before my arrest, I wore a beard, but the form and appearance of my mustache and hair was practically as when I was arrested. About two years after my arrival in Plymouth I shaved my beard off but continued to keep my hair and mustache as before. Consequently my face was familiar to the whole town, especially because I had been a peddler and an out of doors worker, and had worked a long time at the Cordage and taken an active part in the strike. So after having heard the State witnesses' description of the bandit, I told Mr. Vahey that he could call the Plymouth policemen, American contractors for whom I had worked and all the Italian prominent business men and barbers to testify that I had never worn my hair in a pompadour nor my mustache the Charlie Chaplin way, or short, cropped or not even "well trimmed at the ends". Mr. Vahey did nothing about it except that he told me that the contractors had forgotten about my physiognomy which was either his or their lies. But he was compelled to produce several men and women who had offered their testimony on this matter. All of them were my neighbors, Italian workers, except Mr. Ferrari who was a beer-dealer. Therefore I kept insisting to Mr. Vahey for more and more influential, to the jury, witnesses. And when I perceived that he was not going to produce any policeman, business-men, or barbers on my behalf, I told him that if he would not provide a stronger defense I would stand in the dock, protest my rights and denounce him in open court. My eyes must have been more telling than my words. Mr. Vahey yielded, then he sent, at the last moment, in haste and hurry, his agent Doviglio Govoni in search of some policemen and barbers. Govoni returned to the Court with an Italian barber and two American policemen. Both the policemen testified to having known me for many years

during which they had seen me almost daily, and that to the best of their memory I had always worn my hair and mustache as they were at the moment. Yet they appeared nervous and disturbed while on the stand; their testimony was far less vigorous than their conscience could have allowed it to be. The fact is, that after all they were policemen for their own and their family's living, and they knew that the judge, the prosecutor and the Cordage Company were all against me and were consequently afraid to testify in my behalf. Had they been properly notified their testimony would have been more firm and convincing. Now a few words about the barber. In North Plymouth, where I resided for 8 years, there are 5 Italian barbers. Four of them are good looking, intelligent men, who speak quite well both the Italian and the English languages. The other man is a good devil, but he does not speak either in good Italian or in good English. He speaks Napolitan and he also stammered a good deal. None of these five men are of my ideas, some of them are political adversaries of mine but all of them would have come to testify in my behalf. Well, had it been by chance or by malice or by both of them,—as it seems to have been,—the truth is that Mr. Govoni brought into court the one of them who stutters, and does not speak English. In spite of all, the truth is easily told and our man's testimony was very good. He said he knew me for many years, had shaved me and cut my hair many times, that I have always worn my hair and mustache as at the moment that I had my hair cut short and all even, and that it is impossible to cut it at a pompadour. Asked if he ever trimmed my mustache, he answered negatively: "Vanzetti has always worn a full mustache; I just cut some hair at the center under the nose, which were bending toward the mouth". This was just the apparently weak point of his testimony that Katzmann had so maliciously endeavored to obtain. Once obtained Mr. Katzmann exploited it to the utmost, shamefully making a great idea about those "one or two hairs" to prove the self contradiction and insincerity of the witness. I say that this was not only shameful but criminal of Katzmann. Every Italian barber can explain that to cut one or a few hairs from a man's full grown and large mustache, does not mean to trim it; that it makes no

perceivable difference to the appearance and form of the mustache; that to trim a mustache means to shorten it from the center to the ends, and that there is such a difference between a full grown mustache and a trimmed one, that it is detected at first glance by any person. It was especially for this most necessary explanation that I had so urged Mr. Vahey to produce the Italian barbers. Katzmann also used his sharp tongue against the stammering witness and against his poor English and foreign personality to arouse the jury's racial hatred and mistrust against him. Yet in spite of all, the defense witnesses on this matter had been more than enough in kind and number, to convince the jury beyond every reasonable doubt of the veracity of the defense's thesis. Conscious of it and fearing an acquittal, Mr. Katzmann resorted to one of the meanest tricks that might even be played in a provincial court to a provincial jury. He recalled to the stand Mr. Ferrari and required him to describe the mustaches, beards and faces of several town-men. "Mr. Ferrari, do you know Mr. so and so?"

—Yes.

—What kind of a mustache has he? and so on.

Katzmann did not even fail to ask Mr. Ferrari about some smoot-faced man's mustache. The trapper. All this is very unreasonable because Mr. Ferrari had not testified as an expert on hair and mustaches, nor as a physiognomist, but as a neighbor who knows his old neighbor's face. That's all. Nevertheless, he did very well, and proved himself a good physiognomist. But Katzmann had his secret aim and he finally requested Mr. Ferrari to describe the beard and the mustache of the manager of the Plymouth House, (a hotel). The witness said, Mr.—(I forgot his name) "has not the beard nor the mustache like those of an ordinary man. The hair of his beard are very rare, white, thin, downy; he wears them quite long, perhaps longer than half an inch, but they show very conspicuously upon the dark, bad color of his skin. His mustache is very small and its hairs are, like those of his beard, white, thin down like that on the face of an aged woman." That was a masterly description, the truth faithfully painted, none who knew the subject could deny it. But Katzmann: "What kind of a mustache has

Bertrando Brini (then aged 13)?" The witness smiled silently in the prosecutor's face, then having noted Katzmann's plump, closely shaven face, he answered, "like yours". That seemed to end the apparently aimless interrogation. But Katzmann had his own plan already set, and lo; . . . the Plymouth House manager is entering the Court, smiling and bowing to the judge and the prosecutor, who smiles and bows to him. But he is a different man, his face is freshly and closely shaven, the white down gone; his bad complexion gone, a recent massage, which must have been a long and vigorous one, has given color to his always colorless cheeks, he is unrecognizable. Gently invited by Katzmann, he takes the stand. He is asked by Katzmann if he has ever worn a beard or mustache. He answered "Never". Katzmann looks at the floor and then at the ceiling, turns to the jury and after a wise silence masterly kept, he began softly to end with a thunder. "Gentlemen of the jury, I beg you to look at this gentleman's face, and then to believe, if you can, what (pointing to Mr. Ferrari) that witness has said". Returning sweetly to the manager, Katzmann told him, "That was all". The manager was so comfortable, that on leaving the stand, he was unable to find the door through which to go away. I have nothing to say in explanation of this ignominy, except that both Katzmann and Thayer are old costumers of the Plymouth House.

At this point, one could wonder and ask himself, "but if it is true that the whole town knows very well both the defendant and the manager of the Plymouth House, why then does the jury not accept the truth?" Well, only one of the 12 jurors was a resident of Plymouth and he was a foreman of the Cordage Company. The other 11 jurors are residents of other towns. And since we are explaining, I will add that the capitalistic press of the State has really lynched us rather than convicted us, by its terrible campaign against us especially on our arrest. The American public, from which the jurors came, was doped against us. They had read and believed the press campaign against us, by which they were told at the very beginning that we are radicals and strike leaders.

ABOUT THE STATE MATERIAL EVIDENCE

The material evidence produced by the State against us is: one flannel shirt of light color, a light-green cap, a maroon-colored woolen sweater, and the four shot gun shells which were found on me on my arrest. The light shirt and green cap were produced to correspond with the testimony of some of the State witnesses, who had said that the bandit was wearing a light shirt and a light gray hat. The fact that the exhibited shirt was the only one of my 4 woolen shirts that was of light color was completely ignored by the defense as well as it was ignored that I had two woolen sweaters of the same dark red color and quite high collar, that I had steadily worn one of them in the winter time and that they covered my shirt completely. This would have been a negative thesis and all those who have passed through the ordeal of a trial know by sorrowful experience how difficult it is to prove a negative thesis, even if most evident. But the defense could have proved that chief-framer Steward had seized those clothes unlawfully. I was a boarder at a private home, Mr. Steward had only the right to seize whatever might have been in my room, whereas he roamed the house to search for a shirt and a cap to meet his satisfaction. He took my cap and shirt from a nail on the cellar stair-case. They might as well have belonged to someone else but since there are millions of light shirts and gray caps in circulation I think that the probable value of my own one light shirt and gray cap are next to nil, so I will spend no further words about this "evidence", but turn to the four gun shells. Is it believable that had I been one of the bandits and had used the shot gun and some shells at the Bridgewater robbery; is it believable I repeat, that I would have carried in my pocket the remaining shells, over four months afterwards and while going to visit my friends? Well it is necessary to tell how those shells came into my possession. On the day of our arrest I had been at Sacco's house. They were preparing to leave for Italy, the house was all upset. Rose Sacco was busy packing the trunks. While with them in the kitchen, I saw those four shells, either on the table or on the chimney-shaft. It came to my mind to bring them to one of my

friends in Plymouth. "Are you going to bring those shells to Italy?" I asked. Sacco answered,, "We will shoot them in the woods if we have time, if not we will throw them away." "Give them to me" I said, "I will bring them to a sympathizer in Plymouth and get fifty cents for propaganda", and in saying so I took the shells and put them in one of the inside pockets of my coat, where they were found on my arrest. Now when the trial came, both Sacco and his companion volunteered to take the stand to tell about this, just how it happened, but Mr. Vahey opposed energetically their intention to testify, and he insisted until they were persuaded not to testify. Vahey justified his attitude by saying that such an affair might damage Sacco when he would be tried for the Braintree indictment and might have involved me in that charge. He said this not only to Sacco and Rose, but also to me and to our friends. That he succeeded in persuading all of us, it proves simply and solely our ignorance and inexperience of judicial proceedings—but it neither hides nor minimizes his voluntary betrayal. In fact, Mr. Vahey already knew at that time that I would be indicted for the Braintree crime; that the State could introduce the gun shells as material evidence at the next trial, independent of the testimony of Sacco and his companion at my trial in the so-called Plymouth case. It happened that I was indicted in the Braintree affair, but the gunshell were not produced against me; the second frame-up was widely different from the former one. The truth, the only possible truth is, that Mr. Vahey, my defense counsel, opposed and hindered their testimony because he was afraid that they could have been decisive in my acquittal. So much more so because the State would have been unable to prove, or even generate the doubt, that I might have possessed a shot gun, either at the time of my arrest or before it.

WHY I DID NOT TESTIFY

The law of this nation grants to a defendant the right to testify or not to testify in his own behalf, according to his own will. To testify, how to testify, and not to testify, are matters of great importance and influence for the outcome of any case.

The popular jury excuses and justifies in certain cases, the defendant's refusal to testify; but in cases concerning robberies, frauds, murders, etc., the popular jury regards such a refusal as an indication of guilt, as the defendant's consciousness of his incapacity, to counteract with his testimony the theory of the prosecution. To prepare the defendant's own testimony is one of the first duties and the principal task for an honest counsel of defense, it also requires reciprocal trust between a defendant and counsel. I was willing to take the stand, but Mr. Vahey opposed and resisted it until I accepted his will. Indeed we had every reason to testify and no reason not to testify, as was proven by further development of the case. Yet, I do not know whether I must attribute Mr. Vahey's attitude to bad faith or to the equivocal condition and relations between himself and my friends and me.

Owing to his previous and present attitude and behavior, my friends and I had been induced to consider him as our enemy and our betrayer and to fear him as such, and in this condition, no good could be done and no mutual understanding was possible. Was he afraid of my future testimony and if so, for what reason and of what had he to be afraid? I have no answer for these questions, but his conduct does not justify him. Do you think that Mr. Vahey put himself in the shoes of an imaginary district attorney and asked me what I would have said on this or on that, or to this or to that question when on the stand, as is done in every case and by every counsel of defense true to the defendant? Oh no, not even for a second. He asked me how I would explain from the stand the meaning of Socialism, or Communism, or Bolshevism, if I was requested by the district attorney to do so. At such a query, I would begin an explanation on those subjects, and Mr. Vahey would cut it off at its very beginning.

"Hush, if you will tell such things to the ignorant, conservative jurors, they will send you to State prison right away". I contend that that was not a reason against my taking the stand, but an excuse to hinder me from testifying because Mr. Vahey is also a lawyer and as such, he knew that he could have impeded the district attorney in putting such political questions,

entirely extraneous to the case, by saying that I was not on trial for political ideas, but for an attempted robbery. This would have been a lie of course—but sufficient to stop Katzmann from inquiring of me regarding my political ideas and thus avoid what Vahey feigned to fear so much. Hence, I am compelled to say that I failed to testify in my behalf because my lawyer prevented it—and that I believe that he did so because he feared that I might have convinced the jury of my innocence, and because he knew that a defendant's refusal to take the stand, is considered by the jury as a symptom of guilt. That is all.

THE VERDICT

In his charge to the jury, Judge Thayer told the jurors that they should disregard the second part of the indictment, "attempt to kill". Because he said, according to the State witnesses, the man with the shot gun had ample opportunity to hurt or to kill someone. The fact that none has been hurt nor killed, proves that he had no intention to kill; that he only used the arms to scare and intimidate. The jury retired, and returned four hours later with a verdict of guilty on both counts—"Guilty of attempt to rob, and guilty of attempt to kill".

THE SENTENCE

Judge Thayer could have sentenced me to his heart's content on the same day the verdict was rendered. He had been against me to death, he had foreseen the trial outcome, he had used and done everything possible against me, and was already determined to give me the maximum punishment. Yet for reasons most easily guessed, he waited several weeks before sentencing me. Finally, on the 16th of August 1920, in the Plymouth Court, Judge Webster Thayer sentenced me to from 12 to 15 years imprisonment in the State prison. With a masterful stroke of unsurpassed hypocrisy, he dropped the verdict of guilty of attempt to kill, and then, he sentenced me only for "attempt to rob". With this difference that he gave me for attempt to rob,

a sentence longer than the sentences of any of those who were in the State prison, when I arrived, for having been found guilty of highway robbery, of attempt to kill, and of having shot their victims. I could cite a dozen of such cases. But Thayer was not satisfied with so little . . . in sentencing me, he insulted my principles, my ideals and the truth, saying "The defendant's ideals are cognate with the crime". Those words alone prove irrefutably the Judge's prejudice and hatred against our persons and our principles. Thus ended the obscene parody of a trial known as the Plymouth trial, that split my existence and plunged in sorrow and mourning the hearts of beloved ones.

AFTER THE SENTENCE

I was manacled and brought in an automobile to the Massachusetts State Prison, from where I am now writing. Two other automobiles, loaded with armed guards, escorted the one in which I was. A few hours after the sentence I heard the iron door of this prison closing itself at my shoulder; a few minutes after that I was in a dark cell. The Plymouth conviction was a stepping stone toward the electric chair, for both of us. This explains the efforts and the ferocity by which Webster Thayer and Frederick Katzmann endeavored to obtain it. Both of them knew that they would also preside over and prosecute our case at the next trial, in Dedham. They had nothing against Sacco either; but conscious of their weakness, they properly understood the great importance and necessity of convicting me. Thayer will deny us separate trials. Sacco will sit on the dock beside a man already convicted on a similar charge. The jurors will know it, (they read the newspapers), they will know that we are old friends, comrades, both Italians, slackers who ran to Mexico to escape the military registration. Katzmann knew that in such a condition he could hurt Sacco with everything produced against me, and me with everything produced against Sacco. Thus the Plymouth trial and conviction explains the Dedham trial and conviction. With the above consideration and explanations, my outline of the Plymouth trial comes to its end.

THE ACTUAL CONDITION AND PROSPECT

We are now waiting for the decision of the State Supreme Court. As you know, the appeal to such a Court was presented and discussed by Mr. William G. Thompson, a man and a Jurist of great reputation. Both his oral and written arguments and documents on the case, are monuments of human acumen and of judicial science. With such a man as our defender, we have reason to hope for a victory. Of course if the decision of the State Supreme Court will be negative, we are lost. If it will grant a new trial we will have to fight, and the victory will free Sacco at once. But for me, there will still remain the Plymouth sentence, from 12 to 15 years of imprisonment. Having already been six years in prison, I have but two more years before a parole, six years for my minimum and nine for the maximum. I know that this six years of passion have reduced me. I am treated as a derelict, as if not a soul or not a cent were raised in my behalf. Another few years of such regime and I will be a human wreck. I do not want and I could not do another 6 or 9 years of prison for a crime that I have not committed. And I have been punished once, so they can deny me the parole. Anyhow I will try not to meet the fate of our Ricardo Florence Magon. For of what good would liberty be to me when I would be reduced to a larva of a man? Yet I hope that things will turn differently, especially because we have still the solidarity of the comrades and of many workers and friends. It saved our life, it will free us; this is my presentiment. Mr. Thompson is interested also in the first trial and will fight for it too. It seems to me that the above said words about the condition and the treatment to which I am subjected, are obscure and very apt to cause misunderstanding on the subject. To avoid such a danger, I will try to be more clear and definite about this. I am not ill treated by the personnel as a whole: some hate, despise and would like to abuse me. But I and others do not permit it, and I am treated well by most of them. But I have bad work in a place filled with gas and the smell of paint, and have had one of the smallest rooms in the plant but lately I have been transferred to a better cell.

Just think, 7 hours in a gassy shop, 40 minutes in a overcrowded smoky, dusty yard, 16 hours in a small cell, which has free space 8 feet long and one foot 10 inches wide. Such is my daily routine except the days of the Lord when I must stay from 21 to 23 hours a day in my cage. Is not this more than enough to kill a mule, in a few short years? Till now I did nothing about it because my conviction was that we would not have a new trial. I would have refused the probable commutation of sentence and chosen the electric chair to life imprisonment. So I did not care if I lost my health since I expected to be killed soon. But if things turn differently, I will not undergo passively and silently, a slow assassination. For what I have seen, undergone, and understood, permits me to believe and to say that they some how intend to squeeze the life out of me so that, if forced to free me, they would only release a shadow of a man.

Now also in Sacco's name, of whom I am sure to voice the sentiment, I send to the Mexican comrades, workers, and friends, our augural salute.

Yours with a great heart,

BARTOLOMEO VANZETTI.

P. S. — The Supreme Court decision was against us and that is lost. It was but a delusion—the hope of a new trial for the Supreme Court. I wrote while affected by the general optimism of our friends—but at the first delay in answering I knew what the Supreme Court would decide. I understood my doom and decided to begin a hunger strikes on the first of May, but my friends dissuaded me until I yielded. The electric chair will probably end it all, but before they murder me I will write my entire testament.