



10

STATE OF MAINE

OFFICE OF SECRETARY OF STATE

I hereby certify that it appears by the records of this office,
that MILDRED L. HUMPHREY of AUGUSTA
in the County of Kennebec was on the
third day of June A. D. 1921,
appointed and commissioned, and on the ninth day of
June A. D. 1921, qualified as a Notary Public within

and for the State for the term of seven years;
that he is by law authorized to take deposi-
tions, administer oaths, and take acknowledg-
ments of deeds; that he continues to hold said
office and that to his acts and attestations full
faith and credit are and ought to be given in

and out of court.

I further certify that I am well
acquainted with the signature of
Mildred L. Humphrey and verily

believe that the signatures attached to the annexed certificates are genuine
In Testimony Whereof, I have caused the seal of the State to be hereunto affixed.

*GIVEN under my hand at Augusta, this seventeenth day of July
in the year of our Lord one thousand nine hundred and twenty-two
and in the one hundred and forty-seventh year of the Independence
of the United States of America.*

Edgar C. Smith
DEPUTY Secretary of State.

State of Maine,
County of Kennebec, s.s.

Ethel W. Lee, being before duly sworn under oath, deposes and says: that she is now a Deputy Sheriff, duly qualified, in the County of Kennebec, State of Maine. That on the evening of July 12, 1922, she was called upon by one Fred H. Moore, and requested by said Moore to be present with him at the time the said Moore interviewed a person at that time unknown to the affiant, but who the affiant soon learned is one Erastus C. Whitney, alias C. E. Goodridge, alias C. E. Willis.

That in accordance with said request of said Moore, the affiant together with Marjorie L. Lee, proceeded to the vicinity of the town of Vassalboro, County of Kennebec, State of Maine, and there called upon said Erastus C. Whitney. That in the beginning of the conversation the said Moore used the name of "Mr. Goodridge" in introducing the affiant to the said Whitney, but thereafter the name "Whitney" was used.

That there was present during the entire interview, the said Marjorie L. Lee, who took shorthand notes of the questions propounded to the said Whitney by said Moore, and of the answers given by said Whitney to the questions so propounded by said Moore.

That the affiant has read the attached transcript of said stenographic notes as made by said Marjorie L. Lee. That the same appears to be and is to the best of affiant's knowledge and belief, a true and correct transcript of each and all questions propounded and answers given in the course of said interview.

That in the course of said interview, the said Whitney admitted that his true and only name was Erastus Corning Whitney; that he was convicted and served time in the State of New York on two different occasions, one in the Elmira Reformatory and the other in the Auburn State Penitentiary; that he knew that he was a fugitive from justice on an indictment returned in Livingston County of said State of New York; that he had left New York with knowledge of the said pending indictment, and had subsequently used, during part of the time of his absence from said State of New York, the name of Willis; that he lived and was living in the State of Maine under the name of C. C. Goodridge, and that in truth and fact, his true and correct name was and is, Erastus Corning Whitney.

That the said Whitney assumed that the purpose of the affiant's calling upon him was to arrest him as a fugitive from justice on the New York indictment and stated in substance and fact that he knew he was wanted in the State of New York and that he would waive extradition to said state, and indicated his entire willingness to surrender to the affiant and await a warrant from New York authorities, and that thereupon he came with the affiant to the City of Augusta, County of Kennebec, State of Maine, and there surrendered himself to the municipal authorities of the City of Augusta, County of Kennebec, State of Maine.

That the affiant has no interest in the outcome of any litigation involved in the matters and things referred to in said transcript hereunto set forth.

That each of the answers given to the questions propounded were, to the best of affiant's knowledge and belief, given freely, voluntarily, and without fear of intimidation.

Ethel M. Lee

Subscribed and sworn
to before me, this 17th day
of July, 1922.

W. Edred L. Humphrey

Notary Public.
State of Maine
County of Kennebec.

Stenographic Report of Conversation between F. H. Moore and Whitney
(Goodrich) the evening of July 12, 1922.

Questions by Moore:

How long have you lived in this district?

A. About a year. Since the 4th of August.

Q. Have you ever seen that picture that I mark with an "A"?

A. (After hesitation) Light's rather poor, isn't it? No, I don't remember of ever seeing that picture. No, that picture's a strange one to me.

Q. (Producing photo) Do you know that?

A. Yes. This picture is my picture.

Q. This was taken in the town of Pittsfield, Mass.?

A. Yes.

Q. Do you recognize that picture? (Producing another photo)

A. Yes. That's a half sister of mine.

Q. Her name is Beaver now? A. Yes.

Q. What was her maiden name?

A. Whitney.

Q. What was your name?

A. Whitney.

Q. You're not "Goodridge"?

A. No, sir.

Q. Edward C. Whitney, is it?

A. Yes. I went by that name.

Q. What is your real name?

A. Erastus C. Whitney.

Q. This is your photograph taken when you were serving as A4732 in the penitentiary at Auburn?

A. Yes.

Q. Your only name legally is Erastus C. Whitney?

A. Yes, sir.

Q. That is correct is it? A. Yes, sir.

Q. If you have ever testified that your name was Goodridge, you have testified falsely have you?

A. Well, it wasn't exactly the truth. Of course I got mixed up with a woman matter---

Q. At any rate, your only name is Erastus C.; father, Theodore; mother, Rebecca Hollenbeck; birthplace, Catskill, N.Y.?

A. No Athens, N. Y., not Catskill; about all the same place though.

Q. That is your photograph when serving time at Elmira?

A. Yes.

Q. You were convicted down there under the name of Erastus Corning Whitney, living at Cohocton?

A. Yes.

Q. You were convicted in Steuben County, Genessee County, and later at Elmira.

A. No, Elmira first. Genessee County next.

Q. Then there was another indictment against you.

A. I don't know whether it was returned.

Q. Didn't you receive and have correspondence with your sister with reference to her settling that?

A. No, I never did. It was done through Mrs. Grace Best.

Q. Your next to last wife?

A. I married her afterwards.

A. You married her in Rhode Island under your own name, but in Vermont under a false name. When you swore in the application for a marriage license in Vermont, that you were born in Clairmont, Va., you sore falsely did you?

A. I dont think I swore to that. I wouldn't say positive that I swore to it either way.

Q. You would recognize your own hand writing?

A. Yes, sir.

Q. Is that your signature.

A. That's my signature.

Q. C. C. Goodrich, Nov. 16, etc., Your signature is it?

A. Yes.

Q. A perjured statement wasn't it?

A. Well, yes, practically. Q. Be frank! A. Yes, it was.

Q. You're the same Whitney named in these two indictments, upon which you were onvicted in Chemung Cohnnty for stealing two gold watches, the property of F. B. Benalstine.

A. Yes, the same one.

Q. F. B. Benalstine if your cousin?

A. Yes.

Q. You are the same Whitney named in this indictment I am showing you?

A. The same Whitney.

Q. For both of these indictments you have already served time.

Q. You are also the same Erastus C. Whitney who is charged in this indictment with grand larceny from one James Keenan of Livingston County. The same man?

A. I didn't know the fellow's name, what date is that?

Q. April 1911.

A. Yes.

Q. Now that is the indictment that you beat it out of the State of New York on.

A. Yes.

Q. That is the time that you took Harriet Sullivan out of the State with you.

A. I went to Montpelier and she followed me.

Q. You lived there for some time?

A. One year and three months, I think.

Q. Then you went down to Lee and South Lee and that district.

A. Yes.

Q. You lived in the state of Vermont under the name of Willis?

A. Yes.

Q. When you went into Massachusetts, you lived under the name of Willis?

A. Yes.

Q. C. E. Willis, and had a fellow with you by the name of Clint Wrightman.

A. Yes.

Q. And there was an arson matter?

A. No, never no arson matter.

Q. There was a fire? A. Yes, sir.

Q. You have carried on some correspondence about the matter?

A. For the simple reason that I heard the insurance papers burned. I went to Utica.

Q. You have never served under this last and pending indictment?

A. No, sir. Hoped I never would, but (smiling) guess I will alright. I know how this come out. It was a woman.

Q. I might tell you that I know your history fairly well. I want to say that this history has nothing to do with a lady in this state.

Q. I want to call your attention to this life insurance policy. This is signed under the name of C. E. Goodridge. Is that yours?

A. (After careful scrutiny) No. That was signed by Grace M. Goodridge.

Q. This is certified as having been signed by you.

A. No I never signed that name Goodrich that way. I sign it with what you might call a double "E".

Q. (Showing other signatures) Is that yours?

A. Yes.

Q. You left New York in connection with this indictment you were not convicted on.

A. Yes.

Q. You left nearly caught?

A. Yes.

Q. Disguised yourself by growing a beard, wearing glasses, etc.?

A. No. I didn't wear glasses till after I injured my eyes.

Q. You changed your name?

A. Yes.

Q. You have never used the name Whitney since you left New York.

A. Oh, yes. I used that name when I was married in Warren, R. I.

Q. Subsequently married under the name of Goodrich?

A. Yes, but that was for another reason.

Q. The woman referred to in this letter of Sept. 1914, is Harriett Sullivan?

A. No, I never had no correspondence with her.

Q. (Reading from letter) "You know the papers said I took a woman with me. I did not." When the papers were looking for you, you were laughing. Were they looking for you under the terms of the indictment?

A. Yes, I knew they were looking for me.

Q. The you have known ever since you left New York that you were a fugitive from justice?

A. Yes, sir.

Q. You knew that at the time you were arrested in Massachusetts.

A. I wasn't arrested in Massachusetts.

Q. You, I beg your pardon.

A. Oh, you mean that Manganaro deal?

Q. Yes. You knew at that time that you were a fugitive from New York under the name of Whitney?

A. Yes.

Q. Did you ever tell the District Attorney of Norfolk County that your name was Whitney?

A. No.

Q. Did you ever talk with any one of the District Attorney's office?

A. No, sir. I never talked with them.

Q. Did your counsel know about your name and record?

A. No.

Q. Who was your lawyer?

A. John McKay.

Q. Did he know your name was Whitney?

A. No.

Q. Did any of them know. A. No.

Q. That envelope addressed to the Sheriff was written at the time you were trying to get an adjustment with Haggerty at Hemlock.

A. Well that was done through my sister, Grace.

Q. In other words, Grace was trying to clean up your troubles.

A. I told her the truth and she wanted to know if I had settled, and afterwards advised me not to settle it.

Q. (Reading excerpt from letter, admitted to have been written by Whitney) "Tell M if any one inquires about the deal to know nothing, as it would bring me in the limelight."

Q. This little book is all your hand writing?

A. Yes.

Q. And these letters? Some are addressed "Mrs. Goodrich," others "Mrs. Wheat" but all are from you. No question.

A. Yes.

Q. Your first wife secured a divorce against you on the ground of adultery among other reasons.

A. Yes.

Q. That was secured under the name of Whitney?

A. Yes.

Q. Do you remember writing this letter to Williams?

A. Yes.

Q. You remember that letter being written from Auburn?

A. Yes.

Q. You remember getting a reply from him later? He in that same connection send a letter to the Chief of Police of Jamestown. When you got to Jamestown with Harriett Sullivan on that last job, you sent some postal cards out to St. Louis, Mo. in an envelope with instructions to re-address them?

A. I dont remember whether I did, or Harriett did.

Q. It was done?

A. Yes.

Q. They were inclosed in an envelope with instructions for the post master to mail them there to the people addressed, so that they would bear a St. Louis post mark.

A. I think those were only sent to her aunt.

Q. However, they were sent to the postmaster there to cover up. So that even before you left New York you were preparing to get away and providing a method to mislead authorities as to your whereabouts.

A. Yes.

Q. You remember signing a lease with Cottle on property in Buffalo?

A. Yes.

Q. Did you ever live in the state of Virginia?

A. Just a short time.

Q. Have you ever lived at Claremont?

A. No.

Q. Your native state is New York. Any claim that you made that your birthplace was Claremont, Va., is false.

A. Yes, false, no question about it.

Q. Whitney, you have been at times rather careless with reference to the truth.

A. Don't know but I have. Quite a lot.

Q. What is your standard anyway?

A. Well, I'll be frank with you. It makes a difference. Here's the idea. In the game one lie leads to another. You cover one thing with another, and its a long game.

Q. You have been lying for so many years you could not tell the truth from the false now.

A. Oh, well, no I dont think that.

Q. Was Grace Mary Radcliff your wife.

A. Yes.

Q. She was your fourth or fifth wife. You married her once in Vermont and once in Rhode Island.

Q. Let's just run through these names and see if they are all people that you know.

W. B. Small, Sheriff, ordered you out of town.

A. Yes.

Q. Charles A. W. Williams at Genessee County. A. Yes.

Q. Mrs. Harriett M. Whitney. A. Yes.

Q. Edmund P. Cottle, landlord once at Buffalo. A. Yes.

Q. Frank J. Carter (?) Deputy Sheriff. A. Yes.

Q. Charles Burns, Buffalo, had charge of you in connection with work.

A. No, never had charge of me.

Q. Didn't you dirve for him.

A. No, never drove for that company. I worked at their barns.

Q. Didn't you drive on their milk truck.

A. Oh, yes, I drove a week.

Q. And the reason for the change was that Commissary department of the N. Y. Central and Hooper Candy Co. both kicked and wouldn't stand for your employment.

A. I didn't know that.

Q. At any rate, you were taken off. A. Yes.

Q. Fred Parker? A. Yes.

Q. You sold him some horses, he gave you a job; then you put up a hardluck story, got \$35.00, used that money and stole another horse.

A. I never got no money that he didn't owe me.

Q. Did you go over to Cohocton.

A. Yes.

Q. George S. Stroh? Worked and stole a horse from him.

A. No, didn't steal any horse.

Q. John H. Mower. A. Yes.

Q. Henry C. Pierce? A. Yes.

Q. R. W. Lander? A. Yes.

Q. Frank W. Bush? A. Yes.

Q. Allen T. Hoxter? A. Yes.

Q. Frank A. Peck? A. Yes.

Q. A. D. Pierce? A. Yes.

Q. C. L. Shattuck? A. Yes.

Q. They all know you? A. Yes.

Q. John R. Wheaton. A. He is an Uncle of Minnie Wheaton.

Q. S. B. Hoxter. A. Yes.

Q. F. B. Beecher. A. Yes.

Q. Chas. B. Stoddard? A. Yes.

Q. Stole a horse from him.

A. Yes.

Q. Minnie Wheaton? First wife? A. Yes.

Q. E. L. Bloom. A. Yes.

Q. The probation officers in Massachusetts don't know where you are now do they?

A. Yes.

Q. How long ago?

A. I advised them about a month ago.

Q. You wrote to a district attorney?

A. Yes.

Q. Did you tell the district attorney in your correspondence with him that you had had this case in the state of New York.

A. No.

Q. What as your occasion for corresponding with the district attorney within thirty days? Which one of the district attorneys was it?

A. Fred G. Katzmann.

Q. What did you write to him about ?

A. About my probation.

Q. Did he write to you?

A. No.

Q. Did you write to him in response to a letter, or just on your own idea and effort?

A. No just on my own effort.

Q. You never had a letter from him?

A. No, he never answered it at all.

Q. What did you write to him about?

A. I wanted to find how I stood there.

Q. What did he have to do with it?

A. Why, I thought he might have something.

Q. Is he the one who recommended your probation?

A. I dont know who did. I dont know how they fixed it.

Q. You say you left the matter of probation to J. McKay?

A. He said he would fight for it when I went for trial.

Q. You decided to plead guilty. We had so many consultations there, you didn't want to be up before the jury. At any rate you decided to follow the advice of your lawyer, and he advised you to plead guilty. You told him the facts in connection?

A. Yes.

Q. He entered the plea of guilty having in mind full facts?

A. Yes.

Q. On what date were you arrested?

A. I don't know as I could tell exactly.

Q. The 26th or 27th of May?

A. Yes.

Q. ~~The~~ How long a time passed before you entered your plea of guilty?

A. Not until the High ~~Sc~~ Court met. I was arrested in May and they had the case tried in the District Court, and I was discharged and they arrested me again that night and the next day Mr. McKay advised me to put it to the High Court. I did, and the case came off in October.

Q. You ~~pleaded~~-in September, didn't you.
 appealed

A. I didn't go down until October. I may be mistaken, but I guess it was the last of-----I made my first report to the Probation officer in

Q. Did you talk with Mr. Williams at any time?

A. No, I never saw Mr. Williams. Never said a word to him. Never talked with Mr. Katzmann. I didn't know one from the other.

Q. On the day that you were arraigned there were certain things happened, I believe.

A. I don't know what you mean.

Q. On the day that you were arraigned, you subsequently claimed you saw someone that you had previously seen.

A. No. The day I was arraigned I didn't see nobody except my attorney. I saw him talking to friends. I didn't see the district attorney. I never knew the district attorney until the following May or July.

A. When the Sacco trial came up, I see the district attorney and talked with him. I was a witness.

Q. Was that the first time you had seen him?

A. First time.

Q. Did you go to see him yourself?

A. No, sir.

Q. Did he come to see you?

A. He chased me all that Fall and Winter.

Q. Who chased you?

A. Why, Williams, the first time he came to see me; then a young fellow by the name of Brouillard, somewhere in September I should say.

Q. Before or after you were arraigned?

A. Very first of September, two or three weeks before I was arraigned.

Q. Then you saw them afterward?

A. Yes, I saw the young fellow again. He is the state officer from Brockton. I can't just think of his name.

Q. Was it Stewart?

A. Yes. I had a letter from him.

Q. Did you call him Mike?

A. Well I never was acquainted with him enough for that. I don't know that his first name was that, but I remember his name as being Stewart.

Q. You think you have the letter?

A. I think so. He wrote me telling me to be at home at such an hour.

Q. About what time was that?

A. I couldn't tell you exactly, but seems to me it was in January. I told my wife if he wanted to see me to come to where I was working, I couldn't bother to wait around for him.

Q. At that time, that was in the late winter or fall of 1920 and Spring 1921?

A. I'm pretty sure it was in January.

Q. When he came to see you at the Fresh Pond what did you tell him?

A. I don't remember what I told him.

Q. You have some idea.

A. I told him same as I always told him, that I didn't know anything about the deal.

Q. What else did you tell him?

A. I think that is all I told him. That day he wanted me to go---

Q. Did you tell him anything that wasn't the truth at that time?

A. I kept just as far away from the trouble as I could. He came the second time, to get me to go down to Dedham to identify Sacco. I says there's no use of my going there. I had seen the man and that is all there is to it. No use to take me there again.

Q. What did you tell him besides that you saw him.

A. "NoUse" that's all I told him.

Q. What did he ask you?

A. He said he was glad he didn't have to take the trip down there.

Q. Did he ask you where you had seen this man.

A. He asked me a good many questions, but I evaded them. I lied; told him anything I wanted to to get rid of him.

Q. Did you evade, or lie?

A. I lied a lot. I lied when I told him I didn't know anything about it. I pretty near knew something about it.

Q. There are three very reputable people, who certainly haven't served jail sentences, who differ; but I don't pretend to know anything about the actual facts, but want to know what you had said.

A. Just what I swore to down there.

Q. What reasons did you have for making no statement for six months ~~Why the change? - then suddenly after this lapse of time, made a statement~~ or nine months, then suddenly after this lapse of time, made a statement? Why the change? You tell me now that from along the latter part of August or early September, until the winter months of 1920 and 21, you had falsified, avoided, and evaded, making no statement whatever to Stewart, to Brouillard, or any other representative of the attorney's office.

A. Yes.

Q. Then you tell me that along in July you decided to make a statement that you did make.

A. There was no quick move about it.

Q. When you went to see Katz was the first time?

A. I saw Williams. First. I knew the case was on three weeks.

Q. Where did you talk to Williams?

A. Right in the Court House.

Q. Who brought you there?

A. They telephoned up to Cambridge. When I got home a cop was standing in the doorway. He says, "The district attorney wants you there at 9.15 in his office. He wants to see you." I says, "Have I got to go?" and he says, "Yes."

Q. Did he bring a subpoena for you?

A. I suppose so. I didn't get no subpoena handed to me.

Q. You went freely then?

A. Well I wouldn't hesitate a whole lot if an officer says to me, "Be in court such a morning."

Q. What officer was it?

A. A Cambridge officer from Police Dept. The Central Station used to be in East Cambridge. I lived right on Cottage St.

Q. At any rate, you went down in response to that demand. There was no letter or anything but a verbal command.

A. No. I went to the Court House and they wouldn't let me in. I said "Alright." They said the court opened at ten o'clock, so I went off and went back about ten minutes of ten. Up come a fellow, Loring or Scott.

Q. You had talked with Scott before?

A. No, never talked to him.

Q. Didn't he come to your house on Cottage Ave.?

A. No, Scott never came to my house.

Q. Didn't he come to your house and show you a picture?

A. No. First time I knew Scott was when he arrested me. Brouillard and Stewart brought the pictures.

Q. The first time you have made any identification to anybody was when you talked to Williams in July?

A. Oh, No. The first identification I made was to a woman. When Sacco's picture came out in the paper, I took it out to a girl named Lottie Packard.

Q. You knew Lottie?

A. I used to know her. She was in the store quite a lot.

Q. You told her that you identified him?

A. I says to Lottie, "Whose picture is that?" and she called him by name. I had the paper folded so that she couldn't see nothing but the picture. "I used to work with him in a factory." I says, "That's the fellow hat was in the gang down here." I told Lottie never to say anything about it. I never told anybody but my wife.

Q. Who do you mean "wife"?

A. My present wife up here.

Q. Where were you married to her?

A. In Nova Scotia, Halifax.

Q. What was her Maiden name?

A. Rose, Margaret Rose.

Q. What month were you married?

A. Month of July. July 6, 1919.

Q. Is that a statement of fact?

A. Yes, sir.

13.

Q. You claim to have told her that?

A. Yes, only once I guess.

Q. Did you tell Scott?

A. No.

Q. Did you tell Brouillard?

A. No.

Q. Did you tell Stewart?

A. No.

Q. You didn't tell any of the district attorney's office?

A. No.

Q. None of the police investigators?

A. No.

Q. Kept your mouth shut ~~see~~ except to Lottie and your wife until you talked with Williams in July 1921.

A. Yes.

Q. You and Scott and Brouillard and Stewart were not unfriendly?

A. I never knew them well.

Q. Just as they called on you?

A. Brouillard called twice.

Q. What for?

A. Just to talk to me. He wanted me to get to say one way or the other.

Q. But you wouldn't say one way or the other?

A. I told him I didn't want to get mixed up.

Q. What did Williams say?

A. I didn't tell Williams anything.

Q. Did you tell Williams you wouldn't tell him anything?

A. I told him he might as well let me go home.

Q. Your knowledge of trial cases makes you know that no lawyer is going to put a man on the stand under those conditions.

A. That is how he put me on.

Q. You dont want me to think--You said you wanted to pay your price. I found you tonight engaged in singing hallelujahs in devine worship. You are either a man who is 100% consistent or else you are something else. Talk to me on a white man s basis. Now start to put something over that is logical.

A. No, I'm telling you-----

Q. My name is Moore.

A. I knew it--a lawyer. Glad to meet you. I've heard of you from San Francisco to Maine. (Shakes hands)

Q. You're either a consistent man or an inconsistent one. You certainly didn't go that day for five minutes before the witness stand and leave Williams in uncertainty.

A. Couldn't you told that, as a lawyer, when he began to talk? Couldn't you tell it?

Q. No, I couldn't.

A. Well, MacKay and Erny could.

Q. The point is that no man is going to put a man on with total uncertainty as to what he is going to testify. From what you have told me of your past life, you have been, to say the least, loose with reference to the truth. You tell me that you evaded and lied and did everything else for a period of six or nine months with these fellows. What was the reason for your evading and lying for nine months?

A. I didn't want anything to do with the case. I am going to give you something straight. I don't know whether you will believe it or not. I am afraid as death of an Italian.

Q. The facts are you got cut up some in Buffalo.

A. Yes, I got cut bad.

Q. You have a very intense hatred for them?

A. No, not exactly, I don't have hatred for anybody.

Q. What was the scrap?

A. I was working for the Buffalo Milk Company, and we used to shoot craps.

Q. Who was the fellow who cut you up?

A. I don't just know his name.

Q. There was an arrest?

A. No, not that I know of. They was looking for me.

Q. Why?

A. The shape I left him in.

Q. Did you cut him?

A. No, not at all.

Q. It was over a matter of money?

A. No, not a money matter. We used to get in a box car to shoot craps. This gang of Italians got to coming there, and when they got to coming there the cops got to coming there. I told a milk fellow to fire them out.

Q. What was the name of the fellow that cut you?

A. Something like Gallalispie. I got his dagger at the house. Kept it for a souvenir.

Q. What did that have to do with your evading and lying to the district attorney's officers?

A. Well, there were a good many remarks. I remember they brought somebody up from Brocton. Made a miserable thing out of it. I heard a remark from one Italian to another Italian, Lewi, the shoemaker, "You want to keep your nose out of this."

Q. What did Williams do to remove that?

A. He didn't do anything. He told me that a man was a darned poor American citizen that wouldn't go on the stand and tell the truth.

Q. Have you corresponded with Williams since?

A. No, sir.

Q. What was the character of the argument that smoked you out of nine months of silence. A man must have some peculiar power that can smoke you out.

A. I don't know, exactly.

Q. You want to see something tangible when you deliver?

A. Yes, on some things.

Q. What did he deliver or promise to deliver?

A. Nothing.

Q. What did he deliver?

A. He didn't deliver anything as I know of.

Q. What did he tell you that prompted you to come out?

A. Why I don't know. There was so darned many talked to me. Williams went into the District Attorney's office and come out, and the next thing I knew I heard my name called from the court room.

Q. Williams examined you?

A. Yes.

Q. You haven't any explanation to give to me of why you didn't tell.

A. Yes. They said they had some pictures and when I looked them over I said I had nothing to say about the case.

Q. Why did he continue with you?

A. That is what I don't know.

Q. Why didn't you tell him you didn't care to see him any more. You were a free man. There was nothing binding was there?

A. No, nothing binding as I know of.

Q. They why did you play along?

A. I didn't play along. I didn't chase them.

Q. Why didn't you tell Scott?

A. The only fellow I have said anything to was Manganaro. He said it was best to keep still.

Q. You never told Manganaro you had seen the pictures. Did Manganaro testify you went there and didn't see the shooting?

A. I don't know what Manganaro swore to.

Q. Why was it that the day after the arraignment, if you hadn't told anybody, that was in Sept., why was it you kept silent until the following July?

A. As I say, I wouldn't have anything to do with it.

16.

A.

Q. What made you decide to have something to do with it?

A. I don't know what I could tell you on that.

Q. It is simply this. You have already told me tonight that you have lied 10,000 times on as many things.

A. That is the truth.

Q. You have changed names for escape from justice; you now tell me that you want to start life again. If that is true you can tell me the entire story.

A. There is no story as I know of.

Q. No explanation for your silence; for your sudden decision to talk after waiting nine months?

A. Nothing, as I know of exactly.

Q. You have got some ideas in your mind Whitney.

A. I know one thing. I wish to God I never had been in that part of the country. (After some thought) Well, Mr. Moore, I don't know what you have reference to.

Q. I am referring to the matter that you suddenly decided to talk. You hadn't told anybody before.

A. No, I never told anybody at just that time it happened. Managaro said, the less you know about it, the better you're off. I said, "Don't know nothing about it and don't want to know nothing about it."

Q. What was the subject matter of your letter to Katzmman within a month?

A. I just wrote and asked him if the probation had been raised.

Q. What did Williams tell you about your probation?

A. Not a thing. Never mentioned it.

Q. What did MacKay tell you? Who did he make arrangements with for your probation?

A. I don't know.

Q. By what judge were you given probation.

A. Hall, I think his name was.

Q. Who recommended the probation.

A. Quite a few.

Q. Which one of the district attorneys?

A. I think that Adams from Quincy.

Q. Did he recommend probation for you?

A. I told you it is just as much a blank to me as can be. I didn't hear the talk. The judge, district attorney, and MacKay went out and had conversation. Finally MacKay came back and said "go to trial" Then the Judge took a hand.

Q. When this man was brought into court and arraigned at the same time you were arraigned, did you tell MacKay that he was the fellow that you had identified?

A. No. I kept shut.

17.

Q. You had already been interviewed, previously to Sept.?

A. No. Just once.

Q. You were interviewed a good many times afterward and you never told any of the people who interviewed you, and never told them you identified the photograph in the newspaper?

A. No.

Q. Is your feeling toward Italians one of hatred or fear?

A. I have no hatred. I have fear.

Q. What did Williams do that removed the fear?

A. It was fear that kept my mouth shut. I would rather have done anything.

Q. Was it fear that made you run away from New York State?

Was it fear that made you change your name?

Was it fear that made you swear that you were born in Virginia?

Was it fear that made you lie?

A. No, not all of hem.

Q. You have committed perjury because of fear?

A. Yes, some times.

Q. You have no further explanation? Nothing further you want to tell me? Two men face the chair. You have no interest in that?

A. Sometimes I have wondered and wondered if I am exactly positive.

Q. What if you sat on the jury?

A. I wouldn't set on a jury.

Q. Would you send a man to the chair on a statement of a man of your calibre?

A. No, sir.

Q. Why do you say now that you have a doubt as to whether that is the man you saw?

A. Can you be positive? Could I be positive if I passed you?

Q. I don't want to argue. I am not here to persuade you to say anything. As you have respect for God, are you honestly and firmly convinced that you testified the truth?

A. I will tell you. I think I testified to the truth to the best of my ability, and its a pretty hard proposition.

Q. I am asking you, s your conscience clear?

A. Sometimes I dont think it is.

Q. Do you mean that your conscience---

A. Sometimes I have sat and thought of it a good many times.

Q. Mrs Lee is Deputy Sheriff of this county. It so happens that she is here ~~tengi-~~ tonight with full knowledge of all these facts. I want you to tell her whether or not you believe that your testimony was the truth, and whether or not you think that a man's life ought to be taken on that testimony?

A. I don't think anybody ought to take life.

Q. That is an abstract problem. The law demands that human life be taken if a man is guilty. Can you conscientiously say that, between yourself and your God, that this particular man should die on your statement?

A. No, I should not think he ought to. No, he should not die on my statement.

Q. When you say that, isn't it the fact that the reason is because you know deep inside of you that you did not see that boy that day with a gun in his hand.

A. Well, I will tell you. This is what sticks me so much. I am going to tell you frankly.

Q. Realize that a human life; a man with two babies and a wife is at stake. You know that you have been mighty careless with truth in your life time. I want ~~te~~ you to tell me whether you were careless with the truth then.

A. I didn't calculate to be in that matter. But afterwards a good many times since, I have thought that I am not positive. I am not positive that if I would have to swear that that man was the one, I could positively identify him as the man.

Q. Why did you tell the jury?

A. I thought I was so sure of it. No influence was ever hinted at by any one of them. It was straight conscientious business. They never mentioned any inducement to me.

Q. They why?

A. I thought I was positive.

Q. What makes you uncertain since?

A. My conscience I guess. I have thought many, many times.

Q. Do you feel so in doubt in this matter that you are willing to state under oath that you cannot be certain and that you are not positive.

A. Well, I don't think I could do you any good anyway.

Q. I have two alternatives. I know you're married. I don't know how much your wife knows. Are you willing to attempt to clarify your mistake? You have gone through life making a lot of mistakes.

A. Yes, I think anybody does.

Q. You're not a young man any longer. It is a question of whether you want to really clarify it.

A. As I say, it wouldn't be of any use to you, but if I could do anything to help you why I would do it.

Q. Are you willing to come down, or, by the way. Do you have any feeling at all. I have spent some time and energy finding your history. The lady in question, against whom you have made criticism had it not been for her and her scruples, I would not have known anything about you. That woman knew you testified. She kept her mouth shut. She did go to her clergyman with her husband. He told her, "There's no reason to tell the entire story; the Lord will take care of these two men." She kept quiet. The men were convicted. Then again they held a family consultation and decided to wait

and see what the court would do. And again they held a family consultation and decided to save an innocent life. The time had come to move and there is no feeling of hostility, viciousness, or desire to hurt you, but there is a feeling that your testimony ought not to be the basis of taking any man's life, and you know better than anybody in ten states just why you did it, and you know that you ought not to constitute the basis of taking any man's life. All I want you to know is if you have any doubt or uncertainties in your mind you owe it to yourself.

A. No, I don't.

Q. Don't have what?

Q. Do I understand that you do have doubts and do have uncertainties.

A. (Tearfully) A good many times.

Q. Are you willing to go down and lay the cards on the table? You know darn well you had doubts and uncertainties for nine months, either that or you were driving a bargain.

A. No, I never drove no bargain.

Q. I will say that a district attorney--it wasn't up to you-- it was Williams that convinced you that you should identify. Williams argued, begged and fought with you to identify.

A. You know just how those things is yourself.

Q. Let me tell you this. If you can find a single man that can say I argued with him not to make an identification, you will have to go some.

A. He talked to me so much I was just about dead I guess.

Mr. Whitney was then taken to his home where he produced the letter from Stewart.

Q. When you saw Stewart at that time, you didn't tell him.

A. No, I told him as I always did.

Q. Did you tell Williams in this conversation that you could not be certain?

A. ~~Yes, only the once~~ I think I did the first time.

Q. The first time?

A. Yes, only the once I talked with him. And I told him then I couldn't be positive.

Q. What did he say then? What was it that Williams said to you that dissolved your uncertainty into certainty?

A. I don't know myself. I couldn't say.

Q. You have got a pretty definite idea, Mr. Goodridge, as to why you did it.

A. Why, I don't know, when I said I wasn't positive he said, "Why, you saw the man." I said, "Yes, I saw him on the train." He said, "He looked familiar?" "Why," I says, "he looked just exactly like the fellow." "H He says, "Are you positive?" and I says, "No." And that's what sticks me. I didn't say I was positive of it on the stand.

Q. Isn't it a fact, Whitney, that you were in that pool room and heard the shots and that you ran out and the car was going down the road way.

A. No, when I went out of the pool room the car was just going across the tracks. About as far as that tree. (Indicating nearby tree.)

Q. You didn't tell Williams that the boy you saw or the man in the car that he was the man that poked a gun at you.

A. I never saw Williams.

Q. I mean when you testified. Your testimony is this: "When did you next see this man?" "The day I was in court". You never told Williams or any one else that that was the man that you saw.

A. No, I didn't tell Steward that because---

Q. You didn't tell Williams that either. Isn't it a fact that the day that you were arraigned that you didn't identify anybody and the day that Sacco was arraigned? Lay the cards flat down.

A. I told nobody except my wife.

Q. Are you willing to let me go in and talk to your wife separately? Solely upon the matter of what you told her after you had been arraigned. First, I understand your statement is that you told her.

A. I wasn't arraigned. It was before my case came on. The jury went out on a case and then they called my case again and while they were out together they brought in these persons to be arraigned. And now you can find out from her.

Q. You told her you had seen the man who had poked a gun at you.

A. The very day I told her that Sacco was the man.

State of Maine,
County of Kennebec, s.s.

Marjorie L. Lee, being before duly sworn on oath, deposes and says:

that she is now and has been for some years past a resident of the city of Augusta, County of Kennebec, State of Maine, and is now employed in the Department of Education of the State of Maine with offices in the capitol building of said state.

that on the evening of July 12, the affiant, together with Ethel W. Lee, deputy sheriff of County of Kennebec, State of Maine, and one Fred H. Moore, called at the home in Kennebec County at or near the town of Vassalboro, of one Erastus C. Whitney, alias Carter Goodridge, alias C. E. Willis, and then and there interviewed the said Whitney. That the above and foregoing, consisting of pages one to twenty, inclusive, is a true and correct transcript of the questions asked of the said Whitney by said Moore, and the answers given by the said Whitney to the questions propounded by said Moore.

that the affiant has no interest in the matters and things referred to in said transcript, and is in no ways connected with any litigation in connection therewith, and has no interest in the outcome of said litigation.

that each and all of the answers as given by said Whitney and transcribed were, to the best of affiant's knowledge, information and belief, given freely and voluntarily without any intimidation of any kind or character whatsoever.

Marjorie L. Lee

Subscribed to and sworn to
before me this 17th day of July, 1922

Edw. L. Humphrey Notary

111

NOS. 5545 & 5546

///

~~111~~ COMMONWEALTH

VS

SACCO & VANZETTI

DEFENDANT'S AFFIDAVITS

OF

ETHEL W. LEE and

MARJORIE L. LEE

in support of

3rd Supplementary Motion

for new trial.

RECEIVED & FILED

OCT 24 1923

OFFICE OF CLERK OF COURTS
NORFOLK COUNTY.