

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

IN THE SUPERIOR COURT

Nos. 5545 and 5546.

Criminal Session

COMMONWEALTH OF MASSACHUSETTS

v.

NICOLA SACCO and BARTOLOMEO VANZETTI

AFFIDAVIT OF EDWARD J. MILLER.

My name is Edward J. Miller. On August 15, 1925, I was arrested and committed to the Dedham Jail, where I have been ever since on a charge of stealing an automobile while under the influence of liquor. On or about September 15, 1925, I pleaded guilty and was sentenced to one year in Jail. I am also on probation from the Suffolk Superior Court for another and similar offence.

I am a millwright by trade but am on the books of the Dedham Jail as a teamster because I have done some teaming.

I did not take the automobiles for sale or attempt to sell them, nor was it claimed that I did. I got drunk and wanted a ride, and took an automobile to ride in. I have not the reputation of being either a sneak or a liar.

After I was committed to this Jail I worked for six weeks in the shop and was then appointed as trusty or jail "runner", as it is called, and remained such from sometime in October, 1925, until June 18, 1926, when my job was taken away from me and I was kept in my room and have been since. My duty as trusty or "runner" was to answer calls from the desk and from the cells, and to take orders from the officers. There are always three officers on the floor of the Jail, two at the desk in the guardroom and one moving about.

I have never been intimate or chummy with Sacco since

I came here. He avoids the other prisoners and keeps by himself, and is not chummy with anybody so far as I know.

On November 18, 1925, while acting as trusty or runner, I got a "rap", as we call it, from the cell of Medeiros. I went there and he handed me a slip of paper and asked me to give it to Sacco. I read it. I cannot from memory give the exact wording of the paper, but it was a confession that he was in the South Braintree job and that Sacco and Vanzetti had nothing to do with it. It was a small, oblong piece of paper. At that time and at present Medeiros was confined in a cell on the ground floor or lower part of the Jail. On coming up the steps from this part of the Jail with the paper given me by Medeiros in my possession, I heard a rap from the other side of the Jail on tier No. 2 on the back, and went there before going to the cell of Sacco. The man in that cell, whose name I don't remember, handed me a magazine and asked me to give it to Sacco. I put the slip of paper given me by Medeiros between the leaves of the magazine handed me by the other man, and handed the magazine to Sacco and told him there was a note inside. This was in the afternoon.

A few minutes later I went to Sacco's cell and he was standing leaning against the wall trembling, with the paper in his hands sent to him by Medeiros, and tears in his eyes. He asked me "What is this". I said "Can't you read English". He said he would telephone his friend and get him to take the paper to Mr. Thompson.

Two or three days before November 18 Medeiros gave me a rap, which was a signal that he wanted something, and asked me to get him a piece of paper and an envelope, which I did. Shortly afterwards he rapped again and said "Give this to the desk". It was an envelope addressed to the Editor of the Boston American. I put it on the desk where Officer Curtis was sitting, and I saw Mr. Curtis pick it up and look at the

outside of it. I do not know what he did with it. <sup>know that I</sup> I had not <sup>so far as I can recall</sup> before that nor did I ever take to the cell of Medeiros any copy of any financial report of the Sacco-Vanzetti Defence Committee, as I understand Mr. Curtis has stated I did.

One day in the early part of June Mr. Curtis came to me and said,

"You came to me and said that Medeiros wanted to see the financial report of the Sacco Committee. I gave it to you and you gave it to Medeiros, and about thirty minutes later you handed it back to me with Medeiros' letter to the American."

I replied to Mr. Curtis, "I remember the letter but not the book; I don't recall the book at all". He said, "You think it over and see if you can't recall it". The same talk occurred between Mr. Curtis and me on two or three subsequent days.

On or about June 8, 1926, I think it was, State Officer Fleming and Mr. D. P. Ranney came to the Jail to see me. I sat down with Mr. Fleming at a table in the north part of the guardroom. Mr. Ranney was there for a moment, but afterwards left and went to the desk, and returned only at the very last part of the conversation I had with Mr. Fleming. Fleming said he was checking up the Sacco case, which had cost the State lots of money, and he would like to ask me a few questions. He remarked that murder was a terrible thing and ought to be punished, and I agreed with him. He asked me if Sacco ever asked me to tell Medeiros anything, and I said "Certainly not", and I said also that Sacco was not that kind of a man, and that he did not mingle or chum with anybody. Then Mr. Fleming asked me if I did not get a book from the desk the latter part of November to take to Medeiros. I said "No". I asked him to describe the book. I asked him if he meant the brief book with white covers on it which was here three or four months ago, and he said he did not mean that; that he meant an expense book of the Committee. Then I said I remembered no such book and had never given any such book to Medeiros. He said, "Mr. Curtis

says you did". I said to him "Mr. Curtis and I have thrashed that all out". Mr. Fleming then asked me my trade and I said a millwright, although I was recorded at the Jail as a teamster. He asked me how much more time I had to do, and how much "good time" I had got off, and I told him I had got off thirty-six days of good time if I didn't lose it, and that I would be out soon. I said "I can see how things are going". I said, "When I leave here and go to Boston I will have to serve in the Suffolk Jail, and they'll call me up for sentence there, and you will put my bail so high I can't raise it". He made no reply to this except to say that my Boston crime was pretty serious.

The conversation that occurred when Mr. Ranney came over at the end was, as I recollect it, simply Mr. Fleming telling Mr. Ranney what he had asked me and what my replies had been, and my saying again that I never carried any Sacco Committee expense book to Medeiros.

When my job was taken away from me on June 18 I asked Mr. Curtis what the trouble was, and he said that hollering had been going on at night in the east wing. I told him that I had nothing to do with it as I slept in the west wing. My work was taken away from me. I, however, still get my recreation of one hour a day, as do all the other prisoners. Several times since I have asked Mr. Curtis for the reason why my job was taken away from me, telling him that hollering had nothing to do with it. He said he would let me know bye and bye. He said it was the Sheriff and not he who took my job away. I have begged Mr. Curtis to tell me, and recently I said to him, "If you will tell me what the reason is why my job was taken away, maybe I can help you". This was on June 24, 1926. He said, "It is on account of this Sacco business". I said

"That has got nothing to do with me and I can't tell you anything more or different from what I have already told you, which is the truth". My room was shifted from the front to the back of the Jail, and Mr. Curtis said that was to get me out of sight. Another man now has my job as trusty.

Edward J. Miller

COMMONWEALTH OF MASSACHUSETTS

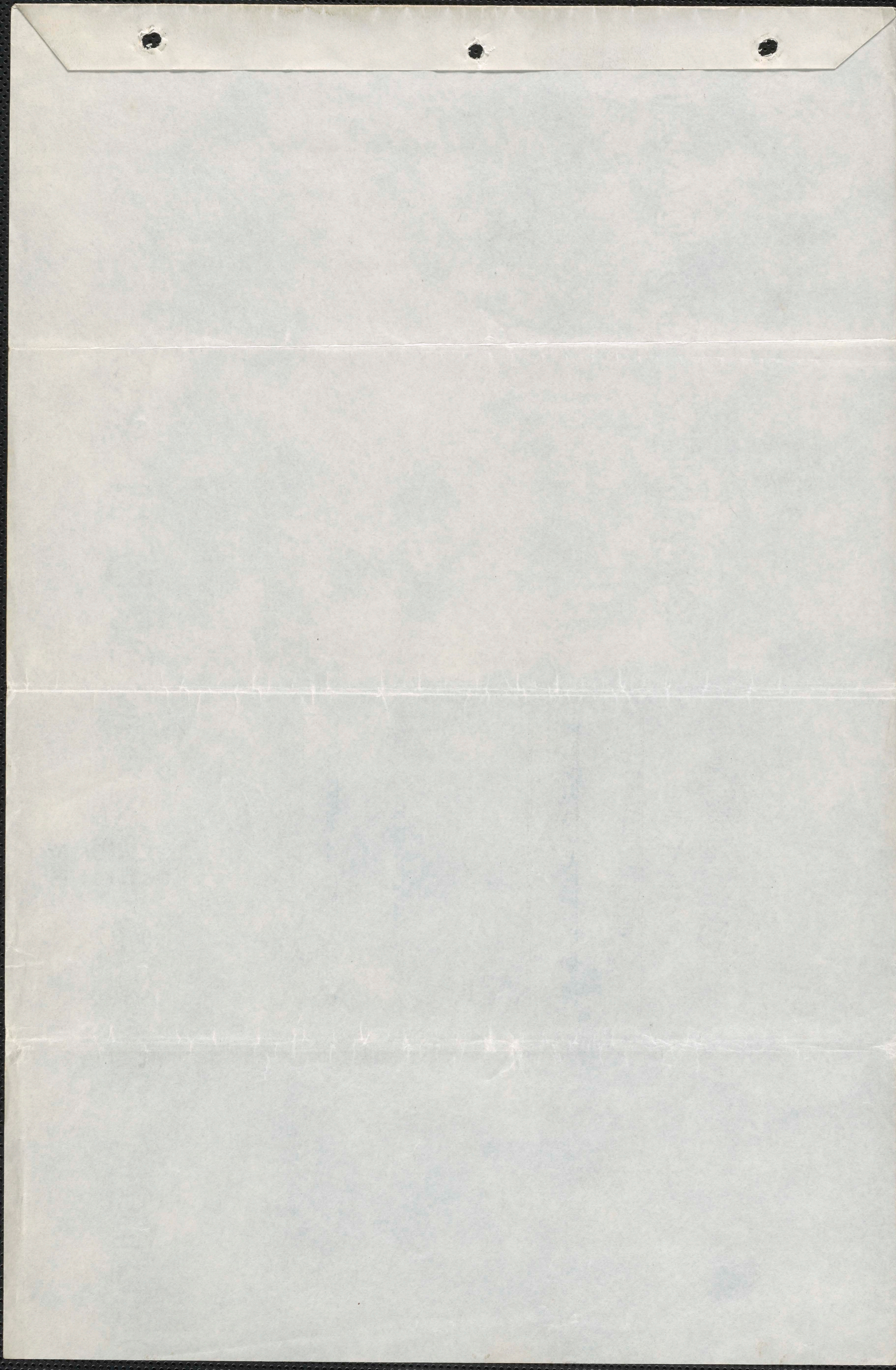
Norfolk, ss.

Dedham, June 28, 1926

Then personally appeared the above named Edward J. Miller and made oath that the foregoing statement subscribed by him is true. Before me,

*Wm. G. Thompson*  
Justice of the Peace.

*My Commission Expires March 3, 1927*



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