

COMMONWEALTH OF MASSACHUSETTS.

Norfolk, ss.

Superior Court.

COMMONWEALTH

v.

NICOLA SACCO.

Representations having been made in open court in regard to the mental condition of the said Nicola Sacco, more than three days have been consumed by the Court in hearing evidence ~~and arguments~~ ~~by counsel~~ upon this question. As a result of such hearing, and from all the evidence introduced before me, I find that said Nicola Sacco at the present time is in such mental condition that he should be committed to an institution for the insane for proper care and observation pending the determination of his ⁱⁿ sanity and under such limitations as this Court ~~could~~ ^{may} order at the present time or from time to time hereafter. Pursuant to this finding, the said Sacco is hereby ordered to be committed to the Bridgewater State Hospital, there to remain until the further order of this court.

This institution was selected for the reasons that at least three of the witnesses who are superintendents of state insane hospitals in this state recommended the court to commit said Sacco to said Bridgewater because it was for his best interests as well as those of the Commonwealth. I fully coincide with these views for the reasons given by them that he will receive the best of medical treatment there and it is the only hospital of the kind in this state

that has been constructed with the object of preventing escapes. The question of escape must be taken into consideration because there was evidence before me to the effect "that he would do his best to escape from any hospital to which he might be committed."

I have also taken into consideration the question of threatened suicide. So far as this matter is concerned, the evidence clearly established that if the defendant was determined to commit suicide he would commit it no matter to what hospital he was committed as he already had attempted at the Boston Psychopathic Hospital to which institution he had been previously committed for observation.

I also find that this court has authority from the record in this case and in the trial before the jury in this court and before me, to commit the said defendant to said Bridgewater hospital under Gen. Laws, ch. 278, s. 13 and chp. 123, sec. 100. The record and the evidence introduced at the trial established and tended to establish the following facts:

1st. An indictment by the grand jury for the county of Norfolk; *but no sentence has been imposed* 2nd, a finding of guilty of murder in the first degree by a jury upon the merits; 3rd, the admission by the defendant upon the witness stand that at the time of his arrest he had a Colt automatic pistol inside the waist band of the front part of his trousers which was fully loaded and that he had no authority or permit to carry the same. There was evidence also that he had in his pocket about 23 cartridges. And 4th, there was evidence tending to prove, by

the officer who arrested the defendant, that said defendant reached his hand to put under his overcoat in the direction of the place where the pistol was later found and was warned to keep his hands in his lap or else there would be trouble. This took place, according to the testimony of the officer, after the defendant had denied the possession of a revolver, upon inquiry having been made by the officer. *The defendant denied any assault or attempted assault upon the officer.*

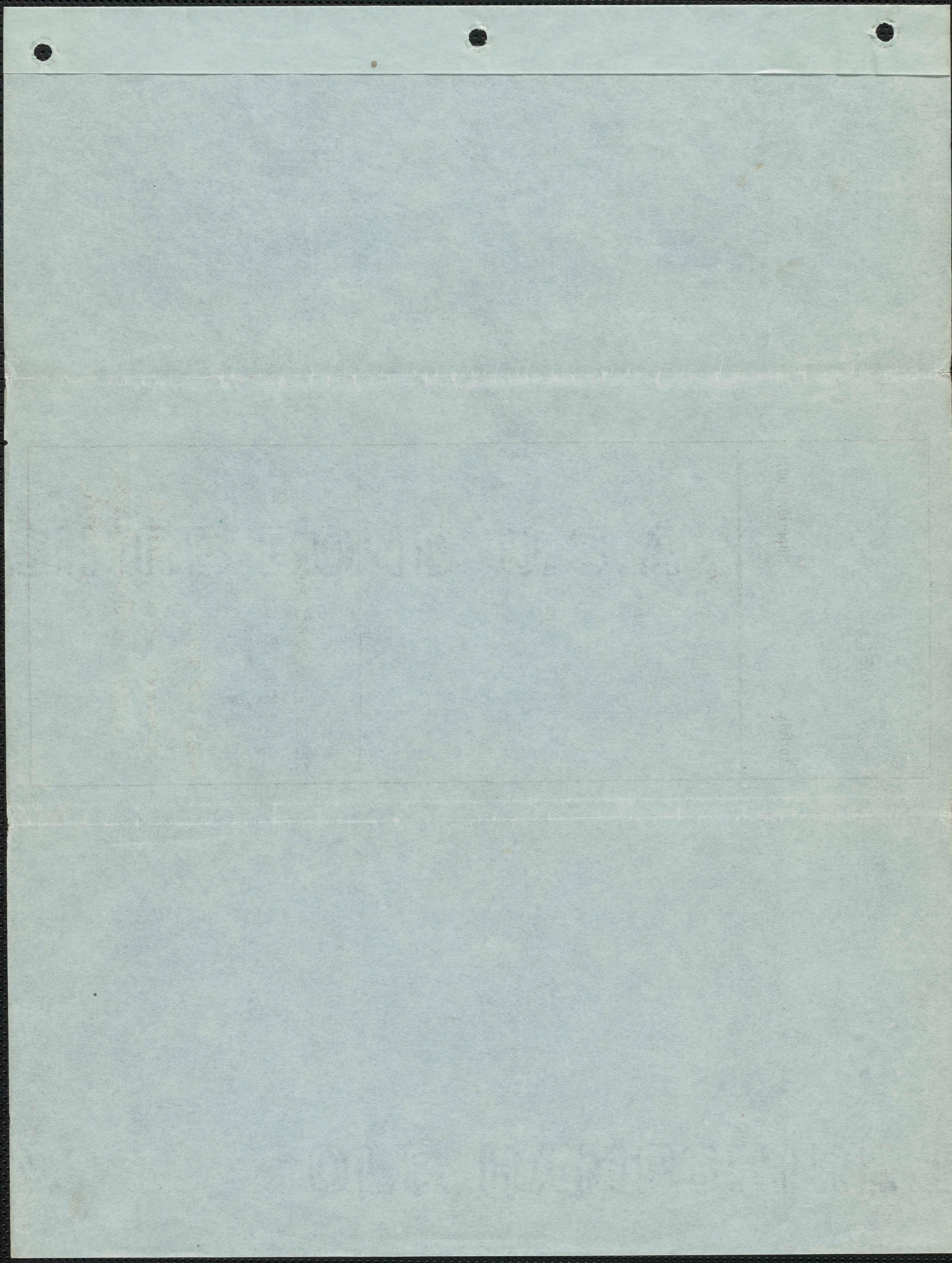
It is a fact that there was no criminal complaint or indictment against the defendant for either the carrying of a dangerous weapon nor for an assault upon an officer.

Upon this record and this evidence, I rule and find that Gen. Laws, chp. 278, s. 13 authorizes the court to order the defendant committed to the Bridgewater state hospital. Therefore, for all the reasons herein assigned the said defendant Sacco is ordered to be committed to the Bridgewater State Hospital for observation until the further order of this court.

Walter Hayes

Justice of the Superior Court.

Effective Tues ap. 24.



86A

No. 5545

Norfolk, ss.

Superior Court.

J.

Commonwealth

vs.

Nicola Sacco

ORDER FOR COMMITMENT OF
DEFENDANT SACCO TO
BRIDGEWATER STATE HOSPITAL.

1923 Sep. 20.
Received and Entered
Attest: *D. G. Worthington*
Clerk

C O M M O N W E A L T H O F M A S S A C H U S E T T S.

NORFOLK SS.

SUPERIOR COURT.

NOS. 5545-5546

COMMONWEALTH vs. NICOLA SACCO
BARTOLOMEO VANZETTI

The court finds that the defendant, Nicola Sacco, having heretofore been found to be in such mental condition that his commitment to an institution for the insane was necessary for his proper care and observation pending the determination of his insanity, and on the seventeenth day of March 1923, committed to the Boston Psychopathic Hospital at Boston in our county of Suffolk, is in such mental condition that his further commitment is necessary for his proper care and observation pending the determination of his insanity.

And it is now further ordered that the said Nicola Sacco be taken from the said Boston Psychopathic Hospital to the Bridgewater State Hospital at Bridgewater in our county of Plymouth there to be kept for care and observation pending the determination of his insanity until the further order of the court.

April 20, 1923.

Justice of Superior Court.

C O M M O N W E A L T H O F M A S S A C H U S E T T S.

NORFOLK SS.

SUPERIOR COURT.

NOS. 5545-5546

COMMONWEALTH vs. NICOLA SACCO
BARTOLOMEO VANZETTI

The court finds that the defendant, Nicola Sacco, having heretofore been found to be in such mental condition that his commitment to an institution for the insane was necessary for his proper care and observation pending the determination of his insanity, and on the seventeenth day of March 1923, committed to the Boston Psychopathic Hospital at Boston in our county of Suffolk, is in such mental condition that his further commitment is necessary for his proper care and observation pending the determination of his insanity.

And it is now further ordered that the said Nicola Sacco be taken from the said Boston Psychopathic Hospital to the Bridgewater State Hospital at Bridgewater in our county of Plymouth there to be kept for care and observation pending the determination of his insanity until the further order of the court.

April 20, 1923.

Walter Hayer
Justice of Superior Court.

86A

NO. 5545

Commonwealth

vs.

Nicola Sacco

ORDER FOR COMMITMENT TO

BRIDGEWATER STATE HOSPITAL

4/20/23

C O M M O N W E A L T H

O F

M A S S A C H U S E T T S

NORFOLK SS.

SUPERIOR COURT.



To the Sheriff of our county of Norfolk or his Deputy; the Director of the Boston Psychopathic Hospital at Boston in our county of Suffolk, and the Superintendent of the Bridgewater State Hospital, at Bridgewater in our county of Plymouth,

Greeting:

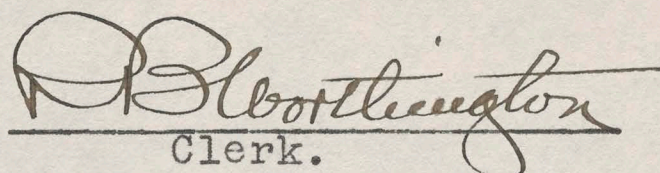
WHEREAS, by the consideration of our Superior Court, held at Dedham, within and for our county of Norfolk, NICOLA SACCO, now under indictment for murder committed in said county of Norfolk, and before sentence, having heretofore been found to be in such mental condition that his committal was necessary for proper care and observation pending the determination of his insanity, and thereupon committed for care and observation to the Boston Psychopathic Hospital at Boston in our county of Suffolk, on the twentieth day of April 1923, was likewise found to be in such mental condition that such care and observation should continue pending the determination of his insanity, and was ordered to be committed to the Bridgewater State Hospital, at Bridgewater in our county of Plymouth there to be kept for such care and observation.

WE THEREFORE COMMAND YOU, the said Director of the Boston Psychopathic Hospital, to deliver the said Nicola Sacco to the said sheriff or his deputy, and you the said sheriff or his deputy, to remove the said Nicola Sacco from said Boston Psychopathic Hospital to the said Bridgewater State Hospital, and you the said superintendent thereof immediately thereon to receive the said Nicola Sacco into the Bridgewater State Hospital and him there safely keep for care and observation pending the determination of his insanity, according to the rules and regulations of the said Bridgewater State Hospital and until in the judgment of you the said superintendent and the trustees of said Bridgewater State Hospital he should be returned to prison, or until the further order of said Court.

And for so doing this shall be your warrant.

And you, the said Sheriff, or his Deputy, are to make return of this warrant with your doings therein, to the office of the clerk of the Superior Court in Dedham as soon as may be.

Witness, WALTER PERLEY HALL, Esquire, at Dedham, this twenty-third day of April A.D.1923.


Clerk.

Norfolk ss.

Bedham April 24th 1923

By virtue of this precept, I have this day taken the within named Nicola Sacco from the custody of the within named Director of the Boston Psychopathic Hospital and delivered him to the Superintendent of the Bridgewater State Hospital together with a copy of this precept.

Everett L. Caldwell
Deputy Sheriff

Copy 25
Service 50
Travel 400 \$4.75

No. 5545

86B

Commonwealth

vs.

Nicola Sacco.

WARRANT

For Commitment to Bridgewater
State Hospital.

to be returned
to court