

1 established; upon the additional ground that no evidence has been
 2 introduced showing or tending to show that any of the matters
 3 herein referred to or the documents themselves can in any wise
 4 appertain or in any wise tend to establish any of the charges or
 5 allegations contained in this indictment; on the further ground
 6 that they are hearsay against the defendants and not binding on
 7 any of them. Now, I realize that your Honor is permitting this
 8 evidence to go in upon the statement that it will hereafter be
 9 connected up, but I desire to preserve our rights upon the record.
 10 And I suppose that that objection can be understood as having
 11 been made on behalf of all of the defendants except the remitter
 12 of the money.

13 MR. PRESTON: Well, he is not on trial.

14 THE COURT: Does your objection cover the want of authenti-
 15 cation of the telegrams?

16 MR. ROCHE: No, I am not objecting upon the ground that no
 17 proper foundation has been laid.

18 THE COURT: The objection is overruled.

19 MR. ROCHE: Exception.

20 U. S. Exhibit 14 is as follows: (Here insert exhibit.)

21 ERNEST DOUWES DEKKER,

22 Was called by the United States, sworn and testified as follows:

23 DIRECT EXAMINATION.

24 I am a native of Java. My father resides in Batavia. I left
 25 Java September 6, 1913. I was editing a periodical called the
 26 "Express" and a bi-monthly paper known as the "Daily Periodical."
 27 (511-512)

28 I was identified with the revolutionary movement known as the
 29 Indian Party. I was banished because of my tendencies. (512)

30 I arrived in Holland, my mother country, October 1913 and resided

there until June 1914, when I went to Geneva in Switzerland. (513)
 While in Holland I was writing for a paper published in Holland.
 (513)

In 1910 I first met Krish Ni Varma in Paris who was publishing
 the "Indian Sociologist". (515)

I remained in Geneva until November 1914 when I went to Zurich.
 (515) I there attended the University to get my degree in po-
 litical science. (515) I also wrote for my papers in Java.

At this time Krish Ni Varma was living in Switzerland. (516)

Between August and October I was called on by Har Dyal. I was
 introduced to him by Krish Ni Varma, at my place. I also met
 him once at Varma's house. (516)

Har Dyal told me he was ejected by the United States on the in-
 stigation of Great Britain. (517)

Har Dyal told me that he had a paper in San Francisco named
 the Ghadr. (518) He didn't tell me what particular work he
 was engaged in at that time. (518) He said he deprecated the
 English rule in India. (519)

In December 1914 I met Professor Barkatullah at Zurich. He had
 a letter from Har Dyal. He was a professor in Tokio but said
 nothing about India. (519) At Zurich I also met Chatto Padma
 and Pillai. (519)

Pillai proposed that I be an agent for the distribution of print-
 ed matter against Great Britain and to help him get some Dutch
 pass-ports for Indians. (520-1) The literature was to come
 from Berlin, from the National Indian Committee, of which he
 said he was Secretary. I was to distribute the literature in
 Switzerland only. (521) I refused the proposition. (523)

I went to Berlin twice. The first visit was January 1, 1915, in
 response to a wire from Barkatullah. I destroyed all incrimin-

ating papers. (524)

An address in Charlottenburg, which is a suburb of Berlin, was given me. (524) It was an apartment house. I met Pillai there, whom Barkatullah said would explain everything. I saw Pillai every day for a week. (525)

He wanted me to name some friends in Holland who would distribute propaganda in Holland, and from Holland to England. (526) We concluded no negotiations and I returned to Geneva. (527)

I then met Pillai two or three times in Switzerland. He wanted me to get Dutch pass-ports from the Dutch Consul in Zurich, so that he and Dr. Prabhakar could go there. This I refused. (527-8)

I returned to Berlin the latter part of July 1915, meeting Pillai. I saw Von Weisendonk at the Foreign Office. (528) I wanted to find out how far the scheme was backed up by the German Government. Pillai stated to me there was no relation between the Indian Committee, and the Foreign Office in Berlin. (529)

He wanted me to go to Bangkok with funds furnished by the National Indian Committee in Berlin and start a press there and distribute propaganda in India.

He brought me to the German Consul at Batavia, who was then on leave in Berlin, but he refused to be mixed up in the matter. (532)

Pillai then brought me to see Weisendonk at the Foreign Office. He took no interest in it. I then returned to Switzerland. (532)

The literature for Bangkok was to be printed in Berlin, sent to an agent in Holland, and then to an agent indicated by me in Java, and from there to me in Bangkok. (534) I arranged to have them sent to my father in Holland. (534) The literature was to be in English and different Indian languages. (535)

In Amsterdam, on my way from Berlin, I gave Pillai an estimate of what it would cost. I was to get 500 pounds a month, to start as soon as I left San Francisco. (536)

At Amsterdam I got 600

1 pounds.

2 Q. Who paid you that money? A. Pillai paid me that money. (536)

3 In Berlin Pillai gave me 500 marks to cover my expenses. (536)

4 I never saw Har Dyal again, but got a postal card from him from
5 Constantinople. Pillai told me Har Dyal was in Constantinople
6 or may be in Afghanistan. (536)

7 I was told by Pillai that there was a sub-committee in Constan-
8 tinople under the lead of an Egyptian conspirator named Farid Bey.
9 In Amsterdam, Pillai gave me the German Foreign Office code. Its
10 number was 1230. It was a letter code. He also gave me a letter
11 to the Swedish Consul in Bangkok named Mohr. (537) It was a
12 letter of introduction telling him if I should call for money, he
13 knew the way to get it. I was told not to tell him what I wanted
14 the money for, in which case I would not get it. (538)

15 The letter was a friendly one, signed "Robert", whom Pillai said
16 was a friend of Mohr, living in Bremen or Hamburg. (538)

17 The letter and code are in the possession of the British authori-
18 ties. (538) I deposited the code and letter, with other private
19 papers, with the Dutch Consulate in Shanghai. Later, I sent for
20 the package to Hong Kong, which was the last place I saw them. (539)

21 At Amsterdam, Pillai gave me a sealed envelope containing a map of
22 the Siamese-Burmese border, and instructions about the press plant
23 in Siam. I threw them overboard on my voyage to America, after
24 leaving Balmouth. (540) The map was to be used for smuggling
25 over the printed matter. (540)

26 Pillai asked me whether I could furnish a Mohammedan to be sent
27 to Constantinople to procure an audience. That he would have an
28 audience with the Sheik Ul Islam, the Mohammedan Pope, or the
29 Sultan himself. He preferred that I procure a Moulvi - a
30 priest. (543-4)

1 I thought I would furnish him one of the leaders of the Sheikh Ul
2 Islam movement in Japan, a religious movement with political aims,
3 sometimes led by priests. He was to get from the Sultan a "ferman",
4 which is a political decree, exhorting Moslems in India to stick
5 to their faith and throw off the yoke of foreign oppression. (544)
6 "Fatwa" means holy war. (544)

7 "Irade" is an autographic instruction of the Calipha, which is
8 another word for Sultan. (544-5)

9 I wrote a letter to the man I had in mind and handed it to Pillai,
10 but nothing was done. The funds to bring him over were to be sent
11 to my father, to whom I wrote, advising him to keep the money
12 until called for. (545)

13 When I sailed from Rotterdam, Pillai told me nothing had been done,
14 I intended to go to Turkey myself, and Pillai talked with the Com-
15 mittee but said it was not possible because I was not a Moslem
16 and could not get a "ferman" myself. There was nothing further
17 after that. (546)

18 I didn't think that the distribution of seditious printed matter
19 was important and so I proposed to Pillai the importation of
20 arms into India, purchased in America or Japan. Pillai said it
21 could not be done because England was powerful at sea and would
22 confiscate such shipment.

23 I suggested a merchant in Amsterdam who would be willing to
24 smuggle out arms. He said British Consuls everywhere were in-
25 vestigating manifests and would not consent to shipments that
26 were not bona fide. Pillai promised to bring matter to the Com-
27 mittee, but it was dropped.

28 I was to make a report while passing thru America about the
29 chances of buying ammunition and rifles and getting them out. (547)

30 At Zurich, Chattopadha and Pillai spoke to me about furnishing

1 a man who was going to Java, with letters. He came to me at Zurich.
 2 His name was Vincent Kraft. I was suspicious of him. He had a
 3 Dutch pass port from Java. I gave him a letter to my party lead-
 4 ers in Java, but in code expressions warned them to keep an eye
 5 on him.
 6 He told me he was going to Java to set up a station for distribut-
 7 ing seditious matter in Sumatra. (548-9)
 8 Kraft proceeded on the trip. Although he passed for a Dutchman,
 9 he was a German from the trenches. The German General Staff
 10 selected him and put him at the disposal of the Committee. (550)
 11 In Amsterdam Pillai gave me a letter for Ram Chandra written by
 12 Har Dyal. It was written in Urdu. Pillai said it was a letter
 13 of introduction and Ram Chandra would give me the addresses of men
 14 to whom I had to apply in Bangkok, or if he could not do that, the
 15 addresses of others who could. (551)
 16 I wired Pillai of my arrival in New York, using a private code,
 17 which was destroyed in Shanghai. (552)
 18 I wanted to use the German Code as a model in making up a Malay
 19 code for our own use in Java. (553)
 20 In San Francisco I stopped at the Ramona Hotel. I called on Ram
 21 Chandra on Hill street. He was out. That night he called on me.
 22 This was about September 28, 1915. I met him for ten minutes. I
 23 gave him the letter. I told him he had better not know what I
 24 was doing in Bangkok. He was introduced to me by the Berlin Com-
 25 mittee as the man who was the Editor in place of Har Dyal, of the
 26 Chair, but they never told me that Ram Chandra was in the move-
 27 ment himself. (554)
 28 Ram Chandra told me he had not received any wire from Berlin. At
 29 any rate, the letter of introduction was quite enough. He was
 30 unable to give me an address of any man in Bangkok; he gave me some

lines on a piece of paper, introducing me to Gupta in Japan.

(553-4)

It was the address of a man called B. Jakh at Koji Cho in Tokio.

(555)

Sailed from San Francisco October 2nd or 3rd.

While in Berlin in January 1915 I met Baron Oppenheim, who gave a banquet in honor of the Orientals. (556)

Barkatullah and Pillai went with me. The Indian question was not discussed. (556-7)

From Honolulu, I wrote to Pillai trying to quit the job. My monthly payments were to be sent to my father at Batavia. I complained about lack of organization in his schemes and that Ram Chandra could not help me. (558)

Arrived at Yokohama October 20th and met Gupta. I wrote Pillai telling him I was sick with dysentery aboard the ship, which was not true. (558)

I called at the address and met a man whom I took for Jakh, whom I afterwards learned to be Thakur. He said Jakh was in Korea and that Gupta was not in Tokio. (559) The next day I was taken to where Thakur was living and met Gupta. I gave him Ram Chandra's letter.

He said that everything was in confusion; he had not heard from Siam for months and could not help me with names or addresses in Bangkok. (560-1)

The next day I again met Gupta who told me he could not help me as he had had no communication with Bangkok for several weeks and there had been a small revolt in Burma in which their men had been killed.

I left Tokio, caught the steamer in Kobe, and went to Shanghai. (561) He told me not to go to Shanghai, but to go by Nihang.

L-9

the Formosa route, because I might be deported in Shanghai. (561-2)
He said they sent all of their Indians up that route.

He said he and Thakur were the revolutionary leaders in Japan, of the Indians. (562)

I went to Shanghai and wrote three letters to Pillai, in succession, in the last letter, quitting the job. In the first two letters, I gave him fictitious reasons, which were not true. The last letter was written in plain language; the first two were in the German code. (563)

I then bought a ticket to Singapore via Hong Kong and was arrested at Hong Kong and taken to Singapore. I left there on October last for this country. (563)

CROSS EXAMINATION

I reached Singapore December 22, 1915. At Hong Kong I was charged with having conspired to upset the British Government. (566)

I have never been tried, either in a civil or military court.

(568) After being confined in Singapore, in the detention barracks for about 10 weeks, I was removed to the military barracks near Singapore, where I remained until December 19th last. (569)

I was questioned by Kathavala and told him frankly more than he knew about the whole case. (570) I wrote a statement out myself in Hong Kong, and then in Singapore my statement was taken down by Kathavala. (571) I was questioned upon a number of occasions during the ten weeks at Singapore. (572) Upon each of these occasions I was permitted to read the statement which had been taken by Kathavala. (573)

It was about 30 pages in length. (573) My first statement was about 50 pages, bringing in private matters, but no names. (573-4) When taken to the jail at Singapore, I was astonished the way the General treated me. He offered to give me some privileges if I would agree not to escape, which I did. That was before I made

1 the statement at Singapore. (577) I was treated splendidly
2 while in the detention camp. (578)

3 I started the revolutionary movement in Java in 1911. It was for
4 a National Democratic Party. (579)

5 I was sincere in my own movement. (580)

6 My interest in these matters, to which I have testified from the
7 very beginning was to knock money out of them. My connection
8 was brought about solely because of my desire to make money and
9 for no other reason. I was playing a comedy, but its result, so
10 far as I was concerned, was to get all the money I could out of
11 them. (581)

12 I never told Har Dyal or Pillai, or any of these other men that
13 my intentions were not sincere, but only to get money. (582)

14 I never met any of the other defendants on trial in this action,
15 other than Ram Chandra. (614) I didn't meet Franz Bopp in Ber-
16 lin, or at any other place. I never heard of him. (614) While
17 in San Francisco I never called, or tried to call on the German
18 Consulate. Franz Bopp was not at the Oppenheim banquet. (615)

19 The only members of the Indian Committee that I met were Chatto-
20 padhya, Har Dyal, Barkatullah and Pillai. (615)

21 Oppenheim was the only German official connected with this matter
22 that I met during my first visit to Berlin. (615-17)

23 Von Weisendonk and the German Consul at Batavia were the only
24 German officials I came in contact with during my second visit at
25 Berlin. (617) Weisendonk was a subordinate who did not become
26 interested, and the Consul at Batavia refused to have anything
27 to do with it. (617-18)

28 At no time in Berlin did I come in contact with any German of-
29 ficial, either of high or low rank, that was willing to have any-
30 thing at all to do with the Indian affair. (618)

1 Pillai and Chattopadhyaya told me about several revolts that had
2 taken place in India, though I was unaware of it, and that the
3 German Government had its hands in those revolts. (620)

4 From a newspaper clipping I learned that Har Dyal was executed
5 in Lahore. (620)

6 I never saw any arms or ammunition that was supposed to be sent
7 into India. (620)

8 I never distributed any literature in Switzerland. (622) The map
9 I obtained was to enable me to smuggle literature into Burma.

10 I never went to Bangkok, nor did I ever set up any press to send
11 such literature anywhere. (622) I never saw any of that liter-
12 ature. (623)

13 In Holland I saw a number of packages of a speech made by William
14 Jennings Bryan on the English Rule in India. It was an English
15 edition. (623) It was rather a fiery indictment of British
16 Colonial rule. (624)

17 After reading the pamphlet, I sent 6 or 7 of them to my private
18 friends. That is all the distribution of them I ever made. (624)

19 I have no documents, papers, letters or telegrams relative to
20 any of these activities. (627)

21 I have destroyed all of these papers to which I have referred
22 with the exception of some code and a letter. The code was turn-
23 ed over to me by Pillai at Amsterdam. It had a black cover on
24 it on which the number of the code appeared, and in German "Code
25 for Foreign Service." The code contained a key. It was all
26 figures which corresponded to words. The key was on a separate
27 number of pages explaining how to compile the figures from the
28 different words you were going to use. It was very complicated.
29 (628)

30 I was directed by Pillai to call upon the Swedish Consul at Bang-

L12

kok, who would indicate some man from whom I was to get some money; I was also told not to disclose the purpose for which I desired the money, otherwise I would not get it. (632)
At Amsterdam I received from the German Vice Consul in Amsterdam 600 pounds. (632)

I saw the Consul three times, but I cannot tell upon what occasion it was given me (633)

My suggestion to Pillai to engage in the purchase and transportation of arms and ammunition into India was made for the purpose of extracting more money out of the Hindus. For the same reason I wrote these letters and sent these telegrams to Pillai from Shanghai. (636)

The reason which actuated me in declining to serve further in the matter and in giving him these false and fictitious reasons was because I concluded there was no more graft. (636)

REDIRECT EXAMINATION

While at Hong Kong I got \$1,000 gold, which I telegraphed for. I wired my Holland agent and wired Pillai. (637) I carried out the plot as far as I did to get more money. I was acting my part of it for money. (638)

I have no objection to graft on the German government, and was convinced it was German money. (638)

I did not know that the Hindus were contributing money toward this propaganda. (639)

The telegram resulting in the \$1,000 being forwarded to me, was sent before any of these letters I had written, could reach Pillai. I deliberately sought by telegraph to get that money, after having sent him my resignation based upon false and fictitious reasons. (639)

MRS. S. DAS

1 Called on behalf of the United States, testified as follows:

Direct Examination

2
3 My residence is in the Hawaiian Islands. I formerly
4 resided at Palo Alto, and am a native of Switzerland. My husband's
5 name is Sarangadhar Das. (1316)

6
7 When the war broke out I was living in Switzerland, en-
8 gaged in studying the educational system there. I have been a
9 writer on sociological and educational subjects. (1317)

10 I met Bar Dyal at Stanford University in 1912. He was
11 a lecturer on Oriental philosophy. I knew him quite well. (1318)

12 I left here for Switzerland in October, 1913, and re-
13 mained there until a few weeks after the war broke out. He came
14 to Switzerland in 1914 and I saw him right along until I left.
15 (1318)

16 Before the outbreak of the war he wanted me to engage
17 in work with him. He asked me if I would go to India for the
18 distribution of revolutionary literature there; to go to England
19 to work among the Indian students or else to return to the United
20 States and act as Indian intermediary. (1318-19)

21 He said nothing more about the objects he had in view,
22 excepting what I have said. (1320)

23 It always has been my ambition to go to India and work
24 among the Indian women for educational purposes. (1320)

25 I rejected his proposition because through my study of
26 the situation I believed that if I was to do any work there, it
27 was educational. (1320)

28 I cannot state definitely whether this proposition was
29 renewed after the outbreak of the war. (1320)

30 I translated Bryan's pamphlet on British Rule in India

1 MR. PRESTON: We offer this in evidence, if your Honor
2 please, the originals having been accounted for.

3 MR. ROCHE: This was marked for identification the
4 other day.

5 MR. PRESTON: Yes, and now I offer it in evidence.

6 MR. ROCHE: We object to the introduction in evidence
7 of each of these letters on the ground that each of the letters
8 is immaterial, irrelevant and incompetent; upon the further ground
9 that each letter was written after the date specified in the in-
10 dictment when according to its allegations this conspiracy ter-
11 minated; upon the further ground that it is hearsay and not bind-
12 ing upon any of the defendants in this case.

13 MR. PRESTON: These letters are October 25, 1915, and
14 refer to the revolution and the name that he is going by, etc.
15 We expect to connect it up further with the sending of money in
16 that name to various women in California.

17 THE COURT: The objection is overruled.

18 MR. ROCHE: Exception.

19 MR. PRESTON: I will ask Mrs. Adams to read these to
20 the jury:

21 MRS. ADAMS: These letters read as follows:

22 "Amsterdam, Oct. 25, 1915.

23 "Dear Comrade:

24 "I am well and busy and sad. Can you send me some
25 earnest and sincere comrades, men & women who would like to help
26 our Indian revolutionary movement in some way or other? I need
27 the cooperation of very earnest comrades. Perhaps you can find
28 them in New York or at Paterson. They should be real fighters,
29 I. W. W. 's or anarchists. Our Indian party will make all neces-

1 early arrangements.

2 "If some comrades wish to come, they should come to
3 Holland. We have a centre in Amsterdam & Dutch comrades are
4 working with us. If some comrades are ready to come, please
5 telegraph me in some feminine name from New York to the follow-
6 ing address:---

7 Isreal Aaronson.
8 c/o Madame Kercher
116 Duda Scheveningerweg.
Scheveninger, (Holland)

9 My assumed name is "Isreal Aaronson". Kindly don't telegraph
10 in your own name. The word "Yes" will suffice. The Rotterdam-
11 Amerika Line will receive instructions from here to give tickets
12 to as many persons as you recommend. All financial arrangements
13 will be made by our Party.

14 "News from India is good. We have lost (?) some very
15 brave comrades in the recent skirmishes.

16 "It would be better if you could intimate in your
17 telegram how many comrades wish to come. For instance, put the
18 number in the same sentence. I shall understand, e.g. Five 'months'
19 holiday coming, etc. etc.

20 "The need for the services of comrades is urgent. Please
21 do come to our help. We are fighting against heavy odds.

22 "With love & respect,

23 Yours for the fight

24 Har Dyal.

25 P. S. Kindly be very careful in keeping everything secret &
26 confidential.

27 When comrades arrive, they should go & see Domela Viewenhius.

28 20 Burgmestre Schoeklaan

29 Hilversum,

30 (near Amsterdam)

He will tell them where to meet me. Please also write a letter at the same time, as the telegram may be intercepted in England. Please always use my assumed name -- "Isreal Aaronson."

"I shall see comrade Vuswenhuis in a few days.

"With love & respect,

"Yours for the cause,

Har Dayal.

P. S. Please also give the letters of introduction for me to the comrades who come.

Address: Isreal Aaronson, c/o Madame Kercher, 116 Oude Scheveningerweg, Schveningen, (Holland)

Comrades who come should stop with Mrs. Kercher at this address."

(Envelope:) Alexander Berkman,
"Mother Earth Office"
20 East 125th Street, New York City.
(Verenigde States America)."

Address: Isreal Aaronson,
c/o Madame Kercher
116 Oude Scheveningerweg.
Scheveningen.

Oct. 20, 1915 (Holland)

"Dear Comrade:

"I am well & busy. Can you send some earnest and sincere comrades, men & women, to help our Indian revolutionary party at this juncture? They should be persons of good character. If Taunenbaum is free, would he like to come?

"Please keep this matter strictly secret & confidential. Kindly don't discuss it with too many people.

"This is a great opportunity for our Party. I need the cooperation of earnest comrades for very important work.

Several of our comrades have come from India with encouraging news & messages.

"If some comrades can come, please wire & write to the above address to my assumed name, 'Isreal Aaronson'. I shall send you money immediately to the name under which you telegraph. Let it be a name beginning with B. I shall understand. Please don't telegraph in your own name.

"Kindly also word the telegram in such a way that I can understand how many comrades are coming. If five comrades with to come, please wire:-

'Five hundred dollars job vacant voms.'

Just put the number of comrades before the 'hundred' or use any other device.

"Kindly also send me names & addresses of the prominent anarchist comrades in Spain, Denmark, France, Sweden, Norway, Switzerland, Italy, Germany, Austria & other European countries. Please also send letters of introduction for me to them from Emma or yourself, if you know them.

"Please also write a letter of the above-mentioned address in Scheveningen, in addition to the telegram. Telegram may be intercepted.

H.D. "

(Envelope:)

Amsterdam

11-12

24 X

Alexander Berkman
c/o "Mother Earth" Office
West 125th Street
(near 6th Ave.)
New York.

(Mother Earth Publishing Company)

(Vereenigde Staten Amerika)

Pardon me for opening the letters. I did not know they were personal E. G. told me to open all letters including yours. A. "
(The letters were here marked: "United States Exhibit No. 48")

Several of our comrades have come from India with encouraging news & messages.

"If some comrades can come, please wire & write to the above address to my assumed name, 'Isreal Aaronson'. I shall send you money immediately to the name under which you telegraph. Let it be a name beginning with B. I shall understand. Please don't telegraph in your own name.

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11-12

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