

### RIOT GUNS ON GUARD AT DEDHAM HEARING

Sacco and Vanzetti Before Court in Plea for New Trial.

### OFFER NEW EVIDENCE

New State Constabulary and Boston Police Protect Court House.

### SPECTATORS SEARCHED

Irregularities in Jury Room Alleged by Counsel for Condemned Men.

Special Despatch to THE NEW YORK HERALD. DEDHAM, Mass., Oct. 29.—Twenty Boston policemen armed with riot guns, together with twenty members of the new State constabulary on horses and motor cycles, stood guard over the court house here to-day while Judge Webster Thayer, whose home also is under guard, heard the petition for a new trial for Nicola Sacco and Bartolomeo Vanzetti, Italians convicted of murder in the first degree in the death of a South Braintree paymaster and his guard in a holdup.

Fred H. Moore of Los Angeles argued the case of Sacco, while J. J. McAnarney made the appeal in behalf of Vanzetti.

At the close of the arguments Judge Thayer granted the request of Moore for a continuation of the hearing until next Saturday, at which time Moore promised to produce new evidence.

The prisoners were shackled together as they were marched from jail to court, surrounded by officers. Sacco seemed to be cheerful, bowing and smiling to persons in the crowds in the street, apparently recognizing many he knew. Vanzetti, on the other hand, scowled. Sacco even favored Judge Thayer with a bow and a pleasant smile as he took his place in court.

Warnings that radicals had left New York for Boston, it is believed, had much to do with the extraordinary precautions.

In court were Ferrante N. Ruffano, Italian Consul in Boston, accompanied by his Vice-Consul, Silvio Vitale. These officials declared they were watching the proceedings "unofficially," although it is known the Italian Government is following the case closely. All men admitted to the court room were searched.

Also in court were Mrs. Glendower Evans, rich Boston woman, who has given large financial aid in the defence of the convicted pair, and Mrs. Lola B. Stantoul, who has also raised substantial sums.

McAnarney criticized the surroundings in which the jury which convicted the pair lived and declared the jurors could not do justice to the prisoners in the "atmosphere" that existed in the court during the trial. He spent much time analyzing the testimony of Government witnesses, with the idea of showing that their testimony was not conclusive "within a reasonable doubt."

Moore argued that several witnesses committed perjury in the giving of testimony that helped to convict the men, naming William J. Herron, a railroad police officer at whom the bandits Fred; Miss Mary Spain; and Miss Francis Devlin, who testified they saw the bandits in the automobile.

In his argument at the continued hearing next Saturday, Moore said he would deal with "irregularities" that occurred during the trial.

Sheriff Capen said to-night that he would keep a guard of twenty armed men about the jail day and night for an indefinite period, and that a powerful arc light was to be installed in the jail yard at once.

### SACCO COUNSEL CHIEF I.W.W. LAWYER IN WEST

Wife Divorced Him for His Radical Activities.

Special Despatch to THE NEW YORK HERALD. LOS ANGELES, Oct. 29.—Fred H. Moore, who represents Sacco in the Massachusetts anarchist murder appeal, is one of the chief attorneys of the I. W. W. in the West. He makes his home in Kansas City, and became known nationally in 1917, when he was deported with the I. W. W. from Elbebe, Ariz. He had gone to that city to take part in the defence of some of their members. Soon afterward he was sued in Los Angeles, his former home, for divorce, his wife charging him with desertion, saying he was giving more time to the I. W. W. than to his family. He has been active in the defence of the I. W. W. in San Diego, Kansas City and in most of the important cities of the West in the last five years. He left Los Angeles in 1916.

### THREATS MADE IN HAVANA.

Sacco-Vanzetti Case Subject of Menacing Proclamations. HAVANA, Oct. 29.—Copies of menacing proclamations which have been circu-

lated throughout Havana in connection with the conviction for murder in the United States of Nicola Sacco and Bartolomeo Vanzetti were exhibited this afternoon at the weekly Cabinet meeting.

### IGNORANCE OF THE LAW EXCUSES WAR OFFENCE

Frenchman Traded With the Enemy Behind German Lines.

Special Cable to THE NEW YORK HERALD. Paris, Oct. 29. (New York Herald Bureau.) The theory that ignorance of the law is no excuse for offenders was overthrown by the verdict of a jury at Douai by which Paul Martinago, a Lille manufacturer accused of having had commercial relations with the enemy, was released.

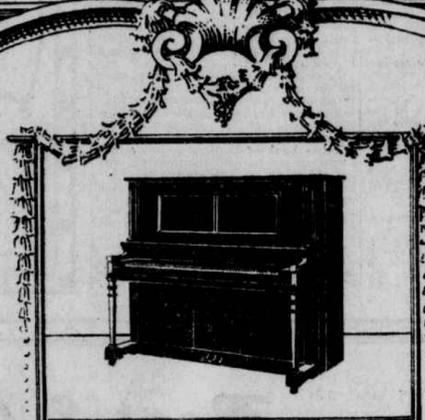
When the Germans invaded France Martinago remained at Roubaix. He admitted that he continued dealing with the enemy, selling small machines as well as large quantities of cloth. The French Government meanwhile had passed a law prohibiting such relations, but Martinago, whose record is otherwise clear, contended that the knowledge of war time laws did not reach the

civilians behind the German lines for many months. The decision is of especial interest, as the state's evidence was obtained chiefly from the confessions of the German Lieut. Luckenath, who was on the original list of war criminals demanded by France.

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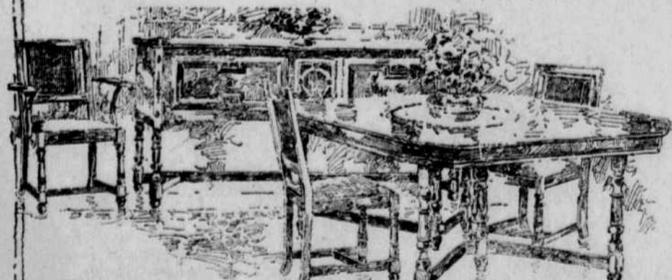
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