

SAYS DI PADOVA ADMITTED KILLING

Defendant Told of Murdering Scarpone, Witness Declares

Widow of Victim Testifies Regarding "Black Hand" Letters

SHOTS FIRED AT N H TROOPS

Barely Miss Sentry,
Who Returns Fire

Attack on Force Guarding
B. & M. Shops at Concord

Soldiers Searching for
Band of Assailants

CONCORD, N. H., July 27—Five bullets were fired in an interchange of shots between New Hampshire National Guard troops guarding the Boston & Maine Railway shops in this city and a band of unknown assailants late tonight.

Two shots were sent from the cover of darkness surrounding the northern end of the railroad yards and barely missed a sentry. The sentry replied, firing twice in the direction of the unknown persons.

An immediate search for the men was instituted by the military authorities.

A little later a third shot was sent from another point in the direction of a sentry in the same vicinity. The assailant who fired this shot was not found when guards rushed to the spot.

Late tonight officials in charge of the National Guard troops here refused to give out any further details of the attack pending the result of the search.

At the Boston & Maine office it was said that the attack had taken place, but nothing further was given out.

"We've committed a murder, myself and Simboli."

Vincenzo Prezioso of 6 Tile st, Somerville, testifying yesterday afternoon at the so-called "black-hand" trial in the Superior Criminal Court, declared that Luigi di Padova, one of the seven defendants, made the statement quoted above in a conversation a week or so after the murder of Michael Scarpone. Joseph Simboli of Cottage st, East Boston, is another of the men charged with killing Scarpone in Unity st, North End, on Jan 20.

Prezioso, a big, neatly-dressed Italian, called to the stand by Asst Dist Atty Maurice Caro, said he did not know Scarpone and first learned of his death by reading of it in the "American newspapers." The night before he learned of it he was at the home of his godmother at 58 Prince st. Simboli and Di Padova came in about 8 or 9 o'clock. Di Padova left about 10:30.

Simboli, according to the witness, said he would stay over night at 58 Prince st, as it was late and "he was busy next morning." Simboli slept on a mattress on the floor. Prezioso said he got up in the night and passed through Simboli's room, but did not see him. He said Simboli left the house between 5 and 5:30. At 8 o'clock that morning he saw Di Padova, who looked pale and tired and said he was looking for work.

Says Di Padova Confessed on Street

That evening, he said, Di Padova and Simboli again came to 58 Prince st. The American newspapers were being read. The two men did not discuss the murder. The others present did. A week later Prezioso met Di Padova on Endicott st.

"What did he say?" asked Mr Caro. "He said that he had done this killing with Simboli."

"What killing?"

"Of Scarpone."

The witness also said that Di Padova was under the influence of liquor when he made these statements and was "boasting" about it, but this was struck out. According to Prezioso, Di Padova said that after the shooting he took his own revolver to his sister-in-law, who was afraid to keep it. He told her he had found it, but later took it away. Di Padova also said that Simboli had thrown his revolver away.

At this point court adjourned until 9:30 this morning.

Most of the principal witnesses of the day were Italians and the services of an interpreter were necessary, which greatly slowed down the proceedings. The defendants' battery of counsel laid down a barrage of objections to what they termed the leading questions put to the

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witnesses by the prosecutor, but the court in most cases sustained Mr Caro, ruling that with non-English-speaking witnesses more latitude must be allowed.

Mrs Scarpone Tells of Letters

Mrs Giovannina Scarpone, widow of the murdered man, was called in the morning, but her testimony was suspended to allow the evidence of several other witnesses. She is a pretty woman, small and rather frail, with blue eyes and brown hair, and was on the point

of tears during most of her testimony. She said that she has two children, a girl of 3 and a boy of 4.

Mrs Scarpone said that her husband left their home at 12 Unity st at 6:20 on Jan 20. In December, 1921, he received four letters, two of which were offered for identification, but were not read. After receiving the first one she and her husband visited Station 1 and talked with an officer, with whom, she said, they left the letter. When the second letter was received they went again to the police. At this point, owing to the objections of the defendants' counsel, it was necessary to suspend her examination.

Sergt John T. Tessarrero of Division 1 stated that the first letter, which he characterized as "black-hand," was given to him by Mrs Scarpone. He said that he returned it to her. The second letter he kept, but is now unable to find. After the receipt of the third letter he went, on Dec 28, with Scarpone to East Boston. Behind the General Electric plant, on the Cottage-st dump they found a cross planted in the snow, with red and green ribbons tied to it and a handful of grass at the foot.

Cut Up Papers in Shape of Bank Bills

Scarpone went ahead, and placed a letter under the grass. In the meantime Sergt Tessarrero and several special officers had concealed themselves in a store on the corner of Cottage and Porter sts. They waited two hours and then returned to Boston.

Sergt Maurice Sullivan of Station 1 said that on Dec 28 he and Tessarrero were at Unity st with Scarpone, his wife and his brother, Alphonso Scarpone, who lived with them. After reading a letter, Sergt Sullivan cut up some newspapers in the shape of currency, made them into a bundle and gave them to Alphonso Scarpone. About 7:10 o'clock he went to the Charter-st playground and remained until 8:35. Shortly before 8 o'clock Alphonso Scarpone passed him. Fifteen minutes later a man came up the steps leading into Charter st, looked around and went in the same direction as Scarpone. Scarpone only partly followed his instruction, Sergt Sullivan said.

Sergt Sullivan said that at 10:30 p m on the same day he went to the steps leading into the North End playground. There he saw a bush with a piece of red cloth tied to it and footprints in the snow about it.

Man Witness Bursts into Tears

Frank Guarino, owner of the basement store at 20 Unity st, against the window of which Scarpone was found dead, was called. He lives on the top floor and said that about 6:40 on the morning of Jan 20 he heard four shots. He got up and looked out of the window and then returned to bed. On his way he heard three more shots. He then went down stairs and found the police picking up pieces of bullets, he said.

Pressed for the time between the last series of shots and the sound of voices in the street, the witness suddenly broke down. He said that he had told all he knew, that his wife died a little while after the shooting and that his daughter is sick. He burst into tears and appeared so unnerved that a recess was taken, after which he was excused from further testimony.

Eleven-year-old Enrico Dondero of 21 Unity st was the next witness. The boy was very shy and his answers were almost inaudible. He testified that he was sifting ashes in Salem ct, off Unity st, one morning and found a revolver by the ash barrel. He could not say whether it was the morning Scarpone was shot on whether the 25-calibre revolver shown him by Mr Caro was the one he found. He found it about 9 o'clock, he said.