

JURY GAVE YOUTH MERCY, BUT TRICK OF LEGAL PHRASE GIVES HIM DEATH



ARNOLD ANDERSON, "VICTIM OF WORDS," WHO'S FACING DEATH IN ELECTRIC CHAIR. INSET, HIS FATHER AND MOTHER.

By ALEXANDER HERMAN
NEA Service Staff Writer
Trenton, N. J., Jan. 21.—The trick of words—they made a father's testimony unwillingly convict his son of murder.

They made a jury sentence him to death, when it wanted to give him a more merciful punishment.

And now Arnold Anderson, 26, sits stoically in his cell in the Death House of the New Jersey State Prison wondering what further trick poorly selected words will play him.

For the Board of Pardons has his case under consideration. Its recommendation can save him from death in February. But the young prisoner is not hopeful.

There has been too many a slip for him to twist the thought and the word.

Meanwhile his father, a tailor in Brooklyn, N. Y., tries to keep busy at his work. He has become deathly quiet. He no longer speaks much to his workers. He just works on and on—to keep busy.

His heart is heavy, and his soul seared.

Not only does he have to bear the anguish of knowing that it is his boy who may go to the chair; but he has to bear the torments of the thought that his testimony helped to convict him.

A Drug Addict at Twelve
At the trial he was asked if his boy had told him that he had shot the victim, with whose murder he

had been charged. The father thought that he had been asked if young Anderson had told him that he had told the police that he had done it.

And he answered—"Yes."

For he was ready to go on and explain that his son had a weakness for assuming the guilt of others. He was ready to tell how his boy had confessed to a crime which he hadn't committed, the conviction of which would have meant eight or more years in Sing Sing. The authorities that time discovered the deceit, however, and saved him.

But this time, in the courtroom in Jersey City, the father never got the chance to explain. His answer had already convinced the jury, for young Anderson's record was bad.

According to his father, young Anderson became drug addict when he was 12 years old! Drug mongers who plied their trade among school children started him on the habit!

"But I found out about it only since the last trial began," his father said sorrowfully.

It was the beginning of a long line of transgressions of the law that culminated in the conviction for the shooting of Harry C. Moore, a Jersey City real estate operator, who intercepted Anderson while he was leaving Moore's home on August 8 last.

"In 1909," says Will Weiss, who

together with George F. Cutler, defended Anderson in his last case, "the boy was sent to a truant school and 1910-1912 he was in a juvenile asylum; 1913-1916 he did time in the House of Refuge, for unlawful entry; 1917-1918, he was sent to Sing Sing for grand larceny; 1919-1923 he did another term for burglary.

"The parents say the boy is mentally deficient. They even had a commission inquire into his sanity."

But nothing was done with its findings.

Comforts Father and Mother

In appearance and bearing Anderson reminds one of a dignified professional student. With his pince-nez glasses he looks like a high-brow intellectual.

When the newspapers printed stories about his father's testimony convicting him, he comforted his father and told him that he admired him for living up to his oath.

When the jury found him guilty it did so with a recommendation for mercy.

But the New Jersey law says that when a jury brings in a verdict of first degree murder this verdict

shall be death unless the jury recommends life imprisonment.

And the jury said: "Mercy"; not "life imprisonment."

So the judge sentenced him to die in the electric chair the week of February 17.

"A fine Valentine for me," Anderson said smiling—as he tried to comfort his mother.

But there was no comforting his mother, a gray-haired, feeble, little lady, who is growing feeble each day, worrying, not only about the fate of her boy, but the effect on her husband.

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