

BECKER CONVICTED, 1ST DEGREE MURDER; VERDICT IN AN HOUR

**Jury Decides Ash Pit Murder
Case at 1:47 This Morning
After Night Court Session.**

TRIAL SPEEDED TO FINISH

**Three Ballots Taken, First
Standing 8 for Conviction of
Charge, 3 for Acquittal.**

FOUGHT HARD FOR HIS LIFE

**Defendant on Stand All Day—De-
fense Blamed Norkin for
the Slaying.**

Deliberating exactly an hour, the jury at 1:47 this morning brought in a verdict of murder in the first degree against Abraham Becker, charged with killing his wife last April by striking her on the head with an iron bar and burying her in an ashpit in the Bronx.

In arriving at a verdict, it was learned that the jury cast three ballots. The first one stood eight for murder in the first degree, one for second degree and three for acquittal. This result was changed slightly on the next ballot, and the third found a unanimous jury.

Becker's composure throughout the case has been surprising to every one, and when the jury came in with the verdict he looked at them with face as impassive as a stone image.

Becker watched while a poll of the jury was taken and then stood up for his pedigree. He gave his answers in low, calm tones, and a moment later walked quietly out of the court to his cell in the county jail.

The trial was finished at the first night session the court has held in the trial. Judge Gibbs determined to close the case before Christmas, and yesterday, over the protests of Alexander Mayper, counsel for the defense, he announced that the court would convene in the evening after the two regular day sessions, and that the case would go to the jury at that night session.

For nearly six hours yesterday Becker was on the witness stand under a severe grilling by Assistant District Attorney Cohn, who attempted to break down the direct testimony of the defendant that his wife had disappeared following a quarrel with Reuben Norkin, who owned the yard in which the woman was buried. Becker left the stand for the prisoner's pen at the end of the afternoon session and counsel began his address to the jury.

Mr. Mayper blamed the ill feeling in the neighborhood for the fact that many former friends of the defendant and his wife appeared against him. He characterized the testimony of Harry Monstein and Becker's alleged confession to him as "a tissue of lies." Counsel did not spare the police in his summing up, charging the detectives in the case with trying to force the crime on an innocent person. He pleaded with the jury to remember that the burden of proof lay on the prosecution and challenged the identification of the body of the woman found in the pit as that of Mrs. Becker.

Prosecutor Defends Police.

For the State, Mr. Cohn denounced Becker as a stone-hearted man who was not even moved by the sight of the clothing and the possessions of his murdered wife. Mr. Cohn came to the defense of the police by pointing to the excellent records of some of the officers. He said it was a common practice for lawyers with a poor case to blame it on the police.

Judge Gibbs, in his charge to the jury, pointed out that the guilt of the defendant must be found beyond a reasonable doubt. He warned against mistaking a sympathetic for a reasonable doubt. He said that the jurors should look at the facts with the same calmness and coolness they would judge a proposition in their daily lives and act accordingly. Referring to the attack on the police by the defense, the Judge spoke of the work of patrolmen protecting the lives and property of citizens and said: "The livery of the city of New York could not be taken as a badge of dishonesty."

He explained the law in regard to the different degrees of murder and informed the jurors that they could arbitrarily bring in a verdict of murder in the second degree, carrying life imprisonment. At the same time he warned them that unless it was proved beyond a reasonable doubt that there had not been murder in the first degree they would be violating their oaths as jurors.

The final session of the trial began about 8:30 o'clock last night. Judge Gibbs denied a request from the foreman of the jury that the jurors be permitted to examine that part of the county jail where, according to witnesses, Becker confessed to his friend, Monstein, that he paid Reuben Norkin \$100 to murder Mrs. Becker. Detectives testified that they heard the conversation.

"The case is closed," said Judge Gibbs. "You gentlemen have all the evidence, and I do not believe it is necessary that you visit the jail. I assume full responsibility in denying the request."

In summing up Mr. Mayper, for the defense, reminded the jury that it was "not only right but permissive that they temper justice with mercy."

"You have the greatest responsibility that can be laid upon men," he said. "You have the body and soul of a man presented to you in the arms of the law. I would impress upon each one of you your responsibility in a case of murder in the first degree."

The "Poison of Panic."

Attacking the testimony against Becker, he reminded the jury of the feeling that has been aroused against the accused since the body of the woman was found in the ash pit.

"There is a great tendency in human beings to add a little to everything that is told them and to add a little to everything they see," said Mr. Mayper. "Up to the time that Harry Monstein gave his evidence there was no evidence whatever produced by the prosecution that should receive any weight or credence. You have heard witnesses admit

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they discussed the case; that there was a strong feeling against Becker—the poison of panic—the poison of the mob.”

Mr. Mayper then recounted the testimony of a witness who testified that Becker told her three days after his wife's disappearance that Mrs. Becker had gone to the movies on a Wednesday night and had never come back. The attorney reminded the jurors that other witnesses, including Becker himself, had stated that Mr. and Mrs. Becker were guests at a neighbor's house on Thursday night.

“Becker would not dare to say to neighbors that his wife had disappeared after a motion picture show on Wednesday, when he knew that others were fully aware both he and Mrs. Becker were at a party on Thursday,” said Mr. Mayper. “This illustrates the mob idea. It's that idea that impelled the witnesses to testify as they did. They were burned by the poison of animus.”

Says He Loved His Wife.

“Try to think with the intellect of the defendant. Becker was certain that his wife had left him and he said openly, ‘Let her stay away.’ That's what we would have said in his place. Becker's relations with his wife had always been pleasant. He lived with her for many years. He left her once, but consider his type. Once he stole the proceeds of the sale of a horse. That, too, is his type. But he paid it back. He did not consider he was doing something immoral when he ran off with Anna Elias. He was only afraid that he would be prosecuted under the Mann act. But after a few weeks he returned to his wife.

“Becker loved his wife and returned to her. If he had not loved Mrs. Becker do you think Becker would have come back?”

Attacking the testimony of Harry Monstein, admittedly the most damaging to the defense, Mr. Mayper assailed the methods of the police.

“Would you believe the testimony of the stool pigeon?” he asked. “Why is it the prosecution asks prospective jurors if they would believe policemen like ordinary citizens?” I'll tell you. It is because it is a well-known fact that this is not the first time that a policeman has said more than his prayers. It isn't the first time a policeman has gone out of his way to fasten the guilt upon an innocent person.”

Mr. Mayper called attention to the fact that Detective James I. McCarton, in his testimony corroborating Monstein, had said he could see Becker, whereas Lieutenant Bruckman, who looked through the same keyhole during another conversation, had said he could see only Monstein.

Puts Blame on Norkin.

Counsel advanced the theory that Norkin killed Mrs. Becker without Becker's knowledge or connivance. He drew a picture of the “inquisitorial methods” of the detectives in examining Norkin and Becker and wringing so-called confessions from them.

Earlier in the day, for several hours, through direct, redirect and cross examination, Becker fought stubbornly for his life. His calmness under the fire of questions from Assistant District Attorney Cohn surprised every one. Parrying, denying, affirming or simply standing on “I don't remember,” he answered with confidence and assurance. Even the sight of the clothing and articles found on the body of the woman in the pit did not shake his nerve.

He held the tattered gray coat in his hands and answered steadily, “It is not my wife's.” He said that the lock of hair was too dark for Mrs. Becker's, and that the sweater did not belong to her. It was gray, while her's was brown, he said.

Late in the afternoon the prosecution introduced the confession Becker is alleged to have made to the District Attorney saying that Norkin killed his wife, told him about it and threatened to kill him if he reported the matter to the police. Becker simply denied that he ever had been asked such questions or that he ever had made answers attributed to him. He declared he was struck in the face by Detective McCarton during an examination and said that Lieutenant Bruckman told him he might as well answer all questions as he “was going to the chair anyhow.”

Regarding the Monstein testimony, Becker said that Monstein had come to him in the jail with the remark that Norkin killed Mrs. Becker. He said that he didn't believe it. Most of the rest of Monstein's story Becker denied.

Just before he closed with the defendant, Mr. Cohn, using the alleged confession of Norkin, questioned Becker on the happenings on the night his wife was supposed to have disappeared. Becker denied that he had taken Mrs. Becker in his automobile to the welding shop at 140th Street and Southern Boulevard, where Norkin worked that night.

“Did you see your wife struck down with an iron bar,” asked Mr. Cohn.

“I did not,” Becker replied.

“Did you see your wife fall to the ground, groaning?” asked Mr. Cohn.

“I did not.”

“Did you help to drag her body to the pit?”

“I did not.”

“Did you there bury her without waiting to see if she was dead or alive?”

“I did not.”

“Did you shake hands with Reuben Norkin over your wife's grave and promise not to tell?”

“No, I did not,” said Becker.

The District Attorney concluded his cross-examination by asking Becker, “and you say you loved your wife?”

“I loved her all the time,” was Becker's answer.