

# LIFE CONVICT NOW PROVES INNOCENCE

**Italian Sentenced for Wife  
Murder Clears Himself After  
Eight Years.**

**WOMAN KILLED HERSELF**

**He Took the Blame, but His Story  
Was Misunderstood and He Did  
Not Know English.**

*Special to The New York Times.*

TRENTON, N. J., May 19.—Rafael E. Morello, who was sentenced to life imprisonment for the murder of his wife in Essex County eight years ago, has received his freedom here because he was convicted of a crime which he did not commit, although the conviction was upon his own testimony. The circumstances in which he was paroled recently became known publicly today when Governor Moore decided to lift the veil of secrecy from the proceedings of the Court of Pardons.

Morello, one of forty-two prisoners paroled, had been in the United States only a short time and had not learned to express himself clearly in English when he was drafted for service in the army early in 1918. He had been married only a few months. His young wife, it was said, threatened to commit suicide if he left her for service in the war.

Notice came for Morello to report to the draft board. Mrs. Morello pleaded with him not to go. He was firm in the declaration that he must.

One day before his expected departure two pistol shots were heard in their home. The police found Mrs. Morello dead and Morello lying wounded beside her.

#### Admission of Responsibility.

Morello was arrested and charged with murder and attempted suicide. He admitted at the coroner's inquest in broken English that he was responsible for her death, and in a higher court a few weeks later he was convicted.

Two years ago when Morello had learned English well he told his story to welfare workers, and, it was said, they were amazed. They investigated it, seeing friends and relatives and officials and eventually with the recommendations of all they presented it to the Board of Parole.

Morello had not killed his wife, this later inquiry showed. She had committed suicide and he in his grief had attempted to commit suicide. It was said also that he had not admitted in his broken English that he was responsible for her death, but had sought to tell the Court that his insistence on going to war was responsible. This, it was said, was mistaken for a confession of murder.

#### First Announcement in Year.

The announcement of the identity of the prisoners paroled was the first made since the Court of Pardons a year ago adopted the policy of keeping secret the names of released prisoners on the theory that publicity might injure their attempts to re-establish themselves in society.

Governor Moore said 470 applications for clemency had been made to the Court, but that only forty-two had been granted. These included thirty-seven prison cases, four county penitentiary cases and one Rahway Reformatory case.

"These paroles are in no sense pardons," said the Governor. "The individual still remains under the jurisdiction of the county. The majority of the forty-two prisoners had only a few months to serve before the expiration of minimum sentences, and in five cases the minimum had expired and was awaiting decision by the Court.

"In the list of cases in which paroles were granted to prisoners having still to serve one or more years, the Court was aided in its decisions by recommendations from either the Judges who sentenced the men or from the prosecutors who tried the cases and in no instance has a parole been granted to a man who the Court did not firmly believe was deserving."

#### List of Paroles Granted.

Murderers who were paroled were: Theodore Budnick of Cumberland County, who was received at prison in May, 1922, for a term of six to eighteen years; William Gleason, Bergen County, received in March, 1921, for ten to thirty years; Edward Moynahan, Hudson County, received in February, 1917, for twenty to thirty years; Frank Hodges, Monmouth County, received in December, 1916, for twenty to thirty years; Salvatore Agnesi, Passaic County, received in April, 1919, for twenty to thirty years.

Hodges was said to have been recommended for parole by the trial court two years ago because of mitigating circumstances, and a similar request was said to have been received from the Passaic County authorities in the case of Agnesi on the ground that he had acted in defense of his wife in shooting a man who invaded their home at night. Including the time spent in jail by the men awaiting trial and the outcome of appeals, each has served more than two-thirds of his minimum term, with allowance for good behavior. Moynahan likewise, it was stated, has spent ten years behind bars.

Among other paroles were the following:

ESSEX—Beryl Barry, assault and battery, April, 1921, 12 to 30 years; George Beekman, bigamy, December, 1924, 2 to 4 years; Peter Ruggiero, carrying concealed weapons and robbery, June, 1921, 10 to 18 years.

HUDSON—John Cosner, false alarm, August, 1925, 1 to 3 years; James Kerr, burglary, January, 1922, 4 to 7 years and \$2,000 fine; John King, robbery, March, 1922, 10 to 15 years; James Luzzio, December, 1922, 5 to 15 years; John Rellily, robbery, March, 1922, 10 to 15 years; Arthur Longane, robbery, March, 1922, 10 to 15 years.

MORRIS—Raymond Dougherty, highway robbery and carrying concealed weapons, February, 1921, 8 to 18 years; Ernest Jordan, carrying concealed weapons and highway robbery, February, 1921, 8 to 18 years.

PASSAIC—Joseph Fava, robbery, January, 1921, 8 to 15 years; John Carter, robbery, December, 1920, 10 to 15 years.

WARREN—Thomas Snoover, burning barn, dwelling house and Grist Mill, June, 1923, 1 to 7 years and \$500 fine.

## **WOULD SAVE MORELLO FROM BEING DEPORTED**

### **Governor Moore Considers Appeal for Man Found to Be Innocent of Wife Murder.**

*Special to The New York Times.*

TRENTON, N. J., May 20.—Governor Moore announced today that he was considering a pardon for Raffaele Morello and interceding in his behalf with the Attorney General of the United States in an effort to obtain withdrawal of a deportation detainer filed against Morello after he had been convicted of the murder of his wife, of which crime he is now considered innocent.

Morello served eight years in the penitentiary. He was convicted on what was taken to be a confession that he was responsible for his wife's death. He made the statement when he was unable to speak English, but after learning the language in prison he said his wife committed suicide because he insisted on responding to a draft call for war service in 1918. He said he had tried to explain to the authorities that his insistence on responding was responsible for his wife's taking her life and not that he, through an act against her, was responsible. Investigation of his story led to the recommendation for his parole.

Governor Moore said he intended to take up the matter with the Attorney General and that he believed a complete pardon would permit Morello to remain here without a stigma.

## **MORELLO PARDON UP JUNE 23**

**Innocent Man Who Served Eight Years Would Avert Deportation.**

*Special to The New York Times.*

TRENTON, N. J., June 4.—The Court of Pardons will meet in special session on June 23 to consider the granting of a pardon to Raffaele Morello of Newark, recently paroled from the New Jersey State Prison here. After he had served eight years of a life term for murder it was discovered that Morello was innocent.

Upon his release from the prison Morello was arrested by Federal authorities, who seek to deport him as an undesirable alien. If a full pardon is granted there will remain no grounds for such action, and it was with that thought that Harold Simandi of Newark, his counsel, appealed to Governor Moore for a special session of the court.

Morello was accused of killing his wife. His conviction was based in a large part upon a statement made by him through an interpreter, which was understood to be a confession of guilt. While a prisoner, he mastered the English language and explained that his wife, a bride of a few months, took her own life when he insisted upon leaving her to join the American forces in the World War. His statement at the time of his arrest, he said, was to the effect that he was responsible for her death because of his determination to become a soldier. But the shot which killed her, he declared, was fired by her. He has been released under \$1,000 bail by the Federal authorities and the deportation proceedings will be held in abeyance pending the special session of the Court of Pardons.