

# Jury Convicts Moscowitz In Case Involving Girl, 14; Two-Year Term Is Meted

Judge Mac Swinford sentenced a Catholic priest to serve two years in the Federal penitentiary yesterday after a jury found him guilty of taking a 14-year-old girl over a state line for immoral purposes.

The jury, composed of 11 men and one woman, deliberated for 30 minutes before announcing its verdict in U. S. District Court, Covington. Earlier the original jury was exhausted as 15 jurors were disqualified by opposing counsel. Additional jurors were summoned hastily from the University of Kentucky Extension Center, nearby, and from Covington business houses.

Just prior to the sentencing, Charles E. Lester Jr., Newport, attorney for the Rev. Reuben T. Moscowitz, 42, former assistant pastor of Corpus Christi Church, Newport, asked that Judge Swinford suspend his sentence and that the clergyman be put on probation.

Rejecting the probation plea, Judge Swinford said in pronouncing sentence: "The court feels that this is a serious offense, and also a continuing offense by the defendant. It was not a crime of sudden heat and passion, but was brought about through confidence and faith. It was an act and a crime that began months before the culmination of the actual offense."

"This man is of mature years and of cultured background. The age of the girl and the whole circumstances must be taken into consideration. The man's friends and the girl's parents attempted to get this thing stopped, but to no avail."

"The parents of this child showed marked restraint and excellent citizenship in trying to avoid further trouble. Yet the defendant moved to another section of the country, several hundred miles away, and still pursued the child. This cannot go unpunished."

"I do not wish to appear harsh, and there is no attempt to impose an unjust sentence. It seems to me that the court is in good conscience in sentencing him to serve two years."

Earlier Mr. Lester asked the court to declare a mistrial because of the attitude of Claude P. Stephens, district attorney. Mr. Stephens was summing up his arguments to the jury when Mr. Lester interrupted him. The attorney charged Mr. Stephens with "attacking the Catholic Church."

"I think the court should admonish the district attorney for his misconduct," Mr. Lester said.

"The U. S. attorney is defending the Catholic church, Mr. Lester," Judge Swinford answered.

"The church does not need defense and particularly not his," Mr. Lester said.

The district attorney had charged that it was "an unholy thing" that the priest had done.

"We have the picture of a child, 14 years old, being seduced by a man 42 years of age. It was bad enough for a man not in priestly robes, but 1000 times more heinous to do it under the cloak of religion," Mr. Stephens charged.

Earlier Mr. Lester had contended that the two-count indictment of the priest was not correct. He said that the charge said the defendant purchased the ticket "to be used" to take the girl from Boone County in Kentucky to the National Airport at Washington.

"The indictment did not say that the ticket was actually used and it is therefore faulty," Mr. Lester said.

After some deliberation, the judge agreed and struck out the first count of the indictment. The other count charged the priest with "inducing, enticing and persuading" the girl to go from Kentucky to Washington for immoral purposes.

Mr. Lester also attacked that statement and said that the court could not prove that the girl was enticed, persuaded or induced, but that it was her own idea. He

said she had threatened suicide unless the priest saw her.

A surprise piece of evidence introduced by Mr. Stephens was a letter written by the priest to a 20-year-old Cincinnati girl. The girl was to act as a "go-between" for the purchase of the airplane tickets, she said when called to the stand to testify.

The priest used the code names of "Tom Morey" for himself and "Mrs Martha Morey" for the 14-year-old girl. It was in that name that she picked up the tickets at the Boone County Airport, the government asserted.

The child asserted she first met the priest at a picnic at Butler State Park, Carrollton. She said that she went in swimming with him and that he kissed her and some of the other girls.

The witness said that the priest had promised her to "give up the priesthood and marry her as soon as he got out of debt."

When the girl's parents complained to Msgr. Gerhard Geisen, chancellor of the Catholic Diocese of Covington, the priest was moved some three months later to Washington, D. C. Up to that time he had been instructor at Newport Catholic High School.

Another defense offered by Mr. Lester was that the case was not one that should have come before the Federal Court.

"The Federal government should only be concerned with coining money, printing stamps and training the Army and Navy, and should leave the morals to the local people," he said.

"This case should be tried in the state courts. After all, the courts of the Commonwealth of Kentucky are older than most Federal courts," he said.

Mr. Lester presented no witnesses in behalf of Father Moscowitz. At an earlier trial several priests and doctors testified in behalf of the priest. Because of a faulty drawn indictment, the jury disagreed in the trial last December.

Jurors who sat in the case were William N. Cowe, Bellevue; Howard A. Stephens, Walton; Jacob K. Crittenden, Covington; Charles E. Gahr, Covington; Mrs. Russell Rector, Independence; Fred Kalb, Augusta; C. N. Varble, Sparta; W. L. Benschker, Cynthia; Paul Riddle, Newport; Wilford Wheeler, Sparta; Tom Hill, Covington grocer, and William Macklin, Covington department store official. Mr. Hill and Mr. Macklin were "drafted" when the original jury panel was exhausted.

## Girls Leave Home, Caught At Airport

Two Lexington girls, 13 and 15, on their way to New York to find jobs, yesterday were taken from an airplane at the Greater Cincinnati Airport in Boone County and returned to their homes, Miss Elizabeth Cochran, Kenton County juvenile officer, said.

Miss Cochran said the elder of the girls had \$200 dollars and reportedly took \$300 from the home of her parents before leaving for school yesterday.

On the way to the Lexington airport the girl purchased a wristwatch and clothing for the younger girl.

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