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—Kier says

Continued from Page 1)

Johnson of Washington) and my godmother (Mrs. Lillian McBride, Fayette St.) also visited me."

* * *

AS HE SPOKE, young Kier, convicted Sept. 18 of the brutal slaying of the woman to whose home he went seeking work, huddled on a bench in the sheriff's office awaiting the completion of papers which would send him to the Maryland Penitentiary until his execution—the date for which has not been set.

He seemed even smaller than his 140 pounds as he stared bleakly around the barren room.

His neatly-pressed brown suit seemed too large for him; his white shirt was too large at the collar; his red tie seemed to have too bold a pattern for such a quiet, unassuming youth.

Most ill-fitting of all were the massive handcuffs which shackled his delicate, almost scrawny, wrists. His eyes were the only things about him which seemed to measure up to the surroundings and the situation—they were both piercing and expressive.

Q—"How did you spend your time while awaiting your trial sentencing?"

A—"I read the Bible mostly. Then sometimes I'd play cards with the other fellows."

* * *

THE YOUTH was sentenced to death by Judge Michael Paul Smith and Lester L. Barrett, despite the eloquent pleas for mercy by defense attorneys William Murphy and David Bates—who were appointed by the court to handle the youth's case because he had no money to retain counsel.

The execution has been set for the week of January 27.

Mr. Murphy pleaded for the more lenient life sentence because, he said:

"Imposition of the death penalty would show a motive of revenge — not of punishment. The death penalty is not punishment, it is annihilation. It says there is no hope of repentence.

"The life sentence would be punishment—it would be a living death. The law does not compel the court to condemn to death. I earnestly implore this court to impose only the life sentence considering that the manner in which this incident came about was not by design.

"It was a case of pure panic—not a case where someone has planned or lain in wait or devised a diabolical scheme to take someone's life."

The case started June 12 when the body of Mrs. Myrtle Bopst was found in her home. According to police, she had been beaten with a sword, a silent butler, and a cast-iron horse. She had been stabbed with a hunting knife, police said.

A neighbor told police that a young man had been in the neighborhood seeking work. She gave police the name and address the youth had given her.

Police went to the 2920 Westwood Ave. address where Kier shared a small apartment with his mother and 4-year-old step-brother and placed him under arrest.

After he was convicted by Judges Smith and Barrett September 18, his attorneys asked a new trial on the grounds that the confession the state introduced as evidence was obtained under duress and promises of leniency.

On Oct. 2, the motion was denied: Judges John B. Gontrum and Stewart O. Day agreed with the two trial judges to make the refusal unanimous.

* * *

YESTERDAY (THURSDAY) Judge Smith, in pronouncing sentence, said:

"Carl Daniel Kier, you have been convicted by this court of murder in the first degree . . . you were given every legal right to which you are entitled as a citizen of Maryland.

"Since you had no funds, the court appointed two outstanding lawyers, Mr. David N. Bates and Mr. William Murphy, to defend you. This court would be remiss if it did not commend the excellent work they did in your behalf.

"Both worked tirelessly. No lawyer could have obtained a different result.

"After due consideration, the court came to the unanimous decision that you were legally responsible for the commission of this violent, vicious crime.

"I therefore order that you be turned over to the warden of the Maryland Penitentiary—there to wait execution . . . at which time, you will suffer death by the administration of lethal gas.

"The court will recess for ten minutes."

* * *

AS THE boyish defendant, flanked by two large deputies, heard the sentence, he opened his mouth and inhaled deeply. This was the only show of any thought or emotion during the trial.

During the recess, various groups of persons in the court were heard to remark excitedly:

"Why he (Judge Smith) didn't even say the customary 'and may God have mercy on your soul.'"

Part of the delay between the conviction and the sentencing was due to the examination of the youth by psychiatrists. Mr. Bates, pleading for leniency for his client, pointed out their findings, saying:

"Both the court and counsel have had advantage of the results of the psychiatric examination. All psychiatrists say that although we have here a 21-year-old boy—we have a boy who is subnormal . . . he is psychopathic—schizophrenic.

* * *

"HE'S A SICK boy—he is not the natural defendant. He is sick today; he was sick at the time of the crime, he was sick five or ten years ago.

"He has malnutrition of the brain.

"He was a bastard child. He had no father. He had a stepfather who drank and who hated him. His mother was so neurotic herself that she just tore the insides out of this boy . . . so he has a mental age of less than 14.

Some people might think that a plea of mercy in this case is preposterous. Never, in any court, is a plea of mercy preposterous."

* * *

WHEN THE lawyers' pleas were finished and the youth was being led on the first leg of his trip to the gas chamber, there was not a soul in the court room to whom he could turn for comfort.

His mother who had sat through lengthy preceding hearings, was absent for the first time.

When her son was first arrested for Mrs. Bopst's death, Mrs. Jarvis said:

"I don't have any idea that my son did it . . . I don't know . . . but if he did, he must have been sick . . . something must be wrong with him to do a trick like that."

The son and grandson of ministers named Daniel Kier, the mild-mannered youth himself taught Sunday School at a Myrtle Ave. Church.

* * *

IN APRIL, 1954, he was sentenced to serve not more than five years in the Reformatory for Males for burglary. He was released on parole because of his good work record and the fact that he had a job waiting for him.

On the Saturday before the Tuesday slaying, he was discharged from his job at a fertilizer plant. On Monday, he reported to his parole officer and then set out searching for work.

It was during this search for employment to care for his sick mother and small stepbrother that he made the fateful knock on the door of the Bopsts' Charles Street home.

* * *

NOTICE

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—Cancer victim

Continued from Page 1)

which said that Carl wanted Christmas cards.

Since then he has received more than 800. AFRO readers have also sent him money, clothing and toys, enough for the entire family which includes his mother and father and his two brothers and three sisters.

Writing so many of the cards is illegible, but those are the most sincere of all.

"I want a television," little Carl told m . "And you didn't bring the paper with my picture in it."

When I had seen Carl the day before the AFRO's first story he did not feel so well and wouldn't talk. I did not think he was paying attention to my promise to bring the AFRO with his picture on the front page.

As far as Carl is concerned now he feels fine.

At once I recalled his mother's words: "Since so many people have prayed for him and have made us feel so happy, Carl seems to have improved," she had said.

At the moment he was interested in getting a TV so he could see Mickey Mouse, film funnies, Westerns and the circus.

"Ask Santa Claus for a television for me, will you? he said in the dearest little voice imaginable.

* * *

HE HELD a fairly fat little teddy bear in his arms. When you pinch its tummy, it growls.

"Where'd you get this bear?" I asked, "and what's his name?"

"Name is Teddy Bear and somebody nice gave it to me," the little shaver replied.

"She (he pointed to another patient in the next bed) wants to see Santa Claus too," he told me firmly. "Did you ask her what she wants for Christmas too?"

As unselfish as only little children can be, Carl was thinking of his friends. The nurses reported he has shared his gifts.

"And ask him to bring my mother a refrigerator for her food and a radio for my dad. His is broke. And I want my brothers and sisters to have the same thing I'm going to get," Carl said with all belief.

* * *

"WHAT ELSE do you want for Christmas, Carl?" I said knowing that all tots want to pour out their hearts to Santa when they see him. Carl has not had that opportunity.

"I want a two-wheel bike, a pair of skates, a pair of guns, and a new red wagon," he replied out of breath.

His eyes were wide and wonderful.

Have you never seen a child's face light up and his eyes become misty when he thinks of Santa and Christmas eve? There's something holy there.

"He gets more mail in a day then I get in a year," his nurse said. "You get mail from people you don't even know," she added to Carl, handing him an armful of unopened envelopes.

* * *

ALERT and quick to observe, Carl noticed the other children being served their dinner.

"The nurse downstairs said if I eat all my dinner, I can have pretzels," he said to the nurse.

"But children up here on our ward are on a diet, Carl, and we just have a certain diet. I don't think it's pretzels," she told him gently. "Which nurse was it?"

"The nurse that stuck my finger with a needle," Carl replied. "I'm not on a diet. I can have pretzels."

Later, he, ate his dinner but wisely saved his milk. He wanted it to pour over cereal which is his favorite dish.

"May I have oatmeal and toast?" he asked, handing the whole wheat bread back. "I like toast better."

When the cereal came, he poured the milk over it and added sugar, stirred it just right.

* * *

"WHAT DO YOU think is the nicest thing in all the world?" I asked him.

"A horse," he replied with assurance." And when I grow up I want a real horse and saddle, cowboy boots, shirts and pants."

"What's the funniest thing in the world to you?" I said, watching his bright eyes sparkle with laughter.

"A monkey. When he swings on his tail, I get tickled. I saw one on television once."

* * *

AS WE talked he told me he just loved school until he got sick. He was in the first grade at Benjamin Banneker Elementary School 113 at Greenmount Ave. and Federal St. during the month of September.

He liked coloring and writing best. He printed his name for me in big letters, backwards, and starting from right to left.

"I don't know how to do the Smith but I can write a "2".

He printed a perfect "2" and added his first name after it.

"You write so well and talk so nicely, you just have to feel fine," I said.

"I just had a pain in the stomach in school," he said. "But that's gone now."

* * *

CHANGING the subject quickly as children do, he looked out the pleasant hospital window and saw evening coming.

"The sun is going down and it just might rain," he said, with wisdom.

I handed him his fat teddy bear and prepared to leave.

"You didn't put any money in my piggie bank" he said, holding on to me." "Tell my momma and my daddy to come see me. Bring my paper with my picture in it.

"Tell my teacher I'll be back when I get well.

"Talk to Santa Claus for him, and him and her," he said, pointing to the other children in the beds near him.

Carl will live. Certainly forever in the goodness of those AFRO readers who in a day changed his life and sent him tokens of love.

EDNA PARKER

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—2½-year 'gift'

Continued from Page 1)

had been invited as guests.

* * *

JOHNS, A 6-FOOT house painter, took the witness stand and testified that he and Stepney became involved in a quarrel a short time after he arrived at the reception.

"How do you say this argument started?" asked Thomas Nugent, assistant State's attorney.

"It started when I spoke to his girlfriend," Johns said.

Earlier, Johns had testified that when he spoke to Miss Margaret Evans, 1541 Myrtle Ave., Stepney cursed him.

"I stepped over to him and said, 'Richard, I don't think those remarks were called for at a place like this'," Johns said.

The defendant stated that he and Stepney agreed to go outside and discuss the matter. In front of the house Stepney again began to quarrel, Johns said.

"I said, 'I didn't come out here to argue with you'," the witness testified. "He said, 'You act like you don't like it', and I said I didn't."

Johns then pushed the smaller man as saying, "Suppose I hit you in the eye." He said he told the man, "If you hit me I won't pat you on the back."

The defendant testified that Stepney struck him in the face and he hit the man back, knocking him down. Johns said as he was leaving Mr. Wilson was helping Stepney to his feet.

* * *

NONE OF the witnesses produced either by the State or the defense corroborated Johns' testimoney about the quarrel inside the house.

"There were quite a few people in the room and no one is sure that they had an argument," said Mr. Wilson

However, two witnesses testified that they saw Johns strike Stepney but did not see the other man strike the defendant.

Miss Annie Dean Saunders, 901 N. Fulton Ave., testified that she witnessed the fight while waiting or James Watkins, 1663 W. Forth Ave., to take her home so she could change her shoes.

"I saw Johns hit Richard but I didn't see Richard hit Johns," said Miss Saunders, explaihng that she saw both men when they emerged from the house.

Mr. Watkins said he did not hear the men quarrel but he did see "The tall fellow hit the short fellow."

* * *

AN AUTOPSY report introduced into evidence by Mr. Nugent and John O'Connor, prosecutors, disclosed that Stepney was approximately 5 feet 6 inches tall and weighed 107 pounds.

When Mr. Nugent asked Benjamin Joiner, 1541 Myrtle Ave., presently in City Jail, the defense witness said, "He was very small, what you might call puny."

Mrs. Mildred Smith, 1541 Myrtle Ave., also a defense witness, testified that she summoned help to get Stepney to the hospital when she discovered that he had been injured.

Mrs. Smith said at about 6 a.m. on the day he died she saw Stepney lying on the floor "with white stuff coming out of his mouth." She said she assumed he had been drinking and got a friend to help put him in bed.

"At 9 o'clock i looked at him and he was foaming at the mouth pretty bad," Mrs. Smith said.

Lt. James T. Middleton, of the Northwestern District, said Johns surrendered at the station house on Oct. 29. The officer said a signed statement was taken from the defendant in which he admitted striking Stepney after the man first hit him.

Ironically, two weeks after Stepney's death tragedy again struck the dead man's family when two of his brothers were shot fatally in a roadside tavern about one mile from Prince Frederick, Md., on Nov. 10.

The brothers slain in the Veterans Day' week end shooting were Lewis Stepney, 33, 1216 W. Lanvale St., and Edward A. Stepney, 27, Huntingtown, Md.

Dunbar takes Poly with late scoring

Sparked by Charles Moore, Dunbar High School handed the Poly basketball five a 67 to 57 walloping on Thursday.

Poly, which has won three straight nonleague contests, had a 26-27 lead at halftime but then Dunbar started hitting from the outside and pulled ahead.

Moore, a forward, scored 25 points, with 19 coming in the last half. Sam Ruff tallied 12 points and Reggie Harris got ten for Dunbar.

Phil Kalainski was high man for Poly with 16 points.

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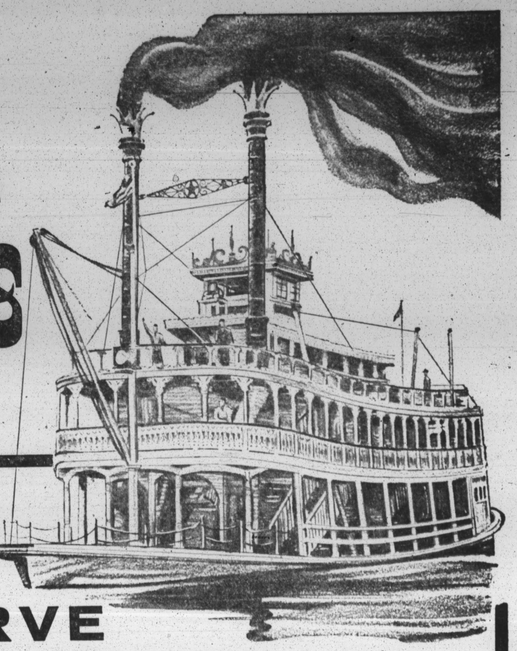

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