

OFFERS COURT CODE REVISION TO CUT CRIME

Too Much Sympathy Is Shown Lawbreakers, Declares Attorney.

This is the fifth of several articles upon the "youthful crime" situation in Indianapolis as disclosed in survey made by Morris Moore of The Indianapolis Times staff.

BY MORRIS MOORE
In the law's over-zealousness to protect the innocent, we encourage and protect the guilty," said George M. Barnard, attorney, today.

Barnard is studying the increasing crime among youths from the viewpoint of the attorney, and has outlined a plan of criminal code revision which, he claims, would protect society from the "young gunman" who kills for \$15 or \$20.

"Every possible safeguard has been thrown about the accused and so many subterfuges indulged in his behalf that in altogether too many cases it has been almost impossible to secure convictions. In too many cases these subterfuges, have thwarted justice.

Guilty Too Often Escape

Too much emphasis is placed upon the importance of the accused's rights, and too little given to the necessity of safeguarding society. If he is innocent, he does not need these aids; if he is guilty he should not have them. I despise and deplore the mauldin sentiment which accompanies the criminal.

"Too much consideration has been given to the injunction—that it is better that ninety and nine guilty men escape than one innocent man be punished." The provisions for safeguarding innocent accused persons have grown out of proportion to the accusatory provisions and so the system has been thrown out of balance with the result that too many guilty escape conviction.

Barnard was discussing a survey of The Times made in Marion Criminal Court, which showed that more than half the men committing crimes of violence, in most of which a gun figures, are minors, and that five out of six are under 25 years of age.

Would Revise Code

These figures are similar to the results of surveys in other cities. It has led criminologists to admit that somewhere there is a bad spot in our social system.

There must be a cause—and Barnard sees a contributory cause in the many ways of criminals escaping punishment—which removes the fear that stiffer punishment might instill.

An opposite view is taken by certain probation workers, who claim that the fear of the law does not decrease crime. Their views have been explained in prior articles of this series.

As a remedy for what Barnard sees as a weak spot, he suggests criminal code revision.

Barnard suggests reforms in methods of preparation of indictments to avoid the loss of so many cases on technical flaws. Another weak spot, he said, is the method of impaneling a jury. He suggests that the judge be allowed to ask such preliminary questions as will divulge whether a challenge for cause will lie, and that the number of peremptory challenges be cut down.

Empower State to Appeal

Another revision will be a change allowing the trial judge in Indiana to comment upon the evidence. "This inhibition deprives the jury of a disinterested analysis of the evidence by the trained mind of one who is unbiased and impartial and whose only motive is to further justice."

Except in cases punishable by death, the requirement that all twelve jurors agree is not necessary, in Barnard's opinion.

"There is no reason for our constitutional provision that no person shall twice be placed in jeopardy for the same offense. Why should not the right of appeal be extended to all the people if it is right for just one to have it? If the court has erroneously ruled against the State and thereby the guilty person has been acquitted, why should not the State in the interest of all the people have the right to appeal to a higher court and to have these errors corrected, and the defendant again placed on trial?"

Gone, but Not Forgotten

Automobiles reported stolen to police belong to:

Charles H. Hurd, Columbia Club, Auburn, 48-850, from New York and Meridian Sts.

Clark C. Carpenter, 944 N. Alabama St., Maxwell, 637-850, from St. Joseph and New Jersey Sts.

Hobart Canady, 3420 N. Meridian St., Hudson, 637-160, Market and Delaware Sts.

Paul Watson, 713 N. Delaware St., Ford, 649-013, Market and David-son Sts.

J. M. Dawson, 5440 Hibben St., Pontiac, 639-603, 600 block Hud-son St.

William Welch, R. R. C. box 334, Ford, 642-226, Meikle and McCar-ty Sts.

Herbert Mears, 1316 W. Twenty-Third St., Ford, 630-641, Sixteenth St. and Big Four Railroad.

R. M. North, 1323 N. Delaware St., Chrysler, 625-590, Vermont and Meridian Sts.

Hobson Geiger, 450 N. Senate Ave., Willys-Knight, West and North Sts.

William Haussin, 1102 Ewing St., Ford, Capitol Ave. and Ohio St.

Floyd Ray, Crawfordsville, Ind., Ford, Shelby St. and Woodlawn Ave.

Automobiles reported found by police belong to:

Carrie Grice, 520 W. Twenty-Third St., Whippet, Eagle Creek

Motor coach, 632-325, Keystone Raymond St.

Daughter Dies on Day Set for Father's Final Rites

Arrange Double Funeral for A. W. Peters, Eleanora Grethlein.



August W. Peters (above) and Mrs. Eleanora Grethlein.

JEALOUSY CAUSES SLAYING OF THREE

By Times Special

EVANSVILLE, Ind., April 19.—Alvah Carnahan, 36, and his wife, Gertrude, 28, married three days ago, and Sam Lockwood, 40, a dead, victims of bullets fired by Lockwood. The tragedy occurred at a rooming house. Lockwood was

prompted by jealousy. He had been keeping company with Mrs. Carnahan prior to her marriage.

The newly wedded couple was found dead and with them was Lockwood, suffering from a wound which caused death within a few hours. Carnahan was shot behind the ear, Mrs. Carnahan through the chest and Lockwood in the roof of the mouth. A bulldog belonging to Mrs. Carnahan sought to keep police away from the bodies.

Lockwood's wife committed suicide about six months. Mrs. Carnahan was a divorcee. She leaves her mother, Mrs. Mary Dury, and an adopted daughter, 2.

BIDS ARE OPENED FOR MOVING VOTING BOOTHS

County Commissioner Hogle Mails Notices to Transfer Men.

Bids on contracts to move voting booths from storage at the county yards, 2001 Northwestern Ave., to the polls for the primary, May 8, will be received April 23 by the county commissioners.

A new departure in advertising bids is being tried by Commissioner Cassius L. Hogle. He is sending out postal cards to forty-three Indianapolis transfer companies, telling of the bids and inviting their submission of bids.

The job usually runs between \$1,500 and \$2,000, and in the past about two or three bidders usually have entered the competition, Hogle said.

GOOD PEOPLE MUST BE CLEVER, SAYS ERSKINE

Noted Author and Teacher Talks to Contemporary Club.

Being "good" does not mean being stupid, Prof. John Erskine of Columbia University, told members of the Contemplay Club in the Masonic Temple, Wednesday night.

Erskine, who was here, began to confer with his publisher, Bobbs-Merrill Company, and to deliver his lecture on "The Moral Obligation of Being Intelligent" is popularly noted as the author of Helen of Troy, Galahad and Adam and Eve. He also is a distinguished musician, lecturer, poet and professor. He now is on three-month lecture tour.

The company started with \$100,000 capitalization Oct. 2, 1916, and has steadily expanded. Present officers are President Binkley, Vice Presidents Joseph E. Reagan, Henry C. Thornton, T. S. McMurray, Jr., Eugene W. Short, Secretary-Treasurer Elmer W. Rogers, Assistant Secretary Lucian L. Green and Trust Officer Malcolm Lucas.

HEALTH MEETING IS SET

State Officers to Hold Annual Session Sept. 25 and 26.

The annual meeting of the health officers of the State will be held Sept. 25 and 26 in connection with the meeting of the State Medical Society, Dr. W. F. King, State health board secretary, announced today.

At the same time King declared seven rural schools were condemned by the State board of health and can not be used until after the end of the present school year when necessary improvements will have been made.

Schools condemned are Marysville School, Clark County; Dot and Utica Schools, Boone County; Thorntown School, Vigo County; Booneville School, Whitley County, and Bellmore and Hollingsburg Schools, Park County.

Winners will be selected Friday from the thirteen essays that have been selected from the hundreds written.

20% Discount

FRIDAY AND SATURDAY

—On—

MEN'S WORK SHOES

HEID'S SHOE STORE

233 E. WASHINGTON—Opposite Courthouse

BACK HOME AGAIN

Automobiles reported found by police belong to:

Carrie Grice, 520 W. Twenty-Third St., Whippet, Eagle Creek

Motor coach, 632-325, Keystone Raymond St.

LINDY FAILS TO TAKE A DRINK AT ROADHOUSE

Colonel Sleeps Late After Eventful Night in Visit to Detroit.

By United Press

MT. CLEMENS, Mich., April 19.—Col. Charles A. Lindbergh slept late today, recovering from the experiences of an eventful night which included a public appearance at the All-America Aircraft Show and a visit later to Blossom Heath, fashionable roadhouse on the shores of St. Clair in Macomb County.

Arriving from St. Louis at 7 p. m. Lindbergh and his St. Louis associates joined Edsel Ford and Maj. Thomas G. Lanphier at dinner. Then they went to the aircraft show, where the trans-Atlantic flight hero enthusiastically praised the exhibits.

Edsel Ford Leaves Party

Edsel Ford left the party, but some others joined it, and near midnight the party appeared at Blossom Heath. The night's hilarity was at its height. The guests were attired in evening clothes.

The abrupt entrance of the large party of men suggested somehow the entrance a month ago of another party of men who, it developed, were State police. They precipitated a near panic when they searched the patrons for liquor and seized \$5,000 worth of gambling paraphernalia, including a Klondike table and three roulette wheels. The place also was raided with similar result early in 1927.

Lindley Creates Panic, Too

But the kind of panic created by Lindbergh was different. Necks craned and every one watched attentively to see if he would take a drink. He did not, and neither did he gamble. He enjoyed the music of the novelty orchestra.

At an early hour today the party left. Lindbergh and Lanphier went to the officers quarters at Selfridge Field. Lindbergh said his plans for departure were indefinite.

MUNCIE BUS OWNERS GET INJUNCTION STAY

Permitted to Operate Until May 1 Under Court Order.

Several Muncie bus operators will be able to operate until May 1, as a result of a temporary stay of injunction by the Delaware Circuit Court, issued late Wednesday by the Supreme Court.

It was brought against Summer Denny and other bus operators by Arthur W. Brady, receiver of the Union Traction Company, which also operates buses in Muncie. The injunction was issued by Will J. Sparks, sitting as special judge in the case.

Hearing will be held May 1.

Refinance your auto payments on easier terms. Confidential and quick. CAPITOL LOAN CO. 141½ E. Wash. St.—Advertisement.

WHY PAY \$7.00!

GENUINE PACKARD AND SPORS FOUNTAIN PENS

2-DAY SALE—FRIDAY AND SATURDAY at manufacturer's advertising price.

Gentlemen's and Ladies' Size

During this sale our customers may buy one of these marvelous \$3.50 Fountain Pens for only 99¢.

We Will Give You Absolutely FREE!

A regular \$1.50 value, genuine Packard Expel and Repel Pen to match!

COME IN AND SEE FOR YOURSELF!

Three judges have been selected by James M. Ogden, chairman of the Indiana State Bar Association committee on American citizenship to pass on the essays entered in the State-wide contest on "The Constitution" sponsored by the Bar Association.

The judges are: Dr. Robert J. A., president of Butler University; Charles Martindale, attorney, and John P. Edmon, editorial staff of the Star. Byron B. Williams, director of research of the State department of public instruction, will be secretary of the committee.

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