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BOYD GURLEY, ROY W. HOWARD, FRANK G. MORRISON,
Editor President Business Manager

PHONE-Kiley 5551

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"Give Light and the People Will Find Their Own Way."

Insanity In the Courtroom

One of the greatest scandals in our scandalous administration of criminal justice has been the abuse of the insanity plea by prosecutor, defense counsel, and jury alike. When Hickman, an insane boy, was hanged by the community he was found sane and guilty. When Remus, another insane person, was lionized by the community and favored by the jury, he was found not guilty by reason of insanity.

Time and again we have seen internationally famous psychiatrists in apparently complete disagreement over the sanity of the accused, thus giving the impression that the opinions of any "alienist" can be had for the requisite cash.

This problem is dealt with in highly judicious and competent fashion by Dr. Winfred Overholser, director of the department of mental diseases of Massachusetts—a man familiar with the interrelation between psychiatry and criminal justice. In "Current History" he takes the following stand:

He frankly admits the existence of scandals, shows why they exist, and suggests remedies. One reason for the deplorable condition is that court procedure does not keep pace with science. It still is based on the McNaughten rule of 1843, which states that to be legally insane the accused must be "laboring under such defect of reason from disease of mind as not to know the nature and quality of the act he was doing, or if he did know it, did not know he was doing what was wrong."

Such view was all right in the light of the psychiatry of 1843. But psychiatry has made more progress since 1843 than it did between 10,000 B. C. and 1843 A. D. Today it would reject wholly any such archaic intellectualistic test as this for insanity.

Another leading cause of the abuses lies in the fact that the alienist can testify only according to court procedure. He can submit legal evidence, but not scientific evidence. Hence, by clever hypothetical questions and examination, the lawyers can make two great psychiatrists seem to clash in their opinions when, in reality they agree on all vital points. This was true, for example, in the Loeb-Leopold case.

Again, psychiatric evidence, even if honestly and competently given, is likely to be wasted on the incompetent and untrained lay jury. Though judges in some states are allowed to call in experts for advice, these judges are not always likely to be able to determine when they do or do not need assistance.

The real remedy, Dr. Overholser rightly suggests, would be to have the trial limited to ascertaining whether the man committed the act of which he is accused. Then, if guilty, he should be sent for observation to a reception and classification prison and ultimately transferred to the proper place. This would put an end to insanity pleas in court and insure proper psychiatric handling of all cases.

This report almost invariably settles the insanity question and there are few or no scandalous duels of experts in Massachusetts.

Circumstantial Evidence

The Cero-Gallo murder trial in Boston has given further evidence of the great fallibility of our criminal court system.

Gangi Cero was arrested June 11, 1927, for the murder of Joseph Fantasia. Indicted four days later, he was tried in the fall and convicted of first-degree murder. The jury found against him on the strength of one witness who testified he was seen running away from the scene of the shooting. No motive was developed at the trial.

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Our idea of an optimist is the head of a large midwestern lecture bureau who wrote Cal Coolidge in an effort to induce him to go on a lecture tour.

Now that it is announced prices of pianos are to be cut 25 per cent, it will be literally possible to buy one for a song.

What with all the subterfuge in New York, some will even look upon that \$30,000,000 appropriation for parks as a shady deal.

There is a big dispute as to whether the name of the great Roman poet, whose 2,000th birthday anniversary is being celebrated, is Vergil or Virgil. After all these years it seems the old boy still is a spinbinder.

In Malaya, they say, fish leave the water to climb trees. They probably bear some relationship to the species that recently climbed trees in back yards of this country.

REASON BY FREDERICK LANDIS

If it had been announced in Rome that a bricklayer was to marry a cobbler's daughter nobody's life would have been endangered by the crush of enthusiastic multitudes, but six children were trampled to death when the joyous throngs celebrated the betrothal of King Boris of Bulgaria to Princess Giovanna of Italy.

Three weeks ago Cero and Gallo were placed on trial jointly before a different judge and with a different assistant district attorney prosecuting. It was argued that Cero fired the fatal shot at the instigation of Gallo. Though the Romano woman could not be located to take the stand, her testimony at the Gallo trial was admitted. The jury found Gallo guilty and Cero not guilty.

Cero was freed and Gallo's counsel will appeal to the supreme court on constitutional grounds.

There is little wonder that the officials of the Boston Bar Association sat in at the joint trial in a profoundly disturbed state of mind. Nor is there wonder that Bostonians concerned with the Sacco-Vanzetti and Mooney-Billings cases took an active interest. While no question of radicalism was involved, the issue of circumstantial evidence was present in all its patent uncertainty.

Public Sentiment and the Saloon

There can be no question about public sentiment toward the saloon. It was the fight on the saloon that gave the Anti-Saloon League its first hold on public opinion. Aside from the few who might benefit financially by its return, opponents of prohibition are as much against its return as are the prohibitionists.

In the stand they have taken against a comeback of the saloon, Al Smith, Dwight Morrow, Governor Roosevelt and Charles H. Tuttle voiced the sentiment of an overwhelming majority.

Probably Dr. Nicholas Murray Butler is just as much opposed to the saloon as they are. But instead of putting another amendment into the Constitution if the eighteenth is repealed, he would have the federal government keep hands off and let the people of each state regulate their own conduct by state legislation.

He proposed this plank on prohibition, after demanding repeal of the eighteenth amendment: "Following the repeal of the eighteenth amendment, the Republican party of the state of New York pledges the adoption of such measures for control of the liquor traffic in the state as will promote temperance, effectually abolish the saloon, whether open or concealed, and bring the liquor traffic under complete public supervision and control."

Butler's plan is far in advance of any yet submitted.

WITH wars and rumors of wars all over the earth, man is in luck to be alive and in health and in the United States.

We have unemployment and farm depression and other things that are not attractive, but along the rest of the world we are sitting on a golden cushion, eating angel's food.

You kindly will observe that the League of Nations, pledged to keep the world as it is, has not lifted a hand to suppress any revolution that has occurred.

No human organization can put this world in a strait-jacket and forbid political institutions to change.

M. E. Tracy SAYS:

"Legs" Diamond and Al Capone Will Find their Place in Literature as Have Robin Hood and Dick Turpin.

I DO not know how it was in New York, but most Ohio editors accepted the shooting of Jack (Legs) Diamond as Monday morning's prize yarn.

Even the suicide of a confessed bride slayer in Cleveland only a few hours before he was to go on trial for his life and the indictment of Mal Daugherty on fifty-seven counts didn't run it off the front page.

It seems fair to assume that Mr. Diamond's unlucky meeting with four of his kind was treated with similar consideration throughout the country, and far be it from me to question the wisdom of such a unanimous verdict.

By some caprice of unscrupulous fate the racket has made a surprising place for itself in our scheme of things. In what other line could a man of 32 achieve such prominence?

He Must Be Clever

MUCH as I admire Mr. Diamond's nerve and originality, I find it impossible to give him all the credit for the news value which attaches to his coming and goings. Weighing the situation from the standpoint of an absolutely impartial observer, it occurs to me that he has enjoyed a deal of advertising at the hands of our law enforcement officials.

They have arrested him some twenty times in the last fifteen years, without securing one conviction; have accused him of everything from petty theft to murder, without being able to get more than stories and headlines which ultimately redounded to his glory.

Considering the numerous and colorful crimes with which he has been charged and his invariable ability to squirm out of them, Mr. Diamond must be an exceptionally clever man, or our law enforcement officials have been exceptionally dumb.

Since pride, tradition, and loyalty preclude the idea of rating our law enforcement officials so low, it follows quite naturally that Mr. Diamond gets the benefit of the doubt, and not only Mr. Diamond, but all his kind.

Plain Stupidity

WE are, it appears, producing a new breed of heroes to take the place of that once represented by the James boys, the Reno, Dalton, Forrester and Lafitte, and, as generally had happened in the past, stupid laws and stupid officials are contributing their full share to the program.

If this same Jack (Legs) Diamond had been living in New York 235 years ago, he probably would have been one of those pirates whom Captain Kidd was sent out to catch, but who enjoyed a lot of favor and some protection because of the silks, jewels and spices they made available for the richer folks in England.

If he had been living in Boston 160 years ago, he might have rivaled such a redoubtable forefather as Old John Hancock in the smuggling business.

If he had been raised in any of our great seaports 100 years ago, he undoubtedly would have found ample vent for his daredevil spirit in the slave trade.

Whether fortunately or not, Mr. Diamond was born to grapple with not the first, but the latest "noble experiment" humanity has made in its quest of purity through law, but he has reacted to the challenge differently from men of his stripe on previous occasions and plain people are reacting no differently to his performance.

They'll Live in Story

WHEN the turmoil and tumult of today shall have died, when the prohibition problem shall have been solved, no matter which way, when all the leagues and associations, pro or con, shall have been buried in oblivion, and when we no longer remember the names of politicians, preachers and spouters now out in front, the careers of such men as Jack (Legs) Diamond, Scarface Al Capone and other leaders who proved their capacity to dominate the racketeering crew will find a lasting place in literature, just as Robin Hood, Rob Roy and Dick Turpin have found it.

There is a reason for it, too, a reason as deep as the elemental sources of human nature, a reason that goes back as far as the Garden of Eden, and that has kept the story of Cain and Abel fresh 4,000 years.

Such men are our real skeptics and critics. They not only perceive the weakness of sheer idealism, but have the nerve to tackle it barehanded, risking their lives in the name of cynicism, daring to lay hands on our most sacred illusions and drag them through the mud.

When the smoke of battle has cleared we usually have found something to admire in the outlaws, pirates, smugglers and thieves, provided they pitched their work on a sufficiently high scale. They have appealed to the caveman that lurks in the background of every normal mind; not the caveman of ignorance, fear and superstition, but the caveman who dared to go forth and fight alone.

Racketeers, rum runners, overlords of vice—no one can excuse, condone or endorse their work. When they finally are beaten it will be by a dose of their own ruthlessness.

After that we shall not deny them such praise as their misdirected courage and misapplied talents deserve.

What is the meaning of the term bisque in golf?

It means a handicap, with a stipulated number of strokes to be taken at the option of the recipient.

Is Manhattan larger than Staten Island?

Manhattan has an area of twenty-two miles; Staten Island has an area of sixty-three square miles.

What is the population of Los Angeles, Cal.?

The 1930 census population is 1,231,730.

Do camels have one or two humps?

The true or Arabian camel has one hump, the Bactrian camel has two.

What is okra used as a vegetable or as a salad?

It is used both as a vegetable and in salads, also in soups.

Where is Tannor Touna?

It is an independent republic of northern Mongolia, Asia, in close relation with the Russian Soviet government.

On what ship did President Wilson and his party sail to the peace conference?

The George Washington.

Who wrote "Gulliver's Travels"?

Jonathan Swift.

What is the home address of Rogers Hornsby, the baseball player?

Angium, Mo.

What President of the United States declined appointment to the governorship of the Oregon territory?

Abraham Lincoln.

Possessed of remarkable ability,

William ruled strictly, kept excellent order, and won success by his own initiative.

Looks Like an Early Frost!



DAILY HEALTH SERVICE

Hemorrhage May Cause Anemia

BY DR. MORRIS FISHBEIN,
Editor of the American Medical
Association and of *Health*, the Health
Magazine.

ANEMIA is a term used to de-
scribe any condition in which
the number of red cells in the blood
or the amount of red coloring matter
carried by the cells is reduced

Such a reduction may occur as
the result of hemorrhage following
a wound or following the rupture
of an ulcer or some tissue within
the body. Sometimes the blood is
destroyed by the action of a poison
circulating in the blood, such poison
being either chemical or bacterial.

The chemical poisons may be
actual inorganic chemical sub-
stances found in industry or may
be organic or protein substances
resulting from the tissue changes.

Sometimes the number of red
cells or the amount of red coloring
matter is reduced, due to the fact
that the organs concerned in

formation of such cells are not
acting up to their proper capacity
and an insufficient number of cells
is formed.

vessel and the application of
pressure causes a discontinuance of
the bleeding.

Such hemorrhages as result from
nose bleed, hemorrhoids, cuts of the
skin, the generative organs of
women, and obstetrical conditions
usually are easily controllable.

There are on the other hand
hemorrhages resulting from changes
in the blood, from infestation with
intestinal worms, from rupture of
dilated blood vessels, and similar
conditions which may be uncont-
rollable by any easy method.

The details are vitally important,
since a proper number of red blood
cells and a proper amount of red
coloring matter is absolutely essential
to health and indeed to life itself.

If a person has severe hemor-
rhage or extensive bleeding at any
point in the body, the first step to
be taken is to control the hemor-
rhage, usually by tying off the blood
vessel responsible.

It might be impossible to reach
the blood vessel because of its de-
posit in the tissue; in such a case,
a ligature or tourniquet is placed
around the tissue containing the

vessel and that he could not possibly
contribute \$20 every week to his
frail wife.

Chance to Win

I HAD half a mind to challenge
him myself. This was surely the
spot in which to chalk up a victory.

Indeed, although his wife was
frail, I doubt that Mr. X won many
decisions against her, even in his
palmiest prime.

For her there might wait radio
rewards, for Floyd Gibbons at full
speed hardly could match four
words to the plaintiff with one of
his words.

Nor did she talk to insufficient
purpose. The defendant began to
build up a stumbling case for per-
sonal economy based upon his own
financial helplessness and profes-
sional ineptitude.

"Is that so, judge?" Listen to him.
"Let me show you."

A little violent fumbling in a
handbag and out came a mass of
clippings. Mr. X, it would seem, in
addition to being a somewhat too
small wrestler, also engaged in play-
ing the part of a gorilla in theatrical
entertainments.

Here were press notices, clippings
—Mr. X swinging from a tree, Mr.
X grimacing most horribly at hunt-
ers, Mr. X in the act of kidnaping