

BAR GROUP HITS CRIME HANDLING BY NEWSPAPERS

Attorneys to Propose Law to Ban Sensationalizing of Trial News.

(Details of Gov. McNutt's radio speech, Page 31.)

Proposal of a statute to prevent sensationalizing of criminal trials by newspapers is to be one of the principal features of the report of the committee on criminal procedure to the American Bar Association which meets next week in Boston. Atty. Gen. Philip Lutz, committee chairman, announced today.

Mr. Lutz was in Boston today to attend the second annual meeting of the Interstate Commission on Crime. He is to remain there for the association meeting, which is to last from Monday to Friday.

Gov. McNutt is to speak on the "Public, the American Legion and Crime" at the meeting of the Interstate Commission on Crime.

Other Proposals to Be Made

Other proposals of the report, to be delivered by Mr. Lutz Monday, call for enactment of statutes concerning criminal procedure, administration of evidence gathered by peace officers, acting in good faith but technically illegally and interstate compact to secure more effective co-operation between the states in the enforcement of criminal laws and policies.

"The most serious criticism of American criminal procedure today is that the judges of the courts permit newspapers to usurp the court's own functions and duties," the report is to say.

"Newspaper interference with criminal justice always appears most flagrantly in the most celebrated criminal cases," the report will continue. "Those judicial proceedings, therefore, in which American criminal justice most needs to be a calm investigation of the truth are, on the contrary, most violently 'hippodromed' and 'panicked' by the press."

Cases to Be Cited

Judging of the defendant's life and liberty if he is innocent or of his conviction if guilty is "not the least serious result of this interference," the report will contend.

The Hauptmann and Mooney cases are to be cited as examples of "trial by newspapers."

"Both Mooney and Hauptmann," the report will point out, "based their appeals on the ground that they were actually tried and condemned by the press and that their court trials and convictions were therefore unfair and not according to law."

To stop "contempt of court by publication" the committee will propose a statute which would offer an alternative contempt procedure without repealing existing provisions of law for dealing with contempt of court.

Proper Publication' Definition

The proposed statute would include a definition of what is proper in connection with pending criminal proceedings and empower the court, on the motion of any person, to issue an order to an editor, publisher, reporter, broadcaster or news reel man to show cause why he should not be adjudged in contempt of court for a specified publication. It also would provide for a special judge to hear the case and fix the penalty.

A maximum fine of \$100 and a term of imprisonment not to exceed 10 days are suggested as punishment together with a reasonable compensation for the person, if any, against whom false accusations were published.

General adoption of five statutes which have proved their value where they have been used is to be urged by the committee.

They would permit the use of information in criminal cases wherever the indictment may be used; waiver of jury trial; force a defendant to give notice before trial that he will offer an alibi or plead insanity as a defense; leave to the discretion of the judge joint or

Mark Sullivan Says Democracy Waning

(Mr. Sullivan writes three weekly)

By MARK SULLIVAN

WASHINGTON, Aug. 21.—Omitting qualifications and not attaining exactness of definition, which are not possible in a limited space, a rough statement of what is now uppermost in the world would read as follows. It calls for the most serious attention Americans are capable of giving.

In 1917, a revolution in Russia abandoned monarchy. It set up a democratic republic, much like our own. This was a familiar type of revolution. It was the same sort of revolution toward democracy which had been going on all over the world for more than a century, sometimes with violence, sometimes peacefully.

In Russia, however, soon after the first revolution, Trotsky and Lenin arrived. They plotted and carried out a second revolution. This was from democracy to communism. Communism was a form of government and society new to the world.

Between Fascism and Communism, having got a foothold in Russia, began a vigorous campaign to extend itself to the rest of the world. One of the countries in which it made some headway was Italy.

In Italy in 1922, while the movement toward communism was under way, Mussolini came to the front. He evolved a form of society and government which he called fascism. It was observed that fascism was devised as a kind of antidote to communism.

A few years later, another country, Germany, went through a similar experience. Germany, immediately after the war, had a revolution of the older type, from monarchy to a republic. The German republic lasted several years. Then communism began to undermine it. At that point, Hitler brought forward a system called nazism, which was set up in 1932. Nazism essentially is the same as fascism. It will be observed that in Germany as in Italy, fascism arose as a kind of antidote to communism.

Both deny the right of any opposition political parties to exist and insist on the "one party state." Both deny freedom of the press. Both deny freedom of opinion. Both deny freedom of religion (though in Italy Mussolini has recently withdrawn the strongly entrenched Catholic Church). Both deny that the individual has any rights which government needs to respect, under the ideal is the "authoritarian state." Both regard opposition or criticism as treason and punish it as such. Individual rights and liberties, as practiced in democratic countries, disappear utterly.

THIS brief epitome here given pictures a condition which America can not ignore. It gives sombre significance to the ironic title of Mr. Sinclair Lewis's book, "It Can't Happen Here."

Plainly this is a condition which America must look in the face. The attack on democracy has been going on in the world since 1917. The war in Russia lasted only six years. The one in Germany only 14 years. The one in Spain only five years.

Today, the tide against democracy runs stronger and stronger. Within the past few weeks it has invaded France and submerged Spain. Our own country and Great Britain are the only large nations which still retain a democratic government and a free society. Clearly, the problem facing America is the preservation of our form of government and society. Beside, every other problem is minor.

Other Laws to Be Urged

Statutes to be recommended as aids in interstate crime fighting would provide for the attendance of witnesses from within and without the state in criminal proceedings; for the extradition of criminals; for the arrest and custody of persons closely pursued in one state by peace officers of other states; and for a uniform compact dealing with paroled prisoners and probationers.

Organization and education of interested citizens is advocated by the committee as the most successful means of improving criminal procedure. Lawyers, law teachers and judges would be enlisted to point out to such organizations defects in criminal procedure and their remedies. Then members would contact their state Legislatures for the desired laws.

ESTATE VALUED AT \$20,176

Times Special

ANDERSON, Ind., Aug. 21.—An inventory filed in Circuit Court today valued the estate of Mrs. Irma Eberhart, who died recently, at \$210,176.

THE INDIANAPOLIS TIMES

TORN LETTERS INTRODUCED AT SENATE PROBE

Offered After Agency Gets Order Balking Seizure of Records.

By United Press

WASHINGTON, Aug. 21.—Thus what has gone on in five of the greatest European nations is a struggle between communism and fascism. In one country, Russia, communism has established itself firmly. In France, there is a strong swing toward communism. In Spain, the two conceptions are engaged in a bloody war.

Throughout all this, democracy is forgotten. Democracy does not even figure in the fighting. The end of democracy is taken for granted. It is a struggle between Fascism and Communism over what Mussolini sneeringly called "the pitrid corpse of liberty."

The letters were obtained from the wastebasket of the Atlanta office of Railway Audit and Inspection, a detective agency under scrutiny in the inquiry.

They were presented immediately after attorneys for the concern recovered a show cause order had been obtained in District of Columbia Federal Court to prevent surveillance of subpoenaed Railway Audit records to the committee.

Acting in what they held to be in accord with the court order, officials of the concern told the committee to appear at the hearing, drawing a warning from Chairman Robert M. La Follette that they absented themselves "at their peril."

Watched Wastebaskets

Virgil Finch, investigator for the committee, told the story of the mutilated records. He said he presented a committee subpoena to G. E. Ivy, manager of the Atlanta Railway Audit office, but was not allowed to see the concern's records.

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"An Undercover Man"

He explained that a "hooked man" is hired to go out into a plant as an undercover man.

Records subpoenaed went to reveal committee investigators estimated, existence of an \$80,000,000 a year "racket" in the supplying of strikebreakers and spies to principal industries.

The committee was created by the Senate last session to inquire into alleged "violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively."

It is headed by Senator Robert M. La Follette Jr. (Prog., Wis.), son and namesake of "Fighting Bob" La Follette, who made the rights of labor a political issue. Senator El-

ELEANOR BITTER AGAINST BRUNDAGE



"All never will be forgiven. It was too heart breaking," Eleanor Bitter announced on return to New York from her ill-starred Olympic trip, denying that she had made up with Avery Brundage, American Olympic executive who ordered her suspension for drinking champagne. Mrs. Bitter said she would seek reinstatement as an amateur, but that she planned to mix champagne with her water activities. She is pictured with her husband, Art Jarrett.

bert D. Thomas (D., Utah) is the other member. The late Senator Louis Murphy (D., Ia.) was a member.

The committee called for presentation of books and papers of the Railway Audit and Inspection Co. at the first session. Donors and officials of the Burns International Detective Agency and the Pinkerton National Detective Agency have been subpoenaed also.

The Burns and Pinkerton firms have agreed to inspection of their files. The inquiry is expected to be completed by the time Congress meets in January.

Activities Are Played

"We don't know what the detective firms are going to show up with," Wohlford said, "but we are all set for them."

J. Warren Madden, chairman of the National Labor Relations Board, took official cognizance of the extent of strike-breaking in a statement saying:

"There exists today large enterprises, one of whose most important functions is to do workmen what, if my assumption is correct, not even the American governments themselves would be permitted to do."

"These enterprises for a consideration supply to employers men who pose as workmen and are so accepted by their fellows, but whose

TAX AND FARM BODIES TO VIEW INDIANA LEVIES

Schools Are Scheduled for Counties Throughout State, Report.

The Indiana Farm Bureau, Inc., and the Indiana Taxpayers' Association today announced that they will co-operate in holding tax schools over the state to scrutinize county budgets and recommend reductions.

The schools, they announced, are to be held in each county in the state with the possible exception of Marion County, where the Taxpayers' Association has undertaken the project singly.

The schedule of the meetings follows:

District 1—Pulaski, Aug. 24; Lake, Aug. 25; Porter, Aug. 26; La Porte, Aug. 21; Starke, Sept. 1.

District 2—Allen, Aug. 21; Whitley, Aug. 23; Kosciusko, Aug. 24; Kosciusko, Aug. 27; Kosciusko, Aug. 28; Elkhart, Aug. 27; Nible, Sept. 1; DeKalb, Sept. 1; Elkhart, Aug. 24; Jasper, Aug. 25; Benton, Aug. 26; White, Aug. 27; Carroll, Aug. 28; Tippecanoe, Aug. 29; Carroll, Aug. 29; Morgan, Aug. 24; Vermillion, Aug. 25; Fountain, Sept. 1; Warren, Sept. 2; Elkhart, Sept. 3; Kosciusko, Sept. 4; Kosciusko, Sept. 5; Kosciusko, Sept. 6; Kosciusko, Sept. 7; Kosciusko, Sept. 8; Kosciusko, Sept. 9; Kosciusko, Sept. 10; Kosciusko, Sept. 11; Kosciusko, Sept. 12; Kosciusko, Sept. 13; Kosciusko, Sept. 14; Kosciusko, Sept. 15; Kosciusko, Sept. 16; Kosciusko, Sept. 17; Kosciusko, Sept. 18; Kosciusko, Sept. 19; Kosciusko, Sept. 20; Kosciusko, Sept. 21; Kosciusko, Sept. 22; Kosciusko, Sept. 23; Kosciusko, Sept. 24; Kosciusko, Sept. 25; Kosciusko, Sept. 26; Kosciusko, Sept. 27; Kosciusko, Sept. 28; Kosciusko, Sept. 29; Kosciusko, Sept. 30; Kosciusko, Sept. 31; Kosciusko, Sept. 32; Kosciusko, Sept. 33; Kosciusko, Sept. 34; 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