

Barton Asserts Court Decision Aids Yeggs

State Police Official
Discovers Law
Enforcement Tough

By BOYD GILL
United Press Staff Correspondent
Safe-cracking and burglaries are increasing in Indiana because of a state Supreme Court decision aiding the professional yeggs, a law enforcement expert said today.

Capt. John J. Barton, head of Indiana state police detectives, said there were dozens of unsolved burglaries involving tool or perhaps hundreds of thousands of dollars in 1949.

Many of them occurred the last four weeks as merchants' safes bulged with Christmas trade receipts.

Capt. Barton blamed the increase partly on an Indiana Supreme Court ruling a year ago which held unconstitutional that portion of a 1927 legislative act making possession of burglar tools prima facie evidence of intent to commit a burglary.

Tougher Job Now
He indicated the ruling was a blow to law enforcement authorities, in that they no longer were able to arrest known burglars and rely on possession of the tools of their trade as evidence for conviction.

"Now it's tougher to get evidence to convict a burglar unless he either is caught in the act or trapped by fingerprints," Capt. Barton said.

One of the latest unsolved burglaries was a \$1200 theft at a lodge home in Attica Dec. 26. Four post office burglaries in Gibson and Posey counties last week added to the list and there were dozens of others during the year touching nearly every county in the state.

But Capt. Barton said there were other contributing factors.

He inferred that a merchant who leaves a large quantity of money in a safe instead of a bank is just as guilty of paving the way for a burglary as is the motorist who leaves the ignition key in his car.

"Lots of money is put in strong boxes that are simple for a professional burglar to open," he said.

Capt. Barton said alert law enforcement and patrolling in the state's larger cities had forced the professional yeggs to fan out in smaller communities sparsely populated.

"Indianapolis, for example, is doing a good job against the professionals," Capt. Barton said. "Many burglars drive to smaller towns to do their work."

Example of Increase

An example of the increase, he said, occurred a few months ago when police caught a carload of burglary suspects. While they were searching the occupants along a roadside, another car filled with suspects and tools came along and was stopped. Each gang appeared to have been working separately in different cities and had no connection with the other.

"Many of the unsolved burglaries have a professional touch associated with the old-time burglary gangs," Capt. Barton said.

Legal spokesmen said the high court's opinion relating to burglar tools might be a contributing cause to the increase but it was a constitutional safeguard.

"You can't go around arresting everybody who has a fountain pen just because he might use that pen to forge a check," said one lawyer.

Utility to Answer Gas Ruling Today

Citizens Gas & Coke Co. today will file a reply to Federal Power Commission decision directing a Kansas City, Mo., company to deliver natural gas to the city.

Patrick J. Smith, utility attorney, said a brief would be filed in Washington, D. C. He declined to disclose its contents.

On Oct. 20 FPC Examiner Edward Marash directed Fanhandle Eastern Pipe Line Co. to begin delivery of natural gas to the city July 1, 1950.

The decision was subject to review by the FPC. Deadline for filing reply by the parties was today.

Under the decision the city would receive natural gas deliveries up to 10,000,000 cubic feet a day in 1950 to a maximum of 25,000,000 cubic feet a day in 1953.

The decision pointed out the use of natural gas in Indianapolis might result in an annual rate reduction of as high as \$2 million the first year. A further annual cut of \$500,000 by 1952 was considered possible.

Lucas Announces He'll Seek Re-election

HAVANA, Ill., Dec. 28 (UP)—Senate Majority Leader Scott W. Lucas (D. Ill.) has announced that he will seek election to a third term.

Mr. Lucas made the announcement at a dinner tendered him by Democratic Party leaders in his home town here last night.

**Trailer Fire Causes
Damage of \$800**

The interior of a house trailer occupied by Henry Friedmier, 1938 E. Epler Ave., was damaged by fire last night. Loss was estimated at \$800.

Mr. Friedmier told sheriff's

'Gee, Santa Was Good to Us'



"Gee, Santa was good to us," Bobby Darnell tells baby brother David and their parents, Mr. and Mrs. Joseph Darnell.

Youth Can't Give Friends Thanks for Yule Presents

**David Darnell Can't Walk, Write or Talk,
But in His Heart There Is Love, Peace**

By OPAL CROCKETT

Some people forget to mail their Christmas cards. Others forget gifts for certain friends.

David Darnell skipped both gifts and cards. He didn't even say Merry Christmas.

But David didn't forget. He wanted the best for those many friends he has made in his seven weeks' stay in the city.

The trouble is, David can't walk, write or talk.

From the looks of his loot David's primitive noises must have sufficed in making friends. He added a Christmas gurgle to his limited vocabulary. There's a word for everything, he's decided. "W-a-a" brings attention. "Ugh" says "This milk is too. A coo means 'Give, me more.'

David was born Nov. 5 in St. Francis Hospital. Soon afterwards he joined "cafe society."

He spends lunch and dinner hours in the Summit Cafe, 2635 N. Meridian St. He goes along with his parents, Mr. and Mrs. Joseph Darnell, who operate the restaurant. The Darnells live in the apartment house over the cafe.

December Birthdays

David somehow couldn't wait to arrive in December like five members of his family. But Mrs. Anne Geis, a neighbor will celebrate her birthday Nov. 5 with him. December birth dates in the family include: Dec. 10—David's mother; Dec. 15—his father; Dec. 19—his aunt, Mrs. Grace Gaughay of Russellville; Dec. 20—his brother, Bobby, who was 6; Dec. 23—his maternal grandmother, Mrs. Jamie Shelley of Frankfort. Even the Summit Cafe had a "birthday" Dec. 18. The Darnells took over three years ago.

Last week David and his family visited Mrs. Shelley in Frankfort. They spent Christmas day with Mrs. McGaughay in Russellville joined by the boy's paternal grandmother, Mrs. Louisa Shryner of Russellville.

Life in a bassinet appears easy but David is a busy boy. He entertains with startling noises from his bed in the kitchen. There's his future to ponder, too.

Becoming a chef like his dad has been for 16 years is tempting. His father tells all kinds of stories about hotel cooking and cooking in the Army, in six countries besides America! Maybe he'll be a cowboy like his brother, Bobby, or a baseball player like his friend, Wayne Litt, 2. Wayne's father, Royce Litt, is with the Pittsburgh Pirates.

A man can't rush decisions like that, David concludes. His dad's assistant, Roy Golding, thought he was a cook. The waitresses, Miss Josephine Sutton, Mrs. Irene Huff and Mrs. Josephine Farris, thought they were waitresses. Sometimes all four add baby-sitting for David.

**Prosecutor Visiting
Brother in California**

Prosecutor George S. Dailey is vacationing at the Altadena, Calif., home of his brother, Joseph L.

Dailey, his secretary said today. Mr. Dailey, who flew to California the day after Christmas, will attend the Rose Bowl game in Pasadena, Jan. 2d.

He is expected back here next week to begin final study of plans for the first degree murder prosecution at Columbus next month, of Robert Austin Watts, who is charged with the November 1947 shotgun slaying of Mrs. Mary Lois Burney, Indianapolis housewife.

**Trailer Fire Causes
Damage of \$800**

The interior of a house trailer occupied by Henry Friedmier, 1938 E. Epler Ave., was damaged by fire last night. Loss was estimated at \$800.

Mr. Friedmier told sheriff's

Policeman Among 4 Hurt In Traffic

Driver and Her
Two Passengers
Are Hospitalized

Three persons were injured in a two-car accident at New York St. and Miley Ave. to-day and a policeman was hurt in a crash at 16th St.

Virginia Beekman, 29, Columbus, and two passengers in her car, Mrs. Norma Martin, 22, and Brenda Martin, 2, also of Columbus, were hospitalized after her car was in collision with a tractor-trailer driven by Hugh Moody, 51, of 1023 Central Ave. at the New York-Miley intersection.

All three were reported in fair condition in General Hospital.

Officer James Mangus, riding in a police car driven by Officer John Lund, received a neck injury when the police car was struck from the rear by a car driven by Robert L. Kukendall, 19, of 1525 Park Ave. this morning. He was treated by his own doctor.

Driver Arrested

The police car was halted in the eastbound line of traffic on 16th St. The driver of the other car was charged with reckless driving.

Officer Mangus was the second policeman injured in traffic accidents in less than 24 hours.

Patrolman George Edward Lynch, 33, of 909 Fairfield Ave., was thrown from his cycle when he rode over a depressed manhole near 56th St. and College Ave. He was treated at General Hospital. Police barricaded the manhole which caused the accident.

Two other persons were injured in accidents last night.

Driver Accused

Dora Jamison, 17, of 227 N. Oxford St. was struck last night by a car making a left turn off Ritter Ave. into Washington St. Police charged the driver, Mitchell Carlick, 19, of 359 S. Ritter Ave. with failure to give a pedestrian the right of way. Miss Jamison was reported in fair condition in Methodist Hospital.

The report came from Dr. Irene Corey Diller, of the Institute for Cancer Research, Philadelphia, who said that the fungus had been found in 20 human cancer cases and that it had not been discovered in persons free of cancer.

The report came from Dr. Irene Corey Diller, of the Institute for Cancer Research, Philadelphia, who said that the fungus had been found in 20 human cancer cases and that it had not been discovered in persons free of cancer.

A fungus is a plant organism of low order development, some of which are airborne.

She said, however, that "we are withholding judgment at this stage of our work," and that "a great deal more work must be done before definite conclusions can be drawn."

While tests have been made in 20 human cases, the greater part of the work was done in experimental animals, Dr. Diller said.

"Our animal work has been more exhaustive," she said. "We have examined more than 100 malignancies in mice, including sarcoma, carcinoma and leukemia. These included cancers induced with chemicals, transplanted from one animal to another, and those developed spontaneously."

Found in Every Case

Dr. Diller said that "in every case we found a specific form of fungus." She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."

Dr. Diller reported that other investigators have reported the presence of fungi in cancer cases, but that the "accounts were so garbled and the life histories so confused with those of parasites that the work fell into disrepute."

Dr. Diller said that "in every case we found a specific form of fungus."

She said that in mouse breast and transplanted tumors a fungus known as syncephalastrum racemosum and an imperfect type yet to be identified were found.

"The fungi," she said, "have been found in no control animals and in no tissues of normal animals and humans except in breast tissue of a strain of mice which develops breast cancer in almost 100 per cent of the cases."