

Barton Asserts Court Decision Aids Yeggs

State Police Official Discovers Law Enforcement Tough

By ROYD GILL

Unsettled Press Staff Correspondent

Safe-cracking and burglaries are increasing in Indiana because of a state Supreme Court decision aiding the professional yegg, a law enforcement expert said today.

Capt. John J. Barton, head of Indiana state police detectives, said there were dozens of unsolved burglaries involving loot of 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 Altica, 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.

Indiana police, 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 Marsh directed Panhandle 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 replies 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 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.

'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 hot." A coo means "Give me more."

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

He spends lunch and dinner hours in the Summit Cafe, 2035 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. Anna 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 McGaughey of Russellville; Dec. 20—his brother Bobby, who was 6; Dec. 23—his maternal grandmother, Mrs. Janie 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. McGaughey in Russellville joined by the boys' paternal grandmother, Mrs. Louisa Shyers of Russellville.

Life in a bassinet appears easy for 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 waitress, Miss Josephine Sutton, Mrs. Irene Gluff 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, Cal., 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 deputies he was painting the floor of the trailer when his brush touched a live wire, starting the blaze.

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 Milley Ave. today and a policeman was hurt in a crash at 16th St. and Central Ave.

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-Milley 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 Carlisle, 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 today.

Cars driven by Robert Jordan, 18, of 305 N. Tremont Ave. and James Shell, 24, of 1251 Auburn St. were in collision at Jackson St. and Warman Ave. last night.

A passenger in the Shell car, Mrs. John Grande, 23, of 911 Grande Ave., was injured and was reported in fair condition in St. Vincent's Hospital today.

Cincinnati Airline Service Postponed

Inaugural Flight Set Back to Jan. 10

Scheduled airline service between Indianapolis and Cincinnati by Turner Airlines has been delayed until Jan. 10, operations officers said today.

Originally planned for Jan. 1, inaugural flights were postponed to allow pilots to become familiar with the route. Under CAA regulations, airline pilots are required to make "familiarization flights" over newly authorized courses before scheduled operations are started.

The Turner "Lake Central Route" will provide feeder line service between Indianapolis and Cincinnati with an intermediate stop at Connersville.

Bad weather with low ceilings and fog has prevented completion of the CAA required flights by Turner pilots.

When scheduled operations are started Jan. 10, three-passenger Beech Bonanza ships will be used until DC-3 service can be inaugurated in the spring. Some airport repairs now under way must be completed before CAA approval for big ship flights is granted.

Cincinnati flights into Indianapolis will connect passengers with the northern segments of the Turner route leading to Kokomo and South Bend, Ind., and Kalamazoo and Grand Rapids, Mich.

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