DRAFT CODE TO CUT CRIME LAW DELAYS

Jurists of Institute Propose Drastic Changes for Uniformity Among States.

WOULD TRIM INDICTMENTS

Provisions Are Made for Reduced Challenges, Alternate Jurors and Majority Verdicts.

Special to The New York Times.

CHICAGO, Jan. 18.—Drastic changes in criminal procedure aimed to reduce "the law's delays," to cut red tape in the courts and trim away legalistic verbosity are proposed by the American Law Institute in a tentative draft of model statutes to be ready for the various State Legislatures next year. The purpose is to simplify procedure and bring about more uniformity in the States.

As crime, like industrial growth, knows no State boundaries, it is argued that crime might be more effectively combated if the States wiped out differences in court systems.

The work of the institute in criminal procedure is now in its fourth and final year. At the May meeting in Washington the members, including State and Federal jurists, are expected to pass upon a final draft. The proposed code is to be regarded as a series of model laws from which each State can take its pick.

Principal Changes Proposed.

Chief among the changes in criminal procedure advanced in the tentative draft are the following:

1. The Grand Jury—This shall meet at least once a year in each county and be convened when a judge believes public interest demands it. Offenses now prosecuted by indictment may be prosecuted either by indictment or by information by the prosecuting attorney. No information may be filed against any person, except a fugitive from justice, for any felony until such person has had or waived preliminary examination.
2. Simplified Indictments—These are to be trimmed to the bone. In place of the present voluminous typewritten pages, they are to give briefly the time, places, names and offense. Supplementary to this the court may require a bill of particulars to be filed which can be amended as the trial progresses. The object is to stop hair-splitting over indictments.
3. Alternate Jurors—If it appears a trial will be protracted, a judge may put in one or two alternate jurors, to sit near the jury, hear all the evidence and to substitute for any juror who becomes ill or dies. Nine States now have this provision.
4. Verdicts—In felony cases a verdict concurred in by five-sixths of the jurors may be returned, but the death penalty shall not be inflicted except by concurrence of all. In less than penitentiary cases a verdict of guilty can be returned by concurrence of two-thirds of the jurors.
5. Review of Cases—A simplified procedure is advanced with a view of abolishing technical abuses and speeding up hearings.
6. Bail—In capital cases bail is allowed where there is a reasonable doubt of guilt. The court may deny bail to an habitual offender and when an offender at large on bail commits the felony again.
7. Jury Challenges—Challenges for cause are cut down. Peremptory challenges are reduced to sixteen in death or life-imprisonment cases, eight in other felonies, four in misdemeanors. If two or more defendants are jointly tried they shall have this number of challenges only in case they join in such challenges, but each defendant shall have four additional peremptory challenges in offenses punishable by death or life imprisonment, two in other felonies and one in a misdemeanor.

Witnesses Outside State.

8. Outside Witnesses—Where a witness living in a bordering State is wanted, the judge, upon filing a certificate in a court in the State where the witness resides, may order him to attend the hearing. If the witness fails to appear he is in contempt of court. This is to apply only in bordering States which have the same provisions.
9. Waivers—Trial may be waived in all except capital cases.
10. Judge and Jury—Questions of fact shall be decided by the jury and questions of law by the judge. The jurors are to apply to the facts the law as given them by the judge.

The American Law Institute, which was organized in 1923 under leadership of Elihu Root, includes in its membership the members of the United States Supreme Court, the senior judges of the Federal Circuit Court of Appeals, the Chief Justices of the highest courts of the several States, presidents of the American Bar Associations and of the State Bar Associations, deans of law schools, the Attorney Generals of the United States and the States.

Peru Plans Short-Term Bill Issue.

LIMA, Peru, Jan. 18 (AP).—A government bill authorizing the issue of $4,000,000 in treasury bills for terms of one and two years has been approved by the Senate. The exact purpose of the fund was not announced, but it was understood that the money would be used chiefly to strengthen the exchange position of the Peruvian pound, which has been acute since the recent collapse in Wall Street prices.