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George E. Halpin Promoted to Sgt.

GHQ HOMETOWN NEWS
 SHIGUO, Tokyo—General MacArthur's Tokyo Headquarters announces that George E. Halpin, of Birmingham, Mich., presently serving with the occupation forces in Japan, has been promoted to sergeant.

Sergeant Halpin is attached to the General Headquarters Adjutant General Section in downtown Tokyo. He has been in the Japanese capital since May 1948.

A Baldwin high school graduate, Halpin entered the Army in August 1947, and received infantry basic training at Fort Knox, Ky. Upon completion of training, he departed for the Orient.

Sergeant Halpin is the chief non-commissioned administrative officer in the GHQ Adjutant General Section. He is the son of Mr. and Mrs. George Halpin, of 1424 Ruffner Street, Birmingham.

Animal Welfare Tag Day Here Saturday

The Oakland County Animal Welfare association will hold its tag day in Birmingham on Saturday, Oct. 15, from 9 a.m. to 5 p.m. Volunteers are needed for the local drive and are asked to report to headquarters in the Waikiki building. The services of those available for only a short time will be appreciated. Locations will be assigned to workers Saturday.

The funds raised this day will be used to pay the expenses of the shelter and care of animals brought there.

In case of rain, the tag day will be held the following Saturday, Oct. 22.

Trinity Guard

Bruce Smith, former guard of the Cranbrook football team, is playing that position on the freshman team at Trinity college, according to a college release. Smith, 19, captained the Cranes wrestling team during their 1947-48 season.

State Legislature Removes Mandatory Provisions of the Habitual Criminal Act

(EDITORS NOTE: This is the sixth in a series of articles on laws which were passed at the 1948 session of the Michigan Legislature. They affect you and every resident of Michigan. The entire series is prepared as a public service of the State Bar of Michigan under the direction of Russell A. Searl, Lansing, Chairman of the State Bar Committee on Legislation and Law Reform. The articles are objective in nature and do not attempt to comment on the relative worth of the legislative enactments but rather to present the most important facts and alert you to the changes these laws represent as they become effective on September 23, 1949.)

The 1949 legislature adopted amendments which had been recommended for a number of years to the Michigan Habitual Criminal Act, or what was originally known as the Michigan Baumes Act.

Under the act as first adopted in 1927, upon the conviction of a person for a second offense the prosecutor was required by law to file information specifying the previous conviction and, when it was determined that such a person had been twice convicted, the court was forced to impose a minimum sentence of not less than one-half of the longest sentence which the law provided for that of a first offender (maximum not more than one and one-half times the longest term).

Upon conviction of a person for a third offense the court was required to sentence him to a minimum sentence of not less than the longest term applicable to a first offender (maximum not more than twice such longest term). Upon conviction of a fourth offense, the life sentence was to be imposed.

Harsh Features
 Because of the harshness of the mandatory features of such law, particularly the mandatory minimum sentence portion of it, both judges and prosecutors in many instances failed to invoke its provisions. They took the position in many instances that the circumstances of the offense or the man's record did not warrant such heavy sentences.

As a result many of the inmates of our state penal institutions who have been sentenced under this act found among their fellow prisoners many others who had been convicted of the same or graver offenses and, in some instances, these fellow prisoners had been convicted of a greater number of offenses, yet were under lighter sentences. The inmates naturally felt discriminated against.

The correction authorities were among the first to recommend some change in this law as this situation necessarily had a prejudicial effect upon the morale of the institutions.

Subject of Study
 The law has been the subject of study by committees of the State Bar of Michigan and other groups and the final solution as enacted by the last legislature was to place the decision whether information regarding past convictions should be filed within the act of the prosecuting attorney and, in cases where it was filed, to remove the requirement of imposing a longer sentence and to make the length of the maximum sentence discretionary with the judge.

This places within the power of the prosecuting officials and the court the power to use discretion where the circumstances of the offense and the record of the offender warrant imposing a longer sentence.

It is expected that this amendment will result in more widespread use of the statute. It should also have a good effect upon the morale of the state prisons.

Rehabilitation Camps

Another act which is calculated to contribute to the rehabilitation of inmates of state penal institutions is one which authorizes the state correction department to construct camps upon state owned land within conservation areas for the purpose of housing inmates who work on conservation projects.

This measure was originally recommended in 1947 by a senate committee which made a widespread investigation of the operation of the correction laws and which recommended the establishment of such camps as a place where inmates could serve the last few months of their sentence.

It was felt that this opportunity to serve in a camp outside of prison walls would serve as a buffer between the rigors of institutional life and the freedom of release upon parole and would be of assistance to the inmate in making adjustment after his release on parole.

It is also hoped that it will serve as a means of assisting those inmates who could not safely be permitted their freedom outside of the institution.

Miscellaneous Penalty Laws

Most of the bills defining offenses and imposing penal penalties were of a rather minor nature. These included the so-called "Kathy Flacus" bill which imposed criminal penalties for failure to safety cover or fence any well or cistern of the depth of four feet or more and with a top width of twelve inches or more.

Class
 By another bill, the throwing of glass on a beach or waters adjacent thereto, or upon any highway or walk or public property within fifty feet of a public highway, was made a misdemeanor. The penalties of a previous law prohibiting placing of garbage and rubbish upon a public highway were increased.

Setting Fires

The law prohibiting the setting of open fires was also amended in minor details. In addition to the penalty provisions, the state was given the right to recover all expenses incurred by the state in the putting out of a fire from any person who started a forest or grass fire, or negligently allowed a fire to escape and become a forest or grass fire.

Fireworks

The previous statute prohibiting the use of firecrackers and explosives was amended to permit the use of sparklers containing not more than .0125 pounds of burning portions per sparkler. Previous provisions for supervised public fireworks displays were continued unchanged.

Medical Examinations

The statute prohibiting employment from compelling a person hired or former employee reporting back to work to pay the cost of medical examination or for being photographed and finger-printed was amplified to apply to all employers in the state.

Conspiring to Commit Felony

Another statute makes it a felony to conspire with others to commit a person to an institution for mental incompetents without just and reasonable grounds therefor.

The next article in the series will treat legislation pertaining to schools.

Pierce Cub Packs Select Officers

The year's activities for the Cub packs of Pierce school got under way last week. Biggest meeting of the week was the election of officers for the various dens.

Mrs. Lee Parker and Mrs. Stanley Peppeler were named den mother and assistant; Noel Kurth and Bob Parker were named denner and assistant; Stephen May, reporter and keeper of the buckskin. This group will guide the plans of Den 1 for the year.

Den 2's officers are Mrs. Raymond Hall and Mrs. Kenneth Hoover den mothers; Russell Riechardson and Arnold Ischert, denners; William Carbery, keeper of the buckskin; Robert Hall, reporter.

Den 3: Mrs. Charles Thurston and Mrs. Roy Miller, den mothers; Bill Keltz, denner and reporter; Bruce Westoby, assistant denner and keeper of the buckskin.

Den 4: Mrs. John L. Thurber and Mrs. James Pryce, den mothers; Michael Pryce and Johnny Thurber, denners; Philip Kyle, reporter and keeper of the buckskin.

Den 5: Mrs. Leonard Willis and Mrs. Raymond Green, den mothers; George Blythe and Tim Cleary, denners; Leonard Willis, Jr., reporter and keeper of the buckskin.

Den 6: Mrs. Theodore Waggener and Mrs. Craig Daniels, den mothers; Donny Daniels and Howard Coffin, denners; Trist Coffin, reporter and keeper of the buckskin.

Den 7: Mrs. Daisy Warner and Mrs. Henry Bowditch, den mothers; Raymond Hill and Jerry Doan, denners; Albert Warner, reporter and keeper of the buckskin.

Den 8: Mrs. L. Emde and Mrs. Alvin Knorr, den mothers; Martin Knorr and Ronny Beyer, denners; Carl Andeer, keeper of the buckskin; Bob Emde, reporter.

Members of Den 4, who were attending an outside meeting, will elect their officers at a later date.

Photographs for publication in The Eclectic must be submitted by Friday noon of the week before publication.

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