

LAW REGARDS IT AS MURDER

State's Attorney-Elect Broening
Tells Of Penalty.

There are no special statutes in this State governing the crime of lynching, but those taking part are subject to the usual penalties for the taking of human life.

"In lynching," said State's Attorney-elect, William F. Broening last night, "an indictment may be returned for willful, unlawful murder, which means murder in the first degree, or for conspiracy with intent to kill, or for both. There can be no doubt that the principals in a lynching are guilty of murder in the first degree, for their crime is premeditated. It is almost always impossible to discover who are the principals and who the accessories. For that reason an indictment is usually brought against each person taking part in the crime charging him with willful and unlawful homicide, with conspiracy and with being an accessory before the fact. The punishment, if the party is found guilty under these indictments, is anywhere from 10 years in the penitentiary to death on the gallows.

"If the recent case had occurred in this city and the parties taking part were discovered, an indictment charging willful murder would be brought. But since the law makes the jury the judges of the law as well as the facts the indicted persons might be found guilty of either murder in the first or second degree or of manslaughter."