The Case For Capital Punishment

How It Saved My Life

By

Dr. Max D. Younce
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Note: To obtain a copy of this book, please go to the Book Catalog Link at https://www.heritagebbc.com, our Bible Question and Answer website.
Patrolman Max D. Younce
Preface

I definitely enjoyed the law enforcement part of my life, and when I was privileged to join the Police Department, it was a proud day for me. The Chief of Police who hired me was John Hennessy, one of the finest police officers that Troy ever had. He ran the department efficiently, and honestly, and did not put up with nonsense of any kind. Sadly, after Chief Hennessy retired, the leadership of the department began to degrade. There were several fine men on the force who would have done a great job, but, for some reason, politics, or whatever, they never had the chance.

We did not have dash cams, AK47s, riot gear, or cameras on our shoulders. We did have a Thompson Machine Gun to use when we transported large sums of money.

We were issued a set of handcuffs, a nightstick, a foot long flashlight, and a standard gunbelt and police revolver. I was sent to the Bureau of Criminal Investigation to learn how to classify prints. One of my responsibilities was to file wanted posters, and outstanding warrants. I was shocked to learn how many murderers, rapists, and kidnappers were running free, and had been for years.

A full force for our department was approximately 18 men, and was made up of a chief, three lieutenants, and sufficient manpower to maintain the three 8-hour shifts needed for a city the size of Troy, Ohio.

When I joined the department, I was a person who believed that a policeman was someone you could always trust. While the majority of the men that I worked with were as honest as the day is long, there were also a few who were just as crooked as the crooks! During my time on the force, I arrested a judge, one lieutenant who had been on the force for over 17 years, two policemen, and one firemen.
I am sure you have heard this one in a sermon many times before. One lieutenant on the department would go out to “shake doors” on all the business places at night, and when he found one open, he was supposed to call the owner to come down, and lock up. Unfortunately, he never made the call until he had relieved the store owner of whatever merchandise he wanted. Eventually, he obtained keys to about 100 business places, and did not have to wait until he found an open door.

I became aware of his activities in 1964. “Other police men are involved in this thing,” he stated at the time of his trial. Can you believe the other two, both of whom out-ranked me as a Patrolman First Class, let this lieutenant take the fall for them? Don’t you wonder what kind of men would let a fellow, near-20 year, police officer go to jail, lose his pension for all those years, in fact, lose everything?

I knew who the other two individuals were, I just caught this one first, probably, as he was the most brazen. I believe he thought nothing would happen to him, because he would be protected by the other two officers, and other city officials. He was certainly wrong about that. If there is one thing this lieutenant should have known, it is “There is no honor among thieves.”

By now, your brain is clicking, remembering that the Troy Police Department was supposed to have a chief, and three lieutenants, and I have just arrested one of the lieutenants. That leaves two lieutenants, and a chief.

I will hasten to say that my friend, Lieutenant Dean Matthews, was as honest a man as you fill ever find. I would have considered it an honor to serve under him, had he been Chief of Police. That was not to be. Lieutenant Dean Matthews scored highest of the five candidates who took the exam, and should have gotten the promotion to succeed Chief Hennessy. Somewhere between test results and his appointment, it was suddenly discovered that figur-
ing in efficiency ratings would change everything. However, there were NO efficiency ratings in existence, as they had not been kept. Fuel was added to the fire when suit was filed by the four “sore losers” in the Second District Court of Appeals.

Well, it can’t be Lieutenant Matthews. He’s an honest man. Are you still counting? We are now down to one lieutenant and the chief. I will now refer you to the clippings in the back, but I hope you will read my book first.

Shortly before the lieutenant was apprehended, he walked into the station one night and sneered, “Well, Younce, have you caught any thieves, lately? I said, “Not yet, but they are all wearing blue uniforms.”

Here is how it went. I had been watching this lieutenant for some time, and he had a pattern. (I also knew there were more, because they communicated by taps on the 2-way radio.) When he came on duty, he would take his first meal break, someone else would come in, and set desk until his return. If he took the cruiser on his first break (11 pm-12 pm), he was just going for his coffee and donuts. If he walked, he was stealing.

One of the guys, who was in on it, called to tell me he had not taken the cruiser, and he had just seen him go by the police station carrying a big box. He thought he put it out back in some bushes. I had a new man I was breaking in with me. I believe it was Gail Mourne.

The rest of the pattern was that he would set desk until time for his next break. At that time, another officer would relieve him at the desk, and he would hop in the cruiser, pick up his stolen goods, take them home, and return to duty after his break period was over as though nothing happened.

My shift ended at 2 a.m., and Mourne and I changed into plain clothes, and returned to the scene as fast as we
Introduction

**Genesis 9:6 Is God's Will Today**

We find God did not implement capital punishment for the first murder, when Cain killed Abel, or all during the 1656 years before the flood. He wanted to show mankind what would happen when murderers are not put to death.

After the flood, the institution of capital punishment was given to Noah as part of the unconditional Noahic Covenant. What is a “Covenant, you ask? A covenant is an agreement, or contract, made between God and man, binding them together. There are two kinds:

1. “Conditional,” its formula being: “If thou will” (Exodus 19:5). They depend upon the faithfulness of man.

2. “Unconditional,” its formula being: “I will” (Genesis 9:11). Unconditional covenants are not based upon what man will do, but, upon the faithfulness of God. Dispensations and Covenants are linked together.

The unconditional Noahic Covenant is a universal covenant with all mankind, established before the Law was ever given. It runs from the flood until the New Heavens and the New Earth, or to the end of time. Remember, time begins with man and ends with man.

This principle, “Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man.” (Genesis 9:6) was instituted as part of the unconditional Noahic Covenant, linked to the Dispensation of Human Government, and enacted before Moses was even born, or the Law had been given to the nation of Israel. The Law only amplified upon capital punishment when God gave specific penalties for specific crimes which included the death penalty.
God did not set the principle of capital punishment for murder because He is mean and vindictive. Our Creator loves His creation, and proved it when He sent His only Son, Jesus Christ, to sacrifice Himself on the Cross as “the Lamb of God who taketh away the sin of the world. (John 1:29)

Capital punishment for taking a human life was God’s will immediately after the flood, and through all following dispensations. Capital punishment is God’s will for the Church Age, today. Why? God knew this was the only way society could be controlled against Satan’s men. This is what Christ told Israel’s religious leaders,

“Ye are of your father the devil, and the lusts of your father ye will do. He was a MURDERER from the beginning, and abode not in the truth, because there is no truth in him. When he speaketh a lie, he speaketh of his own: for he is a liar, and the father of it.”  
— John 8:44

Influenced by Satan, Cain murdered Abel because he could not stand to see Abel’s offering accepted, and his rejected.

“Not as Cain, who was of that wicked one, and slew his brother. And wherefore slew he him? Because his own works were evil, and his brother's righteous.” — 1 John 3:12

The Jews, of Christ’s day, could not stand Christ’s words of indictment, and, after bringing false witnesses against Him, they crucified Him.

If you are actively witnessing for Christ, today, the religious crowd (Satan’s crowd) will do the same to you. If you are not experiencing some type of persecution from the lost, you are not witnessing.
Capital Punishment for Specific Crimes Is In the Law

Therefore, we find the complete Law (the Moral, Civil, and Ceremonial Codes), some 722 in total, were given when God chose the nation of Israel. At that time, God put specific punishments on specific crimes, because he wanted to clean up a nation. He wanted to have a people who would love him, serve him, and be an example to the world. They were to point everyone to God.

Israel was to be that “shining city on a hill,” described in Matthew 5:16.

“Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven.”

— Matthew 5:16

Unfortunately, the World was not impressed by Israel’s effort to win them. That responsibility has now been handed to all Christians, Jew and Gentile, during the Church Age.

As we have said, Genesis 9:6 is not a part of the Mosaic Law. It is a part of the Noahic Covenant, a universal and unconditional covenant made with all mankind, and is God’s will until the time of the New Heavens and the New Earth.

At the Great White Throne Judgment, which occurs before the New Heavens and the New Earth, God, Himself, will levy the largest incidence of capital punishment there will ever be. The lost of all ages will be brought to stand before the Great White Throne. The books will be opened. First, the Book of Life will be opened to prove their name is not written there. Then, the books of works will be opened to find their degrees of punishment for all eternity.

“And I saw the dead, small and great, stand before God; and the books were opened: and another book was opened, which is the book of life: and the dead were judged out of those things which were written in the books, according to their works.” (12)
And whosoever was not found written in the book of life was cast into the lake of fire. — Revelation 20:12 and 15

It will not be “Bring out the babes, the booze, and the Black Jack table, as some imagine. The Lake of Fire is a real place of darkness, and torment, where men will gnaw their tongues in pain for all eternity. There will be no one to reach out to for comfort. The person next to you will not even be aware of your presence, as they will be consumed by dealing with their own pain! Don’t let the Lake of Fire be the place you will spend your eternity with these devastating words ringing in your ears,

“Then shall he say also unto them on the left hand, Depart from me, ye cursed, into everlasting fire, prepared for the devil and his angels.” — Matthew 25:41

The law given to Moses contains sixteen different offenses that capital punishment was put on.

1. Under the law of Moses, the death penalty was required in cases of premeditated murder (Exodus 21:12-14,22-23; Leviticus 24:17; Numbers 35:16-21). It did not include accidental homicide, which we call “manslaughter.”

Two men might be fighting, and cause the death of an innocent bystander, or her unborn infant. Exodus 12:22,23 is positive proof that God views abortion as premeditated first degree murder.

“If men strive, and hurt a woman with child, so that her fruit depart from her, and yet no mischief follow: he shall be surely punished, according as the woman’s husband will lay upon him; and he shall pay as the judges determine.(22) And if any mischief follow, then thou shalt give life for life,” — Exodus 21:22-23

Explanation of Exodus 21:22, 23. If a pregnant woman is hurt as a result of two men fighting, and it causes her
fruit (the pre-born child) to be born so prematurely that the child dies (that is the “mischief that follows”) the death penalty, or capital punishment is to be levied, “then thou shalt give life for life.

All of these idiots on the Supreme Court who voted for abortion, which is premeditated first degree murder of a living child, should be sentenced to death. Representative Chris Smith says there have been "well over" 54 million abortions since 1973.

— Chris Smith on Thursday, March 8th, 2012 in a speech on the House floor says there have been "well over" 54 million abortions since 1973. (That is the year of Roe vs. Wade

Did you know the liberals have now proceeded to “situations where after-birth abortions are permitted?

HOW FAR DOWN ARE WE GOING, AMERICA?

2. Kidnapping was a capital crime under the Old Testament Law (Exodus 21:16; Deuteronomy 24:7). Many children have simply disappeared on their way home from school, never to be seen again. God would not tolerate such a thing in the Old Testament, and crimes such as this would be stopped in America, today, if the punishment were death. Kidnapping would be taken more seriously, and the statistics would decline tremendously.

3. In the Old Testament, a person could be put to death for striking, or cursing his parents (Exodus 21:15,17; Leviticus 20:9). In the New Testament Christ said this,

“For God commanded, saying, Honour thy father and mother: and, He that curseth father or mother, let him die the death.” — Matthew 15:4 (Also, see Mark 7:10)

4. Incorrigible rebelliousness against a priest, or a judge (those in authority) was punishable by death (Deuteronomy 17:12). A stubborn, disobedient, rebellious son
who would not submit to parents, or civil authorities, was to be stoned to death (Deuteronomy 21:18-21).

5. Sacrificing to false gods was a capital crime in the Old Testament (Exodus 22:20).

6. Violating the Sabbath brought the death penalty (Exodus 35:2; Numbers 15:32-36).

7. Blasphemy, or cursing God, warranted the death penalty (Leviticus 24:10-16,23).

8. The false prophet, specifically one who tried to entice the people to idolatry, was to be executed (Deuteronomy 13:1-11), as were the people who were so influenced (Deuteronomy 13:12-18).

9. Human sacrifice was a capital crime (Leviticus 20:2). The sacrifice would be a sweet little baby, laid to burn to a crisp on the red-hot arms of Molech. This was an idol whose arms were stretched out like a spit over the raging fire in his furnace belly.

They would have men beating drums so the “worshippers” could not hear the baby’s screams. Just like today. The abortionists “beat our ear drums” telling us pre-born babies do not suffer pain when they are pulled apart in the womb. But what about the film, “Silent Scream,” which portrays the agony on the face of a sweet little one when it was visible in a sonogram while being aborted?

God hates this!

10. Divination, or using the “magical” arts, was a capital crime, therefore, under Mosaic law, witches, sorcerers, wizards, mediums, charmers, soothsayers, diviners, spiritists, and enchanters were to be put to death (Exodus 22:18; Leviticus 19:26,31; 20:27; Deuteronomy 18:9-14).

11. Adultery was punishable by death under the Old Testament Law (Leviticus 20:10-21; Deuteronomy 22:22). Can you imagine what would happen in our own country if
adultery brought the death penalty? Most of Hollywood would be wiped out, as well as a sizeable portion of the rest of our population!

12. Bestiality, i.e., having sexual relations with an animal, was punishable by death (Exodus 22:19; Leviticus 20:15-16). (Something I became disgustedly aware of when I encountered it during my time on the Police Department. It was a shock to me to realize people did such things.

13. Incest was a capital offense in the Old Testament (Leviticus 18:6-17; 20:11-12,14). This disgusting offense was, also, quite a surprise to me in my early years on the police department.

14. Homosexuality was a capital crime (Leviticus 18:22; 20:13).

15. Premarital sex brought the death penalty (Leviticus 21:9; Deuteronomy 22:20-21).

16. Rape of an espoused, or married, woman was a capital crime in the Old Testament (Deuteronomy 22:25-27). Again, imagine what would happen in this country if rape brought the death penalty! It should, as it often confers a “life” that is worse than death on the victim. Much of the horrific treatment of women, now taking place in our society, would be terminated.

The liberal, bleeding hearts of society, today, take particular pleasure in throwing the commandment that says, “Thou shalt not kill” (Exodus 20:13) into your face.

The words should actually be translated “Thou shalt do no murder” (Exodus 20:13). They have assumed that the law forbade taking human life under any circumstances. But, as we have seen, God requires the death penalty for some sixteen crimes. I emphasize, the commandment should have been translated, “You shall do no murder.” (See Matthew 5:21; 19:18; Luke 18:20; Mark 10:19). Let us quote our Savior from Matthew 19:18,
“He saith unto him, Which? Jesus said, Thou shalt do no murder,...”

— Matthew 19:18a

The Eighth Commandment was a safeguard against individuals taking the law into their own hands, and exercising their own vigilante law. God wants the execution of law breakers to be carried out by, duly-constituted, legal authorities, as He makes perfectly clear in Romans 13:1-5. We cover this in Part 4

Romans 13:1-5 clearly teaches that the state, and federal government, have the God-ordained responsibility to keep law and order, and to protect its citizens against evil-doers. The word “sword” in this passage refers to capital punishment. God wants, duly-constituted, civil authority to impose the death penalty upon citizens who commit crimes worthy of death.

The Cities of Refuge

The cities of refuge were part of the distribution of the Promised Land among the twelve tribes of Israel. Only one tribe, the Levites, was not given land. Instead, they were to be the priests of the Lord, and the overseers of the tabernacle with all its rites and furnishings. As the Levites had no territory allocated to them in the conquest of Canaan, they were distributed throughout the land in forty-eight cities appropriated to their use. Of these forty-eight cities, six were designated as cities of refuge.

The Mosaic Law stated that anyone who committed a murder was to be put to death (Exodus 21:14). But for accidental deaths, God set aside these cities to which the murderer could flee for refuge (Exodus 21:13). He would be safe from the family member charged with avenging the victim’s death (Numbers 35:19) until the case could go to trial.

The congregation would judge to find if the attacker acted unintentionally. If he did, he would return to the city
Well, what are you saying? I’m just saying, “God knows best.”

This is our last message on capital punishment, and I want to take a minute, and just try to cover a few more things. We have not gone into depth on a lot of things, and there were a lot of things we could have covered, but we didn’t.

The main point is, capital punishment was established by God because He knew this is the only way Satan’s men, and women, can be controlled. There are always consequences for sin, just as there are consequences for a lack of punishment for sin. I will close with these two verses:

“Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them to do evil.” — Ecclesiastes 8:11

“Therefore the law is slacked, and judgment doth never go forth: for the wicked doth compass about the righteous; therefore wrong judgment proceedeth.” — Habakkuk 1:4

I believe that it has been proven, beyond a shadow of a doubt that the Case FOR Capital Punishment has been won. God has the final word on this.

“Whoso sheddeth man’s blood, by man shall his blood be shed: for in the image of God made he man.” — Genesis 9:6

Case Closed!

In conclusion, you are under the sentence of capital punishment, as is all humanity. And, you know, “The wages of sin is death.” Because the Bible says in Romans 3:23, “For all have sinned, and come short of the glory of God;” and in Romans 6:23, “The wages of sin is death,” we are all under a sentence of capital punishment.

That’s why “flesh and blood cannot inherit the kingdom of God.” These human bodies, these sinful bodies, are under God’s condemnation, and the death penalty. God has
never remitted the physical consequences of death, but He has remitted the spiritual consequences of death. Spiritual death is being separated from God for all time and eternity.

It took an innocent person, our Savior, the Lord Jesus Christ, to pay the price for all those who are guilty. God has said in 2 Corinthians 5:21,

“For he (God) hath made him (Christ) to be sin for us, who knew no sin; that we might be made the righteousness of God in him.”

And, in Philippians 3:9,

“And be found in him (Christ), not having mine own righteousness, which is of the law, but that which is through the faith of Christ, the righteousness which is of God by faith:”

— Philippians 3:9

And, He tells us in Acts, Chapter 13:38,39,

“But it known unto you therefore, men and brethren, that through this man (Jesus Christ) is preached unto you the forgiveness of sins: (38) And by him all that believe are justified from all things, from which ye could not be justified by the law of Moses. (39)

“Justified” means “declared righteous” in the Bible. It is a legal term.

Then, in Acts 4:12,

“Neither is there salvation in any other: for there is none other name (Jesus Christ) under heaven given among men, whereby we must be saved.”

I’ll just say this. I have the sentence of death upon me. You have the sentence of death upon you. That physical death, God has never remitted. We’re all going to die physically, but I know this. When we have accepted Jesus Christ as the One who paid our capital punishment by going to the Cross, the innocent for the guilty, He will give us everlasting life. That’s me. That’s you. He died on that Cross to pay for my sins, and yours.
The sad part about it, today, is that churches try to substitute everything, but, the blood of Jesus Christ. They say, “Be a good person. Join our church. Be water baptized. Get your kid baptized as an infant.” They propose everything in the world, but the truth.

“Come to us.” The Lutheran preacher stands up, and says, “I’ll forgive your sins in the name of Jesus Christ.” They propose every kind of phony counterfeit, except the one, and only, person who can ever forgive your sins, the Lord Jesus Christ, God, Himself.

“It is better to trust in the LORD than to put confidence in man.”

— Psalm 118:8

You are under the condemnation of God, spiritually, and physically, for your sins that deserve capital punishment. Physically, you’re going to die. God has never remitted that. Spiritually, you will die the second death in the Lake of Fire for all time and eternity, unless you trust the Lord Jesus Christ as your Savior.

Why not trust Him, right now, this minute?

Thank God He loved us while we were sinners. He sent Jesus Christ to take that punishment on the Cross, so He could set us free. “If you have the Son, you have life, not death.” No longer are you under the condemnation of capital punishment. No longer under the threat of being separated from God for all eternity. You have life, because Jesus Christ, the Life-giver gave His life to save yours.

Well, I see our time is gone. We hope you’ll take time to write us. Our mailing address is: Heritage Baptist Bible Church, P.O. Box 573, Walnut Grove, Minnesota, and our zip code is 56180.

Until next week at this same time, May the Lord richly bless you as we ever pray, “Even so, come, Lord Jesus.”
Old Newspaper Clippings

These clippings from the Troy Daily News, and other local papers, detail real life events that happened during my time on the Troy, Ohio, Police Department. I have used most of them as illustrations in my sermons.

My time on the Police Department was an exciting part of my life, and I enjoyed it very much. But nothing has been more rewarding, or challenging, as my many years in the ministry. Bringing people to know that salvation, by grace, is free is much more exciting than hauling criminals in under the law.

Who Sits To Judge A Judge?
EDITOR’S NOTE – While writing the following article, Reporter Jim DeWeese received a ticket for overtime parking in front of the Troy Daily News Office. He is not expected to appeal.

Who sits in court when the court’s judge himself has been cited?

That’s the question facing Troy Municipal Court Judge Guy E. Landrey who was cited Friday evening for failure to yield the right-of-way.

Judge Landrey was involved in a minor auto crash on the Public Square in which no one was injured. Maximum fine is $50.

Judge Landrey, of 707 S. Mulberry St., said four choices are open to him. He can ask the municipal court to appoint counsel, request the Miami County Common Pleas Court to appoint counsel, ask for a change in venue or sit on his own case.

He noted that he should not sit in on his own case because he might be prejudiced. Instead, he probably will let Troy City Solicitor William Dixon decide on the course to be followed.

ATTORNEY TO PRESIDE

Troy Judge Won’t Hear His Own Traffic Charge

Daily News Miami County Bureau, 3-1/2 S. Plum St., Troy
TROY, Apr. 8 – Municipal Judge Guy E. Landrey, charged with a right-of-way violation following a minor accident,
won’t hear his own case.

Common Pleas Judge David S. Porter yesterday granted Landrey’s motion that he be disqualified. Judge Porter appointed Troy attorney Harley Enyeart to hear the case.

No date was set for the hearing.

JUDGE LANDREY said he would sit in on his own case but in his motion disqualifying himself explained he might be prejudiced.

The accident occurred last Friday night on the public square here. The judge was cited by P.H. Max Younce.

If he is found guilty or pleads guilty, the municipal judge could receive up to a $50 fine.

This Time The Judge Yields – Only A $30 Fine

Troy Municipal Court Judge threw himself at the mercy of the court today and pleaded guilty to a traffic charge.

In an amusing courtroom meeting of old friends, attorney Harley Enyeart, holding court in his office, fined Judge Landry $30 and costs on the charge.

Enyeart was appointed acting judge by Common Pleas Court Judge David S. Porter to hear the case against Landrey.

He had been cited by Troy patrolman Max Younce for failure to yield the right of way after a minor collision on the Public Square.

“You know” mused Enyeart after Landrey arrived, “It was nineteen hundred and sixty-five years ago today that Pilate sentenced Jesus Christ, so anything can happen.

Landrey didn’t give Enyeart a chance to read the charge. “I waive the reading of the charge, plead guilty and throw myself at the mercy of the court,” Landrey said.

“In that case,” answered Enyeart, “I fine you $30 and costs and I am sure you are aware that this is more than you generally fine for the same charge.”

Maximum fine by city ordinance is $50 and costs, but Landrey has a practice of setting the fine at $20.

“I could have held you in contempt,” Enyeart laughed as Landrey took out a check to pay the fine.

“How’s that?” Landrey asked.

Because I’m sure you do hold this court in contempt,” Enyeart retaliated.

As court adjourned, the two long-time friends drew their chairs closer together and began a good-natured discussion of the law.

Resigns Post On Force; Receives Jail Sentence

By JIM DeWEESE

Troy News Staff Writer
Troy Police Lt. Paul Kessler, 708 E. Main St., today resigned from the force after pleading guilty to a misdemeanor charge of concealing stolen goods.

The near 30-year veteran was sentenced to 10 days in jail and fined $150 in Troy Municipal Court.

He is the sixth Troy Police-man to receive court actions since last August. Kessler was arrested early Sunday morning by Lt. Dean Matthews, Patrolmen Ronald Detrick, Max Younce, and Gail Mourne after they “staked out” a South Cherry Street house.

Kessler admitted concealing $72 value of clothing taken Saturday night from the Longendelpher Clothing Store, West Main Street. Roy Longendelpher, owner, said he was not aware of a burglary until notified by Troy policemen. Nine shirts, three hats and one sweater were taken.

City Solicitor William Dixon said today the identity of the person who burglarized the store is not known but the case is under investigation.

The clothing had been taken sometime after closing hours Saturday night. The arrest came about 4:15 a.m. when Kessler, while on duty and in uniform, was seen by fellow officers removing the merchandise from behind a house owned by Chauncey Collins, 22 West Franklin St. Kessler was arrested on the scene by officers and taken to police headquarters.

He has been on the force since September, 1945, and was appointed lieutenant last June after making the top score on a test by the Civil Service Commission. The opening came about when Robert Brown was appointed chief last April.

Kessler, whose salary was $5,998, was one of three men on rotation for the position of police chief after Brown had been suspended and demoted to the rank of lieutenant two weeks ago. Brown, suspended by Mayor Raymond Steinmetz on charges of incompetence, has since been re-instated as ordered by the Troy Civil Service Commission.

The department is now operating with 10 patrolmen and officers, of which three have had charges filed against them since August.

The first man to be suspended was Gail Mourne, who was charged last year with insubordination when he refused to ride a motorcycle to check parking meters. He was re-instated.

Patrolmen Ronald Detrick and Lawrence Courtney were suspended Thanksgiving Day when they were involved in separate fights while off-duty. Detrick was reinstated.

Courtney was later discharged along with Patrolman Clinton Luttrell, on Municipal Court charges of consuming alcohol in an automobile and departmental charges of consorting with a married woman. Last week court charges were
changed to drunken driving by Dixon.

Five men too civil service tests for positions with the police department last Tuesday.

The resignation of Robert Hile and the firing of Luttrell and Courtney leave the department with seven patrolmen and three officers.

**Indicted Ex-Cop: 'Others Involved'**

*By RICHARD SAPIR and KERMIT VANDIVIER*  
*Of The Troy News*

Paul Kessler, former Troy police Lieutenant charged with breaking and entry, told the Troy Daily News today that "other police men are involved in this thing."

Kessler did not specify involvement in what or which policemen he was talking about, but added that "it will all come out at the trial."

He was arrested Sept. 13 in Troy. An investigation of his house by Assistant City Solicitor Sam McAdow turned up keys to about 100 businesses in the Troy area.

McAdow said he also discovered two civil service exams, one for police chief, another for police lieutenant.

When informed of Kessler's statement today, Chief Robert Brown said: "I don't know what to tell you."

McAdow, whose discovery of the keys and the documents launched his prosecutor's probe, was unavailable for comment.

[The keys were actually found after he had been arrested and taken to the Police station. I heard him trying to flush them down the toilet.]

Kessler is free on $2,000 bail, awaiting Grand Jury action.

He waived a preliminary hearing on the breaking and entry charge Sept. 29 in Troy Municipal Court. He was accused of breaking into Knife's Barber Shop Aug. 27.

Kessler resigned from the police force last year after pleading to a misdemeanor charge of concealing stolen goods. He was sentenced to 10 days in jail and fined $150 in Troy Municipal Court.

He had admitted concealing $72 worth of clothing taken from Longendelpher's Clothing Store. The clothing had been taken sometime after closing hours.

The next morning, Kessler - on duty and in uniform - was seen by fellow officers removing the merchandise from behind a house on West Franklin Street, He was arrested (by Patrolman Max Younce), after having served on the force 20 years.

When picked up this September, Kessler was quoted as saying he did not know where he was or what he was doing. He was taken to Dettmer Hospital for mental observation.
Civil Service Exams for Lieutenant to be held

An examination will be held exams. March 13 to fill a vacancy for lieutenant in the Troy Police Department.

Chief Robert Brown said today three men are eligible to take the test. They are William King, Marvin Avey, and Max Younce.

The department is operating with two lieutenants instead of a full complement of three. The promotion of a third lieutenant will give the department an officer for each eight-hour work trick.

The two lieutenants are Donald Linder and Dean Matthews.

Applications for the examination must be turned in March 12. Brown said the examination will be based on material furnished in 12 reference books as in previous promotional exams.

Three patrolmen have been hired by Brown to start duties March 1. Appointments were given to Robert D. Price, 310 Miami St., and Harold E. Baker, 554 Summit Ave., both of Troy, and John R. Milligan, 416 Baker St., Pitsburg; Price and Baker were appointed Wednesday. Milligan was appointed Thursday.

The appointments bring the department up to 12 men, with the permanent department size established at 16.

Man guilty of window peeping admits to numerous burglaries.

A Troy man arrested by Troy police early Wednesday morning for window peeping has admitted committing a number of burglaries in Troy and Miami and Montgomery Counties.

The man, James A. Sanders, 25, 9 Armand Drive, told police he pleaded guilty' in Troy Municipal Court Wednesday to window peeping in the hope that his involvement in the burglaries would not be found out. He said when policemen Max Younce and Dean Matthews spotted him at the rear of 608 Lincoln Ave., at 4 a.m., Wednesday, he was not window peeping, but hiding from the police cruiser after an unsuccessful attempt to break into Carl’s Barbershop at 603 Garfield Ave.

Younce and Matthews said they connected Sanders with the burglary attempt at the barbershop after they spotted a claw hammer and a screw driver in his car. They said pry marks on a window in the barbershop indicated they were made with a claw hammer.

According to the police report, Sanders said he was trying to get into the barbershop to steal the air conditioner. He said his wife has asthma and had been after him to get an
conditioner to ease her condition.

After failing to break into the barbershop, Sanders said he tried to remove the air conditioner from the outside. The cooling unit was damaged in the process. Police charged Sanders with malicious destruction of property. The man pleaded guilty in court this morning and drew a $200 fine and a 10-day jail sentence. The jail sentence is to be served concurrently with the 10-day sentence he received yesterday for window peeping.

After questioning Sanders, police took him to his home, where he pointed out numerous other articles he said he had taken in burglaries since last October.

The loot included two power mowers, lawn furniture, carpentry tools, a BB gun, a croquet set, tire pump, and a wheelbarrow, as well as a hand ax, wrenches, and a claw hammer taken from McCrory’s Variety Store in Sherwood Shopping Center.

Police, and Sgt. William Kiser of the Sheriff’s office, said the owners of some of the items have not been identified.

Kiser said Sanders admitted to six burglaries in Miami County and one in Montgomery County. Police said he admitted to six burglaries in Troy.

Sanders is employed as a ramp service man for Trans World Airlines in Vandalia. He said he was on his way to work when he made the burglary attempt at the barbershop. He told police he never sold any of the loot he took.

Police said they found part of a cold meat sandwich under a window in the barbershop, indicating the intruder was eating his lunch while trying to break in.

Kiser and Police Chief Robert Brown each said their departments are continuing their investigation before deciding what other charges will be filed.

**Note:** Little did this criminal know that Patrolman Younce lived at the corner of Lincoln and Simpson, and was being dropped off at home after working his shift. That was why the cruiser was in the neighborhood, and he was spotted.

**Auto Stalls: Police Help Outrun Stork**

The tedium of the long hours in the Troy Police Station early this morning was broken at 4:08 a.m., when the phone rang shrilly.

It was, as officer Max Younce wrote in the call book later, a plea for help from “a lady in distress.” Mrs. Andrew Smith, 118 1/2 N. Fourth St., Tipp City, and her husband were on their way to Dettmer Hospital. She was about to have a baby.

They were at the Bonded Oil station on West Main Street and their car had stopped running. Could someone take them the rest of the way?
those who took the first exam also took second test.

Matthews, in the meantime, filed a notice of his intention to appeal the Court of Appeals ruling to the Ohio Supreme Court. The Court has not yet ruled whether it will take the case. There is still a chance Matthews will become police chief, if the Supreme Court takes the case and if it reverses the Court of Appeals decision.

**Author’s Comment:** The alternative could have been to add the efficiency ratings to Lt. Dean Matthew’s highest score on the first exam, and certify him as chief. But, they knew he had appealed, and, probably, would not take a second exam. The result: a police chief who had neither the highest, or even second highest score on either exam, and was, later, suspended for incompetence, but reinstated.

After the Judge’s arrest, Chief Brown refused to type the affidavit, until I said, “Well, I’ll just take this story down the street to the Troy Daily News, then.” At Kessler’s arrest, Brown tried to help his friend by listing only enough stolen goods to charge a misdemeanor. Kessler plead “Guilty” in Municipal Court, received a $250 fine, and 10 days in jail. He, later, went to the Grand Jury for breaking and entering, and concealing stolen goods. All this went on during my early years on the force, and was my introduction to real life as a police officer. It certainly added to my contempt for crooked politicians, and dirty cops.

I, also, know the majority of law enforcement officers are 100% honest, and do their jobs, day or night, to protect the public without thought of their own safety. Most are underpaid, overworked, and unappreciated, in danger of assassination due to the political target on their backs. I thank God for them, and pray for their safety, daily.

Sincerely,

Dr. Max D. Younce, Pastor
Heritage Baptist Bible Church
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Walnut Grove, MN 56180