

Prosecutor's ethics debated in April 1905 trial

"The salary of each prosecuting attorney of the state shall be five hundred dollars per year, and also the fees now allowed by law."

Burns Statutes, 1897 edition.

At the outset of the Monroe Circuit Court's investigation of the ethics of the prosecutor, Robert Miller, the *Bloomington Telephone* reminded its readers that he had been charged with indiscretions regarding the fees collected by his office. "The statute authorizes charges in the first instance by an individual or by order of the court, appointing an attorney to prepare and present charges. Some courts have preceded the statute with a committee of the bar, the committee first to investigate, report and recommend what action, if any, shall be taken."

In the case of Miller, the committee composed of Rufus and John East and Joseph Henley had brought seven charges



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By Rose McIlveen

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against the prosecuting attorney. One of Miller's defense attorneys, Ira Batman, a veteran lawyer and member of the legislature, argued, "They searched his record with a fine tooth comb, and could only find five transactions in as many years that could be placed before this court . . . All men make mistakes, and Mr. Miller can not be punished for making mistakes."

It has been pointed out by one of the Easts that Miller, in addition to breaking the law, was ignorant of it in the first place. Commented Batman, "If a man

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