

White Sulphur Springs New York
Oct 17 1929

Judge Dawson

Hold liquor
Violate dry law
What the law says
will reason it out the
people buying liquor
they going to
buy just the same
when if I make cash
I expect fall a bar
to give them life
for buying liquor
they going to
buy just the same

to info to be low
right ~~to~~ by just got
to be with money
Permit entry to hold
to be people which
infallible for to be government
to do me ought to
have ~~to~~ ~~own~~ ~~be~~
let her, and now
be sold in States
to be not to be met
like Montreal dock
in ~~to~~ ~~Canada~~ ~~let~~ ~~her~~
and mine be sold
at her ~~of~~ ~~above~~
from right o'clock
in morning ~~to~~ ~~all~~
at night - but
have no ~~of~~ ~~room~~ ~~work~~

~~It is~~ ~~known~~ if
great majority of
people in State of
New York want her
and want more to be
I shall have the
right to say so
it is great to be
American from every
State in the Union
I am to Montreal
to by the new
roads which is
just making Canada
rich to by the link
up. American is big
good for want to be
by 9 million

Ben H Moore

I put ~~in~~ ~~on~~ from
 Montreal no whiskey is
 allowed to be sold in
 any bar or room in
 Montreal whiskey is
 sold at government
 stores only open at
 9 o'clock in morning
 close at six o'clock
 at night I put in
 685 feet to
 Canada in Franklin
 County New York
 we are not dry
 here State to let
 more to be dry equal
 us dry but believe

Little for 50 cents
New York big just
all would sell for
our dollar 50 cents
I can by I had a
wife to live in Canada
living in the East
five months go to Canada
from from from
believe if they have
on books that out
be before they should
do any with the
the liquor just in
will mean be little
sell go to the
Not to the people

P 5

In two weeks
 will leave back
 for Lexington VT
 but unless I find
 the dog it being
 Draining boatleger in
 the North center
 by five dollar only
 for less when they
 get in the New
 York State to out
 they get 12 dollar
 for to low her
 in Montreal but the
 less well for 15.
 in out,
 almost use it

Baton Rouge La

10/19/29

Mr. Chas J Dawson

Dear Sir

I have read your statement in the Baton Rouge State Paper. that has been my theme of thinking every sence the Prohibition Law was made. if it had not of been for those who bought the Liquor, the man who made and sold it would gone out of Buisness long ago.

I long to see the time when it will cost a man just as much for buying it as it does for the one who makes and sells it. I think there is no other way to stop it. I think to give justice to our Country and our Boys and Girls that this Law should be made and put in a feet at an early date let me hear from you soon
yours Truly

C B Cook
of Mengle Co Baton Rouge La

Oct. 28th 1929.

1411 THIRD AVENUE
LOUISVILLE, KENTUCKY

My dear Judge Dawson
I want
you to know how splendid an
impression your charge to the grand
jury made on those of us who
are watching the progress of
law enforcement under Mr. Hoover's
presidency. I find a song in
my heart, whenever I think of what
the judges will be able to accomplish
now that a real man is in the
President's Chair - How different would
have been the tone of our Country under
Smith! If only our state could
free herself from the Jockey Club, all
would be well!

That was a splendid address of Attorney
General Smith at the Bar associations
meeting in Memphis. The United States

Barly of Saturday gives the entire
speech - & the District helped the good
work along in their meeting last week.
The long sentence you gave a few
days ago. was heartening also -
I beg of you not to be discouraged
in this fine work - There are
many with you heart & soul - &
if we do not have Law Enforcement
we will have chaos.

Very sincerely

Lillie W. Bruce

Mrs. Helen Bruce

JOHN L. COCHRAN WHOLESALE HARDWOODS

420 RIVERSIDE DRIVE

NEW YORK CITY

OAK
AND
MAPLE
FLOORING
MOULDING
AND
TRIM

POPLAR
OAK
ASH
GUM
WALNUT
CYPRESS
CHESTNUT

Oct 27
Judge Chris Dawson
Lansville Ky
Dear Judge.

ALL QUOTATIONS SUBJECT TO PRIOR SALE AND CHANGE WITHOUT NOTICE. QUOTATIONS TO CANADIAN POINTS DO NOT INCLUDE DUTY OR WAR TAXES, AND ARE PAYABLE IN NEW YORK FUNDS AT PAR

As I have read of your opinion regarding the fellow who bought some Red Licker, in comparison with the fellow who sells it.

As our Kentucky Society will hold a smoker here on Nov 8 & Dr. D. Thomas will have a number of snakes present. While a lot of Judges will be sitting at the tables so I would like to know if your judicial attitude would not warrant each table to have a different

JOHN L. COCHRAN

WHOLESALE HARDWOODS

420 RIVERSIDE DRIVE

NEW YORK CITY

OAK
AND
MAPLE
FLOORING
MOULDING
AND
TRIM

POPLAR
OAK
ASH
GUM
WALNUT
CYPRESS
CHESTNUT

2

amount of Snake Remedy
by on hand to prevent
a catastrophe?

ALL QUOTATIONS SUBJECT TO PRIOR SALE AND CHANGE WITHOUT NOTICE. QUOTATIONS TO CANADIAN POINTS DO NOT INCLUDE
DUTY OR WAR TAXES, AND ARE PAYABLE IN NEW YORK FUNDS AT PAR

Of course we do not even
expect a Judge to vote
as he thinks - but to
be bitten by a snake
and no snake remedy at
hand to be given legally
is too terrible to think
of. My Morrow was
here he would be seated the
snakes. How about it?

Yours
John Cochran

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October 14, 1929.

Mr. John L. Cochran,
567 W. 113th St.,
New York City.

Dear Mr. Cochran:

The Fall Smoker of The Kentuckians will be held at the Hotel Astor on Friday, November 8th, at 7:00 o'clock.

We have been able to obtain Dr. Raymond L. Ditmars, Curator of Mammals and Reptiles at the New York Zoological Gardens to talk about snakes. Dr. Ditmars will bring some of his snakes with him from the Reptile Department of the Bronx Zoo.

This will be one of the most interesting meetings we have ever held, so be sure and mark it on your engagement calendar.

Hoping to see you on the 8th, I am,

Yours very truly,


Treasurer.

GFL/DK

B. C. Horton,

THOS. L. HULSE, EDITOR
J. W. NORWOOD, BUSINESS MANAGER

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IN THE 62ND YEAR OF ITS PUBLICATION

The Official Organ of the Kentucky, Louisville and Illinois Conferences
Methodist Episcopal Church, South

220 SOUTH FIRST STREET—PHONE CITY 3500

Louisville, Ky. Oct. 30th 1929.

My dear Sir:-

My long time Personal friend whom
^{Dr. E. W. Young}
I very much admire, was telling me yesterday
about your charge to the Grand Jury in which
you called attention to the Buyer as guilty
as well as the Seller. I would be glad to have
a copy of this charge for comment or pub-
lication

Very truly yours,

B. C. Horton,
220 South First St.,
Louisville, Ky.
C. H.

Oct 17, 1929.

Cleveland Ohio

No. 2330 - Carnegie A⁴

Hon Chas. I. Dawson

Pineville, Ky.

Dear friend:

Enclosed find a clipping from The News Editorial page for your scrapbook.

I desire to congratulate you on your appointment and broad view of the law.

You may not ^{remember} ~~remember~~ me but I formerly lived in your section and was with you in your race for governor.

was very glad indeed to hear of your appointment.

wishing you success,

I am

Yours truly,

C. B. Ramsey

Editorial Page of

Wednesday, October 16, 1929

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THE CLEVELAND NEWS

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New Law on Liquor

LAWS are built up in two ways, by the passing of statutes and by the decisions of judges presiding in courts of record. The weight of judicial decisions vary, depending largely upon the reputation of the judiciary in the commonwealth from which these new legal opinions emanate. Rulings made, for example, by a Massachusetts or New York judge carry more weight among lawyers and judges in general than decisions coming from a representative of the Texas or Nevada judiciary. Whether this is right or wrong is beside the point. The fact is that where a state has earned the reputation for exercising extreme care in the selection of its judges, opinions expressed by the latter in open court possess force immediately, not only inside the state where the judge presides, but also outside the boundaries of that commonwealth.

The reputation of our federal judges is exceedingly high. They are not amenable to mob opinion nor need they fear unwarranted punishment for acting as their conscience and their conception of the law combine to dictate. Consequently, the order issued by Federal Judge Charles L. Dawson of the western district of Kentucky to a federal grand jury, authorizing the latter to return indictments against buyers of liquor, cannot be dismissed as one man's bizarre whim. It is an important addition to our steadily growing body of legislation arising out of the attempts to enforce the eighteenth amendment and the Volstead act. That it opens any number of serious problems goes without saying. It requires no imagination to foresee that soon a judicial ruling will assert that the individual who accepts liquor as a gift from a genial host may be also held accountable for violation of the federal law. That the law can be interpreted so as to include well nigh half the population in the criminal class is a startling thought, but Judge Dawson's instructions to his grand jury clearly paves the way for such an eventuality.

In the face of the newest contribution to the subject of liquor law enforcement, it is foolish to hurl anathemas against the Kentucky jurist. His reasons will bear up under scrutiny. He has found violations of the liquor law to constitute a grave problem in law enforcement. Liquor purchasers have not, unless they were federal agents, helped to curb this brand of illegality. Hence, Judge Dawson orders that buyers and sellers must be placed in the same category.

Without a doubt the latest edict will be honored far more in the breach than in the observance. But that is beside the point. Our decade of efforts to dry up the country has merely taken on a new and interesting turn, a thing which gives the public more material for hard thinking.

Stock Market Propects

FAMILY AND CHILD WELFARE COUNCIL

OF THE

COMMUNITY CHEST

604 SOUTH THIRD STREET

LOUISVILLE, KY.

TELEPHONE—CITY 4612

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October 22, 1929.

Judge Charles I. Dawson,
Federal Court,
Custom House,
Louisville, Ky.

My dear Judge Dawson:

The Louisville chapter of The American Association of Social Workers has been asked to assist in gathering data for the Year Book to be compiled by the Russell Sage Foundation.

The attached questionnaire has been referred to me for distribution to the proper source of information.

Will you be kind enough to answer the questions and return the form to me as soon as possible? We are behind the time limit set for returning these schedules.

Sincerely yours,

Louise R. Wood

Chairman, Committee on Co-operation
with the Social Work Year Book.

LRWeb.
encl.

D E V E L O P M E N T S I N S O C I A L W O R K

October 1, 1928 to October 1, 1929

Schedule from The Social Work Year Book for the Use of Chapters
of The American Association of Social WorkersNote to Users of Schedule

This schedule does not call for a general description of present conditions or methods of work. It relates only to the significant events, developments or changes during the period covered. It is possible, therefore, that there may be nothing to record for your chapter area this year in the field covered by this schedule. If so, this fact is in itself significant.

On most points only very brief entries will be necessary on the schedule - a single sentence or even less. Naturally many of the facts received from any one chapter will not get into the printed articles at all, except perhaps in connection with similar facts from other chapters, if these facts taken together indicate significant trends or developments of general importance. It is also expected, however, that at certain points valuable clues will be furnished as to local developments which have national significance but are not generally known. Where this is the case your committee chairman may later pass on to you a request received from our office or from one of the authors for a somewhat fuller statement on one or more of these points.

It is expected that you will be able to answer the schedule questions without investigation or inquiry except possibly for check-up purposes. Events, changes or trends which are not already in your mind are probably not yet of sufficient importance to be included on the schedule.

If there is a national organization in your field do not include on the schedule any facts, events, etc., which you know have been reported to the national organization or have been printed in any of its current publications. For such facts simply refer us to the national organization.

Except as to state legislation, the schedule refers to chapter area only. To allow time for distributing the scheduled information to the authors of year book articles, the period covered by all schedules is the year from October 1, 1928 to October 1, 1929.

The schedules are to be filled out during September and returned to your committee chairman by October 1, 1929.

ADULT PROBATION

1. Has there been any change during this period in state laws relating to adult probation? If so, identify any new laws by chapter number or otherwise, or refer to the agency which can probably supply this information.*

2. Was there any important unsuccessful movement for legislation affecting this field? If so, describe very briefly or state what agency can probably supply information about it.

3. Mention character of any important changes in the administration of adult probation in your chapter area, such as extension of adult probation to new courts or new types of cases, requirement of civil service examinations for probation officers, introduction of psychiatric clinic service, etc.

4. Has there been any change in the number of probation officers for adults or in the salaries paid? If so mention briefly.

* This information is desired as a check upon the completeness of reports which the Year Book will obtain through a legislative information bureau, and otherwise.

5. Has there been any noticeable increase or decrease in the number of adults placed on probation during this period? If so explain as far as possible.

6. Mention briefly any other developments or events of significance, such as demonstration, experimental undertakings, etc.

7. Attach copies of any printed reports of local surveys or special studies published during this period.

8. State the general character of local studies begun during this period but not yet in print, under what auspices they were made, and whether completed or not.

Name and Address of the
person giving information: _____

Date: _____ Official Position: _____

October
Eighteenth,
1929

Judge Chas. I Dawson,
Louisville, Kty

Dear Sir:

In a recent paper I read of remarks you made regarding purchasers of liquor from bootleggers. You certainly display a lot of nerve when you are so insistent for the enforcement of the 18th amendment when you know the 15th amendment never has been enforced in your home state. Perhaps you are some of the same mind as Senator Carter Glass who believes in the nullification of the 15th amendment but for the strict enforcement of the 18th.

Anyone is idiotic to think that a law that attempts to control reasonable personal habits such as the use of tobacco, tea, coffee and liquor can be satisfactorily enforced in this country. We are not living in Italy.

Years ago Elihu Root said in talking to lawyers at a meeting of the Bar Association; that laws affecting the conduct of life and affairs of the people ought not to be passed, because it happens to occur to someone that it would be a good thing to make a change.

The average American citizen will respect a law if it is fair and reasonable. Some features of the 18th amendment are neither fair or true. It states that anything containing more than one-half of one percent of alcohol is intoxicating.

Our Government is spending fifty million dollars a year enforcing that 18th amendment and you know the results. The trouble is with the law. It can't be changed because the cities are wet and the country is dry and the country outvotes the cities in most every state.

Yours truly,

Charles Henry

DE PRIEST ASKS
EQUAL RIGHTS

15th Amendment

Negroes Are Deprived of
Franchise in South, Con-
gressman Says

R E P R I N T of TEMPERANCE CONTEST PLAN, (March 18, 1929) submitted to Hearst Publications.
by:- Rolph J. Lackner, 135 Luqueer St. Brooklyn, N.Y.

"" THERE WILL ALWAYS BE A SUPPLY ----- FOR A D E M A N D ! ""

Whatever the merits for or against the 18th Amendment, it is the LAW OF THE LAND, the reflection of its Governing Body, no matter how unwise in its form or destructive of our youth in effect, -as this experiment has shown itself to date, IT IS THE LAW.

That it has created a condition of mental and physical decay, will be more evident in the draft for the next war, when our youths Volsteadism will add its percentage to the other causes of misfits, and so leave egg-shell-fronts to defend us against the cream of temperance-bred enemies, who only know the mild stimulants that wine and beer contain, - and who may find it easy to oppose whiskey-soaked bodies.

IF W H I S K E Y was the offender aimed at, why did the law include wine and beer, representing bulk that can not be hidden in a 'hip flask', since each man knew that the target of this law will conditionally become "King of thou shall not", creating an empire of its own, with the youth of the country its slaves, --- robbing and worse, to obtain it at any price. Do any officials, who vote tens of millions of dollars for enforcement believe, that, the SUPPLY can be suppressed while the D E M A N D exists? Succeed or fail by destroying the demand for a product ----- and the supply will die a natural death, as any business will die for want of a market, --- so for a more drastic way of enforcement, LET US ENLIST THE H O M E .

Enforce it on a basis of MAKING THE B U Y E R EQUALLY GUILTY WITH THE SELLER, just as the bribe-GIVER is equally guilty with the bribe-TAKER. This can be done, drastic as it may appear, by making it mandatory upon every judge to send every person caught drinking, -or- found drunk, TO JAIL FOR ONE WEEK. This will either kill the demand for drink or kill the law. Every jailed-man's wife or mother will lose a week's wage, and a week's absence from work, may also cause a man to lose his job, --- which is bound to create a serious condition in the h o m e , wherein the WIFE or mother will become judge, jury, and executioner under one cloak, as a result of this method of enforcement. THEIR re-action will either win for the Government, -----or----- the government will have an army of w o m e n on its heels, insisting on the revocation of this law, hence bound to work in either direction.

STRIKE THE "HOME PURSE" and you reach the w o m a n , and the results either way, may be surprising to us as a Nation - and serve as a lesson to the rest of the world.

Respectfully submitted,

by

Hon. CHARLES I. DAWSON,
Justice, Federal Court,
Louisville, Ky.

Oct. 16, 1929



Dear Sir:-

I admire your charge to the Jury on the guilt of the "purchaser" of liquor, and your explanation of the l a w , including such as one of the two necessary to make a deal, --- which brings matters down to my 'plan' above, which was "UN-successful" in the Hearst Contest, that sought a solution of the problem.

HERE IT IS, (if the solution is wanted (?)-) and YOU HAVE STARTED MATTERS IN THIS DIRECTION, -however-, the penalty should be a week in jail, with NO FINE and no alternative, unless a person wants a jury-trial, which would add the cost of such to such week in jail.

I would appreciate a word from you relative the 'plan' above.

Respectfully yours



BUYER OF LIQUOR HELD GUILTLESS

(Continued from Page One)

imprisonment for a term of two years.

"Such a condition is scarcely conceivable and yet it is the position of the Government."

"The clear purpose was, as frankly stated and repeated by the government's counsel in their argument to bring before the court for decision the single question whether a buyer or seller of liquor, where transportation and delivery is made in pursuance of the sale, can be together indicted for a conspiracy to transport," the opinion continues.

"In the case of seller and buyer, transportation by the seller is a mere incident in the sale and necessary to its completion by delivery to the purchaser. It could not be said that a conspiracy would lie to do something which was an essential element of the sale.

"Finally, under the authorities, it cannot be said that the purchaser, as such, is guilty of aiding or abetting either the sale or delivery; and the degree of cooperation must be such as to amount to more than the mere aiding and abetting in the commission of the offense.

"From the foregoing considerations, we are of the opinion that a sale of liquor involving such transportation as is necessary to effect the delivery to the purchaser does not subject the purchaser and seller to an indictment for conspiracy to transport. The judgment is therefore reversed."

Federal officials at Washington, D. C., say that the decision will be appealed to the United States Supreme Court.

NEW YORK LIFE INSURANCE COMPANY

DARWIN P. KINGSLEY, PRESIDENT

435 Woodward Bldg
Washington D.C.
Oct 18, 1929

Judge Chas. I. Dawson
Louisville Ky

Dear Judge: Thanks for those
instructions to indict and prosecute
buyers of liquor as well as sellers.
They are equally guilty & both must be
punished to stop the illegal business.
Many buyers are receivers of stolen &
otherwise illegal liquor.
Here's power to your strong right arm.
It is high time that the prohibition law
was fully & vigorously enforced.
The American people do not need strong
drink and yours is a courageous step
in the right direction.

Kindly follow up your action vigorously.
I lived in Illinois but visited Louisville
many times, years ago. Always saw plenty of drinking
Goblets and keep you true to your convictions.
Yours Truly
Howard S. Burr

Purchaser of Liquor Subject To Indictment, Court Holds

Kentucky Federal Judge Tells Grand Jury That
Buyers of Booze Are as Guilty as Sellers and to
Give No Mercy in Studying Cases

LOUISVILLE, Ky., Oct. 14.—(AP)—The purchaser of liquor is subject to indictment under the present prohibition laws, Federal Judge Charles I. Dawson told a grand jury in his court today.

The jurors were told not to hesitate to return indictments against buyers. "Don't feel hamstrung by any fear of hampering the government in indicting purchasers," the jurist said. "They have not given us a particle of assistance in the prosecution of cases."

"I want to take this opportunity of correcting the impression, which seems to be general, that it is not against the law for individuals to purchase liquor," Judge Dawson said. "This misunderstanding no doubt has been brought about by the wide publicity given to a recent opinion of the circuit court of appeals of the second district.

"I have not read that opinion, but it is my understanding that what the court really decided was that one who purchases liquor is not such an aider or abettor of the seller as to make him guilty as a seller under the federal law.

"To that extent I agree with the opinion, but if that opinion holds it is not an offense against the national prohibition act for one to purchase liquor without a permit and not on a prescription then I cannot agree with it because I have no doubt whatever but that the Volstead act intended to, and does, in express terms, make it illegal for individuals to purchase liquor for personal consumption for beverage purposes.

"Section six of the national prohibition act, among other provisions, declares:

"No one shall manufacture, sell, purchase, transport or prescribe any liquor without first obtaining a permit from the commission so to do, except that a person may, without a permit, purchase and use liquor for medicinal purposes when prescribed by a physician, as herein provided x x x."

Judge Dawson quoted penalties provided in section 29 of the act, among which was \$500 for the first conviction, and added: "And these penalties apply to persons purchasing liquor for beverage purposes."

ELKANAW SUPPLY & ENGINEERING CO.

THAD. M. BOGGS, ENGINEER AND DESIGNER

PHONE, CAPITOL 471

BUY AND SELL GOOD USED EQUIPMENT

OFFICE: 513 KANAWHA NATIONAL BANK BUILDING

Hon. Chas. J. Dawson
Federal Judge - Louisville, Ky.

CHARLESTON-KANAWHA, W. VA.,

10/15/29

Dear Mr. Dawson

All Agreements are Conditioned upon All Causes Beyond Our Control. Quotations are Made Subject
to Prior Sale and Change without Notice

If the enclosed clipping is correct, I wish to state my appreciation of your charge to the Grand Jury. If the Buyers of Boogie were made equally guilty with the Seller it would do more to bring about Prohibition than any other one thing.

as a matter of fact, they are more guilty and if no buyers, the making of Boogie would stop. Making the buyer equally guilty, is going to help 90%, as the buyer will not only have the Boogie to pay for, the Risk in being killed etc. by the Boogie - with the additional Risk of Blackmail from the Seller.

You are to be commended for showing what is the Law and if all Judges were as conscientious. We would soon clean up this Boogie question.

Our local Federal Judge - Geo. W. McClintic is a thumper and does along your lines - but I never have met him or "been up before him".

Yours very truly
Thad. M. Boggs

Houston Post-Dispatch

R. S. STERLING,
CHAIRMAN OF BOARD
W. P. HOBBY,
PRESIDENT
CHARLES C. MAES,
GENERAL MANAGER

HOUSTON, TEXAS

EDITORIAL DEPARTMENT

Honorable Charles Dawson,
Federal judge,
Louisville, Ky.

Sir:

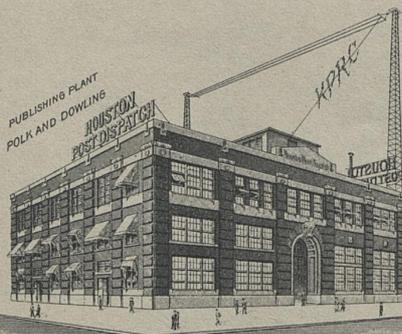
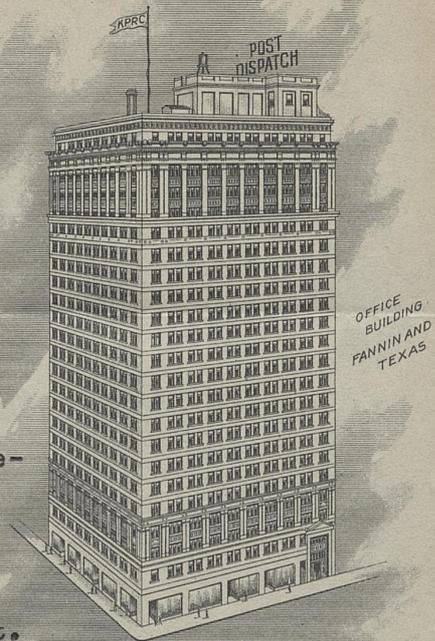
In an Associated Press dispatch that came to my attention this evening, you were quoted as declaring that the purchaser of intoxicating liquor for use as a beverage is guilty of violation of the Volstead act.

If such be the case, it appeared to me on snap judgment that all federal undercover agents who purchase liquor for the purpose of making arrests are also liable to the penalty under which the seller is liable.

Is it within your jurisdiction to make any reply to me, or are you prohibited by the restraining bonds of convention as well as formalities of the bench from giving me an answer? I would appreciate it very much if you could give me an answer to the question as I would like to use the situation in editorial comment.

Respectfully Yours,
A. M. Goul.

A. M. Goul.
Editorial Department,
Post Dispatch,
Houston, Texas.



ALLEN E. DENTON
ATTORNEY AT LAW
~~208 S. LEXINGTON ST.~~
~~CHICAGO, ILL.~~

1447 Parkwood Place, N.W.,
Washington, D.C.,
October 16, 1929.

Dear Judge Dawson:-

Enclosed please find several clippings
from Washington newspapers, which may be of
interest to you.

Sincerely yours,

Allen E. Denton

Honorable Charles I. Dawson,
Louisville,
Kentucky.

The Washington Post.

THE WASHINGTON POST CO.
Washington, D. C.
EDWARD B. McLEAN,
President and Publisher.

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Wednesday, October 16, 1929.

DELAY ON THE TARIFF BILL.

The Democratic-insurgent coalition retains its strangle hold on the tariff bill. The conference between Democratic and Republican leaders for the purpose of speeding up the bill apparently broke up without results. This was followed by an announcement from the independent Republican group that it will enter no agreement to limit debate on the schedules. Hope that the bill will be enacted before opening of the regular session is now at a low ebb.

Meanwhile the opposing groups are concerned with fixing responsibility for the delay. Senator Borah, champion of the insurgents, made an attempt to lay the blame at the door of the Republican regulars by saying that the bill could be passed in ten days if those in charge would consent to have it conform to the purpose of the extra session. In other words, if the Senate were to strike out all except the agricultural sched-

to the gains of cotton without a struggle. Vigorous campaigns to extend the use of all fabrics are to be expected.

THE PURCHASER OF LIQUOR.

Despite the fact that wets and drys alike generally concede that there is no provision in the national prohibition act under which the purchaser of liquor can be held to have violated the law, Federal Judge Charles I. Dawson, of Louisville, has instructed the October grand jury to feel no hesitancy in returning indictments against buyers of liquor. A week or so ago, the Circuit Court of Appeals sitting in Philadelphia held that the purchaser of liquor could not be penalized, and this decision led directly to a movement sponsored by Senator Sheppard to amend the prohibition act in this respect. Judge Dawson calls attention to section 16, chapter 2, of the national prohibition act of October 28, 1919, which says:

No one shall . . . purchase . . . any liquor without first obtaining a permit from the commissioner so to do.

Section 46 of the same chapter declares:

Any one who . . . violates any of the provisions of this chapter, for which offense a special penalty is not prescribed, shall be fined for a first offense not more than \$500, &c.

Although the national prohibition act has, in all its essential elements, been interpreted time and again by the highest courts of the land, many will see in Judge Dawson's contention a means for holding the purchaser of liquor amenable to the law. By calling attention to these sections, however, he raises again the point that has been raised in connection with Senator Sheppard's proposal to amend the law, namely, the constitutionality of any provision having to do with penalizing the purchaser.

The eighteenth amendment, to which the national prohibition act is subsidiary and with which, in all respects, it must be in absolute harmony, makes no mention of the purchase or purchaser of liquor. During the legislative maneuvers attending its enactment, every effort to include the purchase or the purchaser was voted down. Since the eighteenth amendment prohibits only the "manufacture, sale or transportation" of intoxicating liquors, it remains to be seen how Congress can amend the Constitution. Perhaps if the court of last resort should be called upon to construe that portion of the Volstead act referred to by Judge Dawson, it would find the inclusion of the word "purchase" unwarranted by the eighteenth amendment.

A NEW KIND OF TAX.

Taxation experts and State officials have been trying for years to evolve a satisfactory

The Star 10/15/29
**GRAND JURY TOLD
TO INDICT BUYERS**

Federal Judge Gives Instruction to Name Purchasers Under Dry Law.

By the Associated Press.

LOUISVILLE, Ky., October 15.—The October grand jury of the United States District Court here today was under instruction from Judge Charles I. Dawson to indict, if the evidence warranted, the buyer as well as the seller of liquor.

Attacking the "so-called good citizen" who patronizes bootleggers, Judge Dawson, former Kentucky attorney general, declared the widespread impression that it is not against the law to purchase liquor is erroneous.

Referring to a recent decision of the Circuit Court of Appeals of the second district, at Philadelphia, Judge Dawson said that he had not read that court's opinion, but it was his opinion "that what that court really decided was that one who purchases liquor is not such an aider or abettor of the seller as to make him guilty as a seller under the Federal law."

Judge's Opinion.

To that extent, Judge Dawson said in his charge, "I agree with the opinion, but if that opinion holds that it is not an offense against the national prohibition act for one to purchase liquor without a permit and not on a prescription, then I cannot agree with it, because I have no doubt whatever that the Volstead act intended to, and does, in express terms, make it illegal for individuals to purchase liquor for personal consumption for beverage purposes."

He cited section 6 of the national prohibition act, which, he said, among other provisions declares:

"No one shall manufacture, sell, purchase, transport or prescribe any liquor without first obtaining a permit from the commissioner so to do, except that a person may, without a permit, purchase and use liquor for medicinal purposes when prescribed by a physician."

"If the language just read," Judge Dawson commented, "does not prohibit the purchase of liquor by individuals for personal consumption for beverage purposes without a permit, then I am incapable of understanding the meaning of language."

Penalties for Purchasing.

Section 29 of the act, providing a fine up to \$500 for the first conviction and up to \$1,000 and imprisonment for not more than 90 days for the second offense, applies to persons purchasing liquor for beverage purposes, Judge Dawson told the jurors.

"I know it is frequently urged," Judge Dawson concluded, "that if you make it against the law to purchase, or if you enforce the law against the purchaser, you will hamstring the enforcement of the law, because you then cannot get evidence against the seller and the manufacturer. Don't let that worry you for a minute. I have been on this bench for a little better than four years and in that length of time we have handled between 5,000 and 7,000 liquor cases, and not in a single one of them has a citizen buyer even appeared as a witness against a seller or a manufacturer."

Washington Herald
10/16/29
N HERALD—An American Paper

t as G
**JUDGE'S RULING
HOLDS LIQUOR
BUYERS GUILTY**

Kentucky Stunned by Decision That Volstead Act Applies to Purchasers of Rum Also

LOUISVILLE, Ky., Oct. 15 (I.N.S.).—Kentucky, with its world-famed mountain stills, a country where the word "bootlegger" was

old long years before the present age of prohibition, today seethed and squirmed with uneasiness following a declaration by Federal Judge Charles I. Dawson that the purchaser of liquor is equally guilty under the Federal law with the person who sells "mountain dew."

Judge Dawson told jurors in a Federal Court not to hesitate to return indictments against a buyer of liquor. He said he wished to correct an impression "which seems to be general that it is not against the law to purchase liquor."

CITIZENS TOLD TO AID

Not a single purchaser of liquor, Judge Dawson stated, has given assistance in the prosecution of a bootlegger in the Western district of Kentucky during the four years he has been on the bench. On the other hand, "those citizens who talk about 'my bootlegger' encourage the others to violate the law by selling," he said, adding:

"The misunderstanding about persons who purchase liquor being free from prosecution no doubt has been brought about by the wide publicity given by a recent opinion of the Circuit Court of Appeals of the Second district. If that law holds, it is not an offense against the national prohibition act for one to purchase liquor without a permit and not on prescription, then I cannot agree with it."

CITES VOLSTEAD ACT

"I have no doubt that the Volstead act intended to and does, in express terms, make it illegal for individuals to purchase liquor for beverage purposes."

He then quoted penalties provided in section 20 of the act, among which was a fine of \$500 for first violation by buying liquor.

REV. W. N. BRINEY
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VICE PRES.
REV. B. C. HORTON
SECRETARY
MR. J. H. DICKEY
TREASURER
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LOUISVILLE, KY.

Oct. 15, 1929

Headquarters Committee

REV. W. N. BRINEY
MR. J. H. DICKEY
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MR. I. E. MOSSBARGER
REV. JOHN L. FORT
REV. B. C. HORTON
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REV. D. M. WALKER
REV. T. L. HULSE
REV. M. P. HUNT
JUDGE JOHN P. HASWELL
HON. W. A. FROST

NEW ADDRESS
801-803 LINCOLN BANK BLDG.

Judge Chas. I. Dawson
Federal Building,
Louisville, Ky.

Dear Judge:

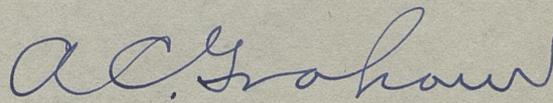
I have just read in the morning paper your message to the Federal Grand Jury with reference to the purchaser of intoxicating liquor being guilty of an offense under the Volstead Act.

I want to thank you and congratulate you on your public statement, especially with reference to your charge to the Jury to have no hesitation in bring indictments against purchasers, even against the so-called "good citizen."

I have on my desk a copy of the Bill recently introduced by Senator Sheppard which inserts the word "purchase" in Section 3 of said Act, between the words "Manufacture" and "sell". I am sending the newspaper account of your message to the Federal Grand Jury to our Legal Department in Washington, so that your statement may be available in a discussion of the Sheppard Bill before the Senate.

With best wishes for the success of your important task in dealing with violators of the law, I am

Very sincerely yours,



Superintendent

ACG:MH

1613 Bonnycastle Ave.,
Louisville, Ky.,
October 15, 1929.

Judge Charles I. Dawson,
Federal Building,
Louisville, Ky.

Dear Judge:

Please pardon me, but I cannot refrain from expressing my high appreciation of your able, forcible and far-reaching instructions to the Federal Grand Jury Monday morning.

Yesterday morning you were scarcely known outside of our own State of Kentucky. Today you are prominently discussed and applauded by millions of good citizens in every state of the union. Even millions of those who illegally purchase whiskey and other intoxicants, will most assuredly feel the force of your wonderful words in upholding the Federal Constitution and the enforcement of the law.

They are bound to feel the sting of it and yield to its force, because they know that you are standing on the great fundamental laws of our Government in an effort to do your full duty as a Federal Judge.

I have operated in several states and heard many instructions by Federal Judges to their Grand Juries, but yours is the masterpiece of them all.

Your instructions to the Grand Jury should be given in full to the National Broadcasting Company that millions may hear it in their homes and catch the true spirit of it.

Your friend,

Eugene S. Asher

Baerston Spa N.Y. Oct 15 1929

Dear Judge

Glad to see you call "undue" in that Roman
Case. If you drop a postal to the 3^d Judicial Dist. US Circuit
Ct of Appeals Phila Pa you will get a copy, I think, for I sent
a card on Friday & got a copy on Sunday. Which I enclose. Please
send it back to me vobly.

If I read the Nat^l Prohⁿ Act correctly Title II Sec 3 forbids
us to "possess". Possession may come by "purchase", gift, finding,
stealing, drinking, fermenting or Home Brew of the stuff.

Sec 6 forbids the "purchase" except by way of a permit from the
Commissioner or prescription from a doctor.

Sec 29 sets forth the penalties because not named in the Sec-
tions above.

See where I marked on enclosed. Please tell me how that "learned
Judge" could "concede" the 18th Amend^t?

Also their 1st conclusion that the "purchase" is not an offense?

They evidently overlooked the facts:

1. That if there were no buyers there could not be any sellers.
2. That Rule of the Common Law that where one is forbidden to do
an act and it takes two to consummate the act the 2^d is equally guilty
with the 1st.

3. That the Constitⁿ provides that where ^{own} statutes do not apply that
then the Rules of the Common Law shall govern us.

Am I OK in 1, 2, & 3 above? I am under such physical

disabilities that I cannot get up to the Law Library in our
St. House here to verify my recollection. quote authorities etc

Hoping you will find something in the enclosed to speed
up the good work and that you will return it in the near future
I am with best wishes for your future addresses to justice here

Frank Whalen
PO Box 92

P.S. Excuse pencil as I can't use a pen

Portland O. Oct 17/29

Honorable Judge Charles Dawson
of the Court South Louisville
Ky.

Dear Judge:

I want to thank you
for your decision. & instruction
to Grand Jury impeached in
your Court. Adverting Liquor Buyers
are guilty ^{too} for buying Liquors
& pointing out the Statute in
this case. This certainly will
be a great help to the cause
of Prohibition. At a gathering
of Christian people at the
Lodge Park Church to night
& asked Dr. Egline our pastor
to send up a prayer to the

through of Grace in your behalf
in his closing prayer ^{also}
^{which goes down} all gath'rs to do so also
returning from this night
May God reward and
bless you. So my prayers tonight

Yours very truly,

William Wright
1637 East 66th St
Beverland

P.S. Should you have papers
of your desiccated ^{and} instructions to
you I would be very grateful for same

Grand Jury



In instructing the grand jury relative to liquor violations, Judge Dawson stated:

"I want to take this opportunity of correcting the impression which seems to be general, that it is not against the law for individuals to purchase liquor. This misunderstanding no doubt has been brought about by the wide publicity given to a recent opinion of the Circuit Court of Appeals for the Second Circuit. I have not read that opinion, but it is my understanding that what the Circuit Court of Appeals really decided was that one who purchases liquor is not such an aider or abettor of the seller as to make him guilty as a seller under the Federal law. To that extent I agree with the opinion, but if that opinion holds that it is not an offense against the National Prohibition Act for one to purchase liquor without a permit and not on a prescription, then I can not agree with it, because I have no doubt whatever but that the Volstead Act intended to and does, in express terms, make it illegal for individuals to purchase liquor for personal consumption for beverage purposes.

Section 6 of the National Prohibition Act, among other provisions, declares:

" No one shall manufacture, sell, purchase, transport or prescribe any liquor without first obtaining a permit from the commissioner so to do, except that a person may, without a permit, purchase and use liquor for medicinal purposes when prescribed by a physician, as herein provided, and except that any person who, in the opinion of the commissioner, is conducting a bona fide hospital or sanatorium engaged in the treatment of persons suffering from alcoholism may, under such rules, regulations and conditions as the commissioner shall prescribe, purchase and use in accordance with the methods in use in such institutions, liquor to be administered to the patients of such institutions under the direction of a duly qualified physician employed by such institution."

If the language just read does not prohibit the purchase of liquor by individuals for personal consumption for beverage purposes without a permit, then I am incapable of understanding the meaning of language.

Section 29 of the Act, among other things, declares that-

Any person who violates any of the provisions of the act for which a specific penalty is not provided shall be fined for a first offense not more than \$500; for a second offense not less than \$100 nor more than \$1,000, or by imprisoned not more than ninety days; and for any subsequent offense his punishment is fixed at not less than \$500 and imprisoned not less than three months nor more than two years-

and these penalties apply to persons purchasing liquor for beverage purposes.

Therefore, I do not want you gentlemen of the jury to have any hesitation, if the evidence justifies it, in returning indictments against persons purchasing liquor without permits. To my mind no more important work can be done toward enforcement of the Prohibition Act than to bring to the purchasers a realization of accountability for their part in the disregard of the Prohibition Act. Every one with any practical experience knows that it is not the laboring man nor the old toper, which we find in every community, that makes the market profitable for the bootlegger and the illicit distiller. If they had to depend upon such a market, they would go out of business over-night. We all know that the real market for liquor is furnished by the prosperous, respectable, smug, so-called good citizen of the community, and not by the laboring man or the old sot. We may as well face the fact that the so-called good citizen is the real obstacle to enforcing the Prohibition Act, and to make their conduct all the more reprehensible, not only are

they furnishing the market for the bootlegger, but after they have done this - after they have violated the law themselves and enabled the bootlegger to violate the law, they then have the effrontery to say the law should be repealed because it can not be enforced.

In my judgment, if Congress really wants to pass some legislation to really enforce this law, all that is necessary is that there be placed upon the statute books a law giving to the Federal Court the same power to send the purchaser to jail as we now possess to send the manufacturer and the seller to jail. I know it is frequently urged that if you make it against the law to purchase, or if you enforce the law against the purchaser, you will hamstring the enforcement of the law, because then you can not get evidence against the seller and the manufacturer. Don't you let that worry you for a minute. I have been on this bench for a little better than four years, and in that length of time we have handled between five thousand and seven thousand liquor cases, and not in a single one of them has a citizen buyer ever appeared as a witness against a seller or a manufacturer. Our evidence in every case of sale has been from government agents who, under cover, made the purchase.

Louisville, Ky.,
November 2, 1929.

Mr. Josiah S. Creech,
132 N. 49th St.,
Philadelphia, Pa.

Dear Josiah:-

I have your letter of October 16th, which has not been answered sooner because I have been in the midst of my term of court.

I want to thank you very much for your expressions of confidence. Personally, I have reached the conclusion, after five years of experience, that if the prohibition law is not to develop into a miserable failure, a blow must be struck at the purchaser and consumer. I am satisfied, as I instructed the grand jury, that the present law prohibits the purchase of liquor for beverage purposes. The trouble about the present law, however, is that for first offenders only a fine can be imposed. What we need is to give the Federal Judges the same power to send to jail purchasers as those courts now possess relative to manufacturers and sellers, and the law should further provide that possession is prima facie evidence of illegal purchase.

With best wishes, I am,

Very truly yours,

CID-B

(Chas. I. Dawson)

132 N 49th St Philadelphia Pa.

Oct 16, 1929

Hon. Chas J Dawson
Louisville Ky

Dear Judge:-

Seeing this clipping in the paper, after reading it I must say I am proud to know you are the same Chas J Dawson I knew when you were practicing law in Harlan and Bell county, I see you have the same fighting spirit you had then.

What we need to enforce the prohibition law through out the country, is we need more Judges and Prohibition Administrators, like you and Samuel O Wymore of this district

Wish you much success in your work

Yours Respectfully
Josh S. Creech

San Antonio, Texas.
229. South Laredo, street.

Oct. 15. 1929
Hon Charles. B. Dawson.
Louisville. K. Y.

I note, in Express, paper of
this date, as to your views
and thinking, as to national
prohibition. As I understand
the matter, if there is murder
committed, of which a state
claims for its prosecution,
then it do not justify the
relatives, of such person, to
murder, to take the life of
the accused person, that
did the murder. But its up
to the state, to prosecute, to its
penalty of law. it is the same
law under sale of liquor, the
seller, is the only one, held for
any penalty. ho a stuff dont
go with law. Yours truly, R. A. Wheeler



HOTEL INN

T. H. JOHNSON, MANAGER

608 NINTH STREET, N. W.
WASHINGTON, D. C.

Oct. 15-29

Mr Charles J. Dawson
Louisville Ky.

Dear Sir.

I have just ^{read} in
the Washington paper
an account of your views
expressed to the grand
jury on the question of it
being a crime under the
law to purchase
liquor. I am sending you
under separate cover, a
copy of a small
volume I wrote
(The Crime of Prohibition)
see page 89.
I wrote this several
months ago although
the book was just



2

HOTEL INN

T. H. JOHNSON, MANAGER

608 NINTH STREET, N. W.
WASHINGTON, D. C.

Recently published.
 You are absolutely right
 and it has been a
 mystery to me why
 this plain statute has
 been wholly misconstrued
 by seemingly every-
 body all this time.
 However I think it is
 a very conglomerated
 statute. Yet I see
 no other construction
 that could possibly be
 placed upon it.
 I was keenly
 surprised a few days
 ago to read where
 the Circuit Court of
 appeals in this district



3

HOTEL INN

T. H. JOHNSON, MANAGER

608 NINTH STREET, N. W.

WASHINGTON, D. C.



held that the Volstead act did not make it a crime to purchase liquor and according to the various quotations of newspapers this court did not limit its decision to the question abetting or conspiring with the seller but said in plain words that the Volstead act does not make it a crime to purchase liquor.

I am sending the book to you because I am naturally interested in the question. I had never heard of any one in the



4

HOTEL INN

T. H. JOHNSON, MANAGER

608 NINTH STREET, N. W.
WASHINGTON, D. C.

whole united states
 taking this view of it
 until I raised the
 question myself, and
 I am glad to learn that
 there is one federal
 judge that has
 properly interpreted the
 law and standing
 on its very language.
 after you read this
 I would be glad to
 hear from you
 mail will reach me
 here at the Hotel inn.

Yours very truly

W. J. Hogue
W. J. Hogue.