I have read the record in the suit of M. J. Miller's Executrix v. J. W. Rider.

I find that on March 15th, 1910, J. W. Rider as plaintiff institued an action in the Rockcastle Cir. Court against M. J. Miller's Executrix for the settlement of the estate of M. J. Miller, deceased, and to recover an alleged debt of $235.60. The executrix answered, denying and pleading a setoff of $726.64. There was a trial by jury and a verdict and judgment against Rider for three hundred ($300) dollars. On this judgment execution was issued, returned "no property" and the present action in equity, filed March 18, 1912, was instituted on said judgment and return under section 439 Civil Code. Attachments were issued and various garnishess were summoned.

It seems to me the most serious question arises with regard to the garnishee, Mollie Miller, whose first husband was Hugh Miller, and who later married J. W. Rider. J. W. Rider's first wife was Mae Miller from whom he was divorced. Later she seems to have married a man by name of Underwood. To a stranger to the parties the names are confusing.

Mae Miller Underwood, during her first marriage, owned the hotel property in Mt. Vernon known as the "Newcomb House" and the old "Miller House." After her divorce she sold this property to Mollie Miller, widow of Hugh Miller, for $4000, paying $2000 in cash and executing two notes for $1000 each due in one and two years. The date of this sale is not clearly fixed by the testimony. Mollie Miller paid the first of the deferred payments. The claim is made that J. W. Rider paid the last deferred payment of one thousand dollars for Mollie Miller and that she owes him this money which is attached by the plaintiff.

This claim is unquestionably established by the depositions of Mae Miller Underwood, F. L. Thompson, M. B. Salin and J. W. Rider himself, so far as the fact of payment is concerned. Rider seeks to avoid the legal effect of it by saying that he paid this note for Mollie Miller with money which he owed her, but he is unable to give any definite account of the transactions with Mollie Miller out of which his indebtedness to her arose or to state the sum total of such indebtedness.

Salin states that Rider was in the possession of that note in the year 1912, or as he puts it "in the past nine months," (his deposition being taken on Jan. 3, 1913), and was attempting to obtain a loan on it for himself by offering it as collateral. Rider says he did this for his wife, Mollie Miller Rider, and not for himself, adding in substance that he never owned this note; that his wife had paid it off to the original holder. Aside from the marital relation which under certain circumstances is strongly presumptive of fraud, the very atmosphere of this transaction supports Salin's statement, and I am inclined to think the case is sustained for the plaintiff aside from any other testimony in it.

I am inclined to think that the transactions with Thomas Rider and Charles Broadway Rider, his brother and nephew, are all of the same piece; but neither Thomas Rider or Chas. Broadway Rider are parties to this action, and they are entitled to their day in court before any judgment could be entered as to them.

It is hard to tell how much of the evidence in this case is irrevelant and incompetent, but I have considered it only upon testimony of those mentioned.

I still think you should read the testimony in the case before ordering a judgment in it.

To the Editor of

THE COURIER-JOURNAL:-

The specious and somewhat belated appeal for party harmony recently made by Mr. W. J. Fields might have been more effective for party harmony, and the good of the State as well, had it been made one year ago. Had the then Governor of Kentucky been as eloquent and fervid in behalf of party harmony as he now essays to be, the State might now have Cumberland Falls as a National Park instead of having a Governor who is reported by the newspapers as being in Washington,D.C. in collaboration with Mr. Insull, who has been so effective in purifying Illinois politics! Some years ago, Mrs. Carrie Chapman Catt warned women voters to "watch oil". It would be well to add the warning "watch power."

Had Mr. Fields made his plea for party harmony a year ago, the teachers of the State would not now be assessed $25.00 each to buy books for their pupils; the State Board of Health would not be reduced to penury and its usefulness crippled when the bi-partisan combine failed to kill it outright; the insane in the Lexington Asylum would not have had their appropriations reduced to help carry out a demagogical campaign promise of the Governor, when there was every appealing and humane reason to increase the appropriation; the tuberculous patients, the blind, the needy mothers and infants, born and unborn, would not have had their sustenance withdrawn or decreased. The Legislature might have profited by the findings of the Efficiency Commission to the great and lasting good of the people of Kentucky. An expert auditing of the State's accounts might have revealed the amount and the source of the State's debt and how greater efficiency at less cost in the management of the State's business could be effected. The Racing interests and their allies offensive and defensive might not have been so powerful under the leadership of the doughty Democratic Senators from the 31st and 6th Districts, who

The lobbyists might have been excluded from the Legislative halls before they pestered the General Assembly instead of being investigated after they had gotten in their work. Why after much warning vote for a crowd and then complain of what the crowd does when it is only running true to form?

worked during the last Legislature in such admirable harmony with the Republican Jockey Club lobbyist and all the machinery of the bi-partisan combine in control at Frankfort. When such harmony can be secured between patriots who are divided only by party titles, what is the use to disturb it because of a mere name?

No member of that bi-partisan symphony has anything in common with a group of citizens who believe in "equal rights to all and special privileges to none", in "the greatest good of the greatest number", and in the duty of government "to promote the general welfare". What is the bond to bridge the chasm between groups wearing the same party name but divided by violations of the basic principles of democracy?

The Richmond Register and the Lexington Herald have suddenly grown vociferous in the interests of ~~the~~ Democratic party harmony. It does not lie in the mouth of any member of the Jockey Club Press Committee formed at the home of ~~Senator~~ Mr. Johnson N. Camden July 10, 1927, after the orgy of misstatement and misrepresentation in which its members indulged for nearly four months, now to plead party harmony. Do these pleaders for harmony credit those to whom they address their plea with no conviction and no memory?

What great basic principle of self-government of enlightened people through a free ballot could unite in harmony the members of that Press Committee and all who collaborated with it to mislead voters and a group of citizens who were striving to free the State from the bi-partisan yoke of special privilege?

In 1924 Kentucky Democrats who with all their souls believe that it is against public policy to expose for public sale under government license or protection a poisonous habit forming drug, recognizing his ability to promote any cause he espouses, could not vote for the Democratic nominee for United States Senator, whose opposition

to the Eighteenth Amendment and legislation pursuant thereto he had proclaimed on the floor of the United States Senate and on various platforms throughout the country.

In the Primary 1925 these dry Democrats were challenged at the polls and thousands of them prevented from voting, with the result that the Jockey Club and allied interests secured some valuable members in the Kentucky State Senate.

At the 1926 session of the General Assembly a bill to amend the Primary Law so as to permit the voter to exercise a freeman's right of choice in both the Primary and General Election was introduced. The bill passed the House by a large majority, but was defeated in the Senate by the faithful Jockey Club group led by the Senator from the 31st District.

In 1927 Jockey Club Democrats, to the number of 50,000 Mr. Fields says, voted against the Democratic nominee for Governor. Now, these Jockey Club Democrats and their allies, having wrecked the party in the State, ask to be given full recognition in the county and state conventions to manage a national election.

It is certainly gratifying that at least 50% of the State Executive Committee and its Chairman have not forgotten Democratic principles. In view of the issue in this campaign and the aspirants for the Democratic nomination for President of the United States, it is hoped that the committee will deem it wise to abide by the decision already reached, a decision consistent with the principle of the present Primary Law upon which the Jockey Club Democrats so strenuously insisted in 1925 and 1926.

It is beautiful how willing the lion is to lie down with the lamb if the lamb will only be reasonable and consent to lie inside the lion.

Just so long as one group of Democrats nominates candidates who put unwholesome appetite above righteous Democratic aspirations, and special privilege to the racing and allied interests above "equal rights to all and special privileges to none", so long will there be division in Democratic ranks.

In 1924 one group strove as a matter of public policy to prevent endorsement of the return of a great evil, and were successful.

In 1925, 1926 and 1927 the other group strove to perpetuate a special privilege for a single interest, and were successful in their effort to exempt one group from the application of a general law.

This basic principle in human conduct goes deeper than

(2) any question of policy that unites men in political parties,

(1) "Righteousness exalteth a nation but sin is a reproach to any people!"

ALICE LLOYD

Maysville, Kentucky, April 27, 1928.

Return to
Miss Lloyd

TO THE DEMOCRATS OF THE STATE OF KENTUCKY:

On this date I have called the State Democratic Executive Committee for the Commonwealth of Kentucky to convene at the Seelbach Hotel at two o'clock p. m., to reconsider the following resolution, which fixes the qualifications of the voters necessary to permit them to participate in the county legislative district conventions, together with other matters relating to the Democratic State Convention called by the Executive Committee for June 14, 1928:

> "All persons shall be qualified to vote in the county and legislative district conventions who possess the qualifications prescribed by the Constitution for voters in the regular election to be held on November 6, 1928, and who at the November election held on November 8, 1927, voted for all of the Democratic nominees whose names appeared on the ballot at the election. All persons who have become of voting age since November 8, 1927, and who will be of voting age on November 6, 1928, and declare that they will support the Democratic nominee at that election, are qualified to participate in the county legislative district conventions."

This call was induced by a petition of three members of the State Executive Committee, they having the right, if I as Chairman refuse to convene the Committee, to do so themselves.

The action of the Democratic Executive Committee in declaring in the above-quoted resolution the qualifications of the elector necessary to permit him to vote in the Democratic precinct conventions, has been commented upon in such a way as to convince me that I owe it to myself as Chairman of the Democratic Committee and to those who supported the policy, to state the reason for it. I have adopted the policy of restraint, which I believe my position as Chairman justified. This policy I have carefully followed; for public agitation is more often used to confuse than to clarify, and for selfish ends than for public good. But in this instance, justice to the thing done and to those who supported it, demands a sincere statement to the Democrats of the State who have constituted us as an authority in the Democratic Party. What

I have to say is without malice, feeling, or a desire to hurt or injure.

The public comment about my casting as Chairman the deciding vote upon the resolution is a mistake. The resolution was carried before it came to my vote, but if my vote had been decisive of the question, it would have been cast for the resolution. I could not have voted otherwise. I believe in parties. I consider them absolutely necessary to democratic republican form of government. It follows that I believe in party discipline in rules governing party organization. Without it parties would be useless or impossible.

The duty of the Committee was made plain and simple by the settled policy of both of the great parties in Kentucky. "Public opinion", after much deliberation and discussion, had already been crystalized in legislative enactment. We have on our statute book what is known as the State Primary Law, in which the qualifications of voters in the primary are fixed. This authority, under our republican form of government, comes from the organized and majority opinion of the voters in both parties, and no Democratic convention has ever condemned it.

In Section 1550-6 of the Kentucky Statutes, every candidate in the primary is required to make oath that he intends to support the principles and policies of the Democratic Party and vote for its nominees at the coming general election, and that he supported its nominees in the last general election.

Section 1550-19 of the Kentucky Statutes, on "Qualifications of Electors", says: "Before a person shall be qualified to vote in the primary election herein provided for, he shall possess all of the qualifications now prescribed by the Constitution and as are now required of voters in regular elections", and "he shall in addition to said qualifications be a member of the party for whose nominees he intends to cast his vote, and shall have affiliated with said party and supported its nominees, and no person shall

be deemed to have affiliated with the party in whose primary he seeks to cast his vote if he voted against the nominee or nominees of such party at the LAST GENERAL ELECTION."

The Court of Appeals, in the case of Nunnelly vs. Doty, 210 Ky. 256, said:

> "A person offering to vote in a party primary is not qualified if he voted against the nominee or nominees of the party at the last general election. To be qualified, he must have supported his party ticket and must have affiliated in good faith with the party. He is not qualified if he voted for one of the party's nominees and against others in the last election."

The rules of the Democratic Party (16th Section) provide that no person shall act as committeeman or committeewoman who fails to support all of the nominees of his or her party. Be it remembered in this connection, that this rule was adopted by the Democrats of Kentucky in convention assembled, and re-adopted in many subsequent conventions.

The action of the Committee merely declared the policy governing primary elections. It would be ridiculously illogical to suggest that different qualifications should be required of one who votes by being counted in convention, from those required of one who votes by ballot. As has been seen, the power which created the State Executive Committee had declared for the rule adopted by the Committee in fixing the qualifications of the Democratic voter. Should the Executive Committee of twenty-four men and women attempt to override the "popular will" of the party, declared in convention assembled, in making a test for the electorate? Should the creature override its creator?

Assuming that the Committee was free to ignore the organized and co-ordinated individual judgments of the Democrats of Kentucky, evidenced by the Statutes of the State and the adopted rules of conventions, what then should govern the conscience of the Committee? Of course the question rested upon conditions as they then existed and confronted the Committee. What were the

facts? The Honorable J. C. W. Beckham, in a primary where every voter was pledged to support him, won his nomination by a magnificent majority, over a popular opponent backed up by some of the most powerful influences in state politics. It is admitted that he won by fair means. He came through the primary without criticism or stain. His title to his nomination had no cloud upon it. In his contest in the final election, he carried eighty out of one hundred and twenty counties, leading his ticket more than 15,000. He received 12,000 more votes than any successful candidate for Governor had ever received before. He was defeated, and all of the rest of the ticket elected. Sampson had counted for him 47,000 votes not counted for anyone else on either the Republican or the Democratic ticket. 5,400 of these came from Campbell County, 7,700 from Kenton, 1,100 from Carter, 5,000 from Fayette County. No candidate for Governor ever received anything approximating the majority of Sampson without carrying his ticket with him.

What is there in this showing to induce a relaxation of party discipline? Why in this particular case should bt be argued, as it has been, that there was an effort to proscribe 50,000 Democrats? Why heatedly suggest that it was prompted by revenge and control of outside factional forces? In this the Committee has been done a great injustice. In no way can you look upon the facts and justify the criticism. How simple and just are the requirements for the voter in the resolution criticized! All that is required is that those who bolted come back through the door they went out. They went out by failing to support the nominees. Come back (and God knows we want you and will welcome you!) by voting the Democratic ticket in the coming regular election, and thus be re-established in party privilege.

We are startled by the statement made by the opponents of the resolution, that it will exclude from the conventions over the

State 50,000 Democrats. It was Mark Twain who sent the following humorous telegram when he learned, while abroad, that it was reported in this country that he was dead: "The report of my death is very much exaggerated." I would suggest that the report of 50,000 Democratic voters being excluded, is even more exaggerated. No one who has ever been connected with politics or who studied the vote in the last election can possibly believe the unprecedented and absurd suggestion that Sampson really and "honest to God" received 50,000 votes from Democratic electors who drew their white robes around them and refused to vote for anyone else on either ticket. I do not believe you can find a single man elected on the Democratic ticket or defeated on the Republican ticket who would stand for any such absurdity. Whether or not Sampson was or was not entitled to the majority he received, this is obvious, that no 50,000 Democrats, or anything like it, voted for him. The startling statement of 50,000 Democrats scratching Beckham, is based upon Sampson's majority, which is accounted for by 47,000 votes counted for Sampson and not counted for anyone else, either on the Republican or on the Democratic ticket. If they were Democrats, and the vote actually counted as cast, we are guilty of the shocking crime of excluding Sampson Democrats from our counsel.

I regret very much the irritating and divisive agitation put in motion over this resolution. I am of the opinion that if there had been no objection and no discussion, there would not have been a vote lost to the Party on account of it. The resolution was discussed and agreed upon by prominent men of the Party both in National and State politics, who approved of it before it was presented to the Committee. Their names have been unjustifiably used by its opponents, and it has been made to appear that they opposed it. I am confident that the public will be advised as to the truth. The trouble started in the Committee with Billie

Klair, who opposed the resolution. He might appropriately say:
"I am the rider of the wind, the stirrer of the storm,
And the place I left behind me is still with lightning warm."
He had the right to object to the action of the Committee. However, I cannot sympathize with him in his horror at some Democrats being cruelly proscribed by the Committee. I should like to inquire of him, how about the same Democrats proscribing their nominee, J. C. W. Beckham, and defeating the glowing hopes and reasonable expectancy of thousands of Democrats who worked for and supported him in his race? Why should he have been proscribed? Was there any taint upon his nomination, was there anything in his official career, was there anything in his private life, to justify his proscription?

I resent the suggestion of Billie Klair and others, that the Democrats will lose to the Party thousands who bolted, if not permitted to take part in the convention. I can not think of a more unspeakable insult to the courage and manhood and principles of those who voted against Beckham. If they did it in good conscience, they would be controlled by the character of the Democratic nominees and the principles involved in the support they would give to the ticket. The position taken by Billie Klair is that if they are not permitted to vote in the conventions, they will not support the nominees and the principles involved in the coming State and National election. I can hardly believe that any Democratic voters will throw down principles and refuse to support nominees because of the discipline of the Democratic organization necessary to its existence and the temporary loss of a privilege.

Laying aside from consideration all justice and truth and principle involved in this discussion, and looking at it from the standpoint of expediency and vote getting, can we overlook the fact that there were 360,000 Democratic voters who loyally stood by Beckham as the leader of their Party, and everyone of

~~of~~ them wounded by disappointment and chagrin over his defeat and the manner of his defeat; There is no question in my mind that almost all of them will remain loyal, whatever the action of the Committee; but would it not be unwise to say to the loyal Democrats of Kentucky who believed in supporting their Party and its nominees, "It is resolved by the constituted authorities of the Party, that it is the right of every Democrat to bolt nominees and vote for whom he pleases"? What is the possible effect in the coming National election, of such a rule? Have we not in this resolution a two-edged sword, and may it not cut deeper by rescinding the action of the Committee? ~~Shall we abandon Party government?~~

It is contended by some, that the Presidential nominee will in all probability be nominated without a contest, and that the convention does not present a contest over the nomination, but does present one over the control of the Democratic Party for the next four years. If true, the issue is not who shall be President, but shall bolting Democrats or loyal Democrats organize the Party?

If the Committee sees fit to rescind its action, I shall acquiesce and give it my sincere support. However, as presently advised, I am of the opinion it would be unwise, and a mistake. I do not seek to control the Committee through any selfish motive. I have no ambition to subserve. I am duly appreciative of the honor conferred upon me by the Democrats of Kentucky in selecting me for the third time as the Chairman of the State Democratic Executive and Central Committees. It is not my purpose either to seek or to accept the distinction again. My advice to the Committee is: "Be just and fear not. Let all the ends thou aimest at be thy country's, thy God's, and the truth."

Gineral C is a dreffle smart man
He's ben on all sides that give places or pelf
But consistency still wuz a part of his plan
He's ben true to one party — and that is himself
So John P.
Robinson he
Sez he shall vote for Gineral C

TO THE DEMOCRATS OF KENTUCKY:

It is my desire to lift a warning before the Democrats of Kentucky and stress the importance of their attendance upon the County Convention on June 9. We Democrats, in honor, should with clear eyes look beyond the lesser loyalties of life to the greater loyalty we owe to our Party as an instrument of achievement and a servant to promote the interests of the State and Nation.

There must be an awakening of the individual and collective conscience of the people, linked to intelligently directed action, if the Nation is to profit and the Democrats of the State are to sustain their integrity and the State its honor. We are told we must not be moved to aggressive action through principle. We must not interpret rules or declare the law. We must ignore the Rule of Right. We must not agitate. It will interfere with National success. Agitation, defined by Burke, is "marshaling the conscience of the Nation to make the laws." It was employed by Roosevelt, Woodrow Wilson, Lincoln, and all great leaders of this and other nations. It is the revealer of truth, it awakens public conscience, it stimulates action, it purifies, it is essential to the rule of the people. A little airing is good and wholesome. It kills the little nasty germs which infest the body politic. Let us have it.

Kentucky, with other states and the Nation, suffers under the reproach of corruption and frauds in primary and general elections and graft and dishonor in high places. One of our great statesmen has said: "Whenever you get somebody with influence to do something that somebody else without influence cannot do, that is graft!" The call upon the Democrats of the State is soberly and diligently to survey our Party's history and inquire into the conditions existing at our National capital and at our State seat of Government during the last Legislature, and fearlessly face the truth. It

is of current report, and the charge is openly made, that in our seat of Government at Frankfort was erected a sinister power "greater than the people themselves"; that the legislative will yielded in part to the pressure of a group of agents "marked, quoted and signed" to do the bidding of certain selfish interests and answerable only to such interests. These agents, it is heralded, consisted of present officials, ex-officials and lobbyists of both parties, whose names are written large, to be read by all. To them party name is merely a tag, without definition or meaning. Their work was open, fearless, direct and concerted, in lobbies and upon the floor of the legislative hall. Their operations have caused the hot and fetid breath of scandal, just or unjust, to stain the formation and acts of legislative committees, the organization of penal and charitable institutions, road departments, and other departments of state. They would choose to become a group of self-constituted directors of both branches of the Legislature and of both of our great Parties. In either Party, their defeat in plans or purposes is resented by leading and directing a bolt. They ignore party discipline and come back, not to claim the right to serve, but demanding control. They arrogantly claim a balance of power. They assume the prerogatives of royalty. "They know no law. They can do no wrong." In the spirit of the haughty monarch, Louis the Fourteenth, they assert: "We are the state. Present your portfolios to us." Shall their power be increased? We know it will be, unless the forces of the whole people in our Party come into action and assert their right of supremacy. The deduction rings clear from past performance and present indications, that they are in the fight to organize and control the coming Democratic county conventions, and through them the general convention, and use their power to seize the party machinery and thus establish and perpetuate their dominance. There can be no question but that the great majority of loyal

organization Democrats should control county Democratic conventions, and that the minority led by selfish groups should fail in their purpose. The Democratic men and women, upon their own motion, should take charge of the mass conventions at each county seat on June 9 at two o'clock, and determine the character of their own Party. We are told that the object of the coming convention is to select National delegates. Be not deceived. This is only a part-truth. It is also a convention to organize the Democratic Party in Kentucky and to place authority in a Democratic State Executive and Central Committee which places the control either in the hands of the people or in the hands of the "departyizers". We are told the convention concerns only national issues. Again you meet a specious suggestion. Honesty in government, corruption in office, graft, the rule of the people, purity of conduct, are issues in both Nation and State, and you cannot ignore them in one without losing them in both. The call of the Democratic Party is for an electorate bound to no irresponsible group of men and seeking no special interest, no jobs; an electorate desiring an opportunity to serve and having a "decent respect for the opinion of mankind". I have an abiding confidence in the virtue of the great body of the people in Kentucky.

The Kentucky Derby has passed into history. All were thrilled with its account over radio and vivid and eloquent newspaper reports. May not we of Kentucky who love the horse and true sportsmanship, draw from it a lesson in this hour of our State and National crisis? Thousands looked on with eager interest as the thoroughbreds were brought from their paddocks. A contest of speed, courage and blue blood was to take place,--a sport of kings. It must be a clean race. Rules were adopted to govern the race and determine the winners, the slightest deviation from which meant defeat and dishonor. Every safeguard was observed to uphold the integrity of the track and the honor of the classic event.

Money was wagered upon favorites up into the millions. The millionaire wagered his thousands, out of his superfluity, and the poor--even to the widow--wagered their mite, "out of their necessity",--Americans, Kentuckians, notables all. True sportsmanship prevailed. A minute and a few seconds of excitement, and the winner was proclaimed. Losers and winners counted their losses and gains. There was no murmur, no complaint. It was a fair race, and the fastest horse won. Now comes the panegyric of our Governor, upon thoroughbreds and lovers of clean sport, concluding with the high erected sentiment: "May horse racing, the sport of kings, crowned and uncrowned, ever remain fair and clean, and may the best horse always win!" Roosevelt pertinently said, "An aggressive fight for right is the greatest sport in the world." May the uncrowned kings and queens of Kentucky, sovereigns all, in recognition of their sovereignty and in the power of their might, make political races in Kentucky the sport of kings and make them to become and remain fair and clean, and may the best men win! "To your tents, O Israel." "Serve your country without selling your soul."

'Tis Strang, 'Tis passing Strange but sentiment is not invoked in political racing. So it possible the same influences who would demand clean horse racing does not demand clean political racing. Is the wagering of the Jewels of priveleges involving human rights of less importance than the wagering of American Dollars. Surely a man is good as a horse

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Money was wagered upon favorites up into the millions. The millionaire wagered his thousands, out of his superfluity, and the poor--even to the widow--wagered their mite, "out of their necessity",--Americans, Kentuckians, notables all. True sportsmanship prevailed. A minute and a few seconds of excitement, and the winner was proclaimed. Losers and winners counted their losses and gains. There was no murmur, no complaint. It was a fair race, and the fastest horse won. Now comes the panegyric of our Governor, upon thoroughbreds and lovers of clean sport, concluding with the high erected sentiment: "May horse racing, the sport of kings, crowned and uncrowned, ever remain fair and clean, and may the best horse always win!" Roosevelt pertinently said, "An aggressive fight for right is the greatest sport in the world." May the uncrowned kings and queens of Kentucky, sovereigns all, in recognition of their sovereignty and in the power of their might, make political races in Kentucky the sport of kings and make them to become and remain fair and clean, and may the best men win! "To your tents, O Israel." "Serve your country without selling your soul."

'Tis strange 'Tis passing strange that ~~the~~ sentiment is not invoked in political racing.

Is it possible the same influences which would demand clean horse racing, does not command clean political racing

~~Is~~ Do the wagering of the jewels of principles involving human rights of less importance than the wagering of American dollars.

Surely a man is as good as a horse.

TO THE DEMOCRATS OF KENTUCKY:

It is my desire to lift a warning before the Democrats of Kentucky and stress the importance of their attendance upon the County Convention on June 9. We Democrats, in honor, should with clear eyes look beyond the lesser loyalties of life to the greater loyalty we owe to our Party as an instrument of achievement and a servant to promote the interests of the State and Nation.

There must be an awakening of the individual and collective conscience of the people, linked to intelligently directed action, if the Nation is to profit and the Democrats of the State are to sustain their integrity and the State its honor. We are told we must not be moved to aggressive action through principle. We must not interpret rules or declare the law. We must ignore the Rule of Right. We must not agitate. It will interfere with National success. Agitation, defined by Burke, is "marshaling the conscience of the Nation to make the laws." It was employed by Roosevelt, Woodrow Wilson, Lincoln, and all great leaders of this and other nations. It is the revealer of truth, it awakens public conscience, it stimulates action, it purifies, it is essential to the rule of the people. A little airing is good and wholesome. It kills the little nasty germs which infest the body politic. Let us have it.

Kentucky, with other states and the Nation, suffers under the reproach of corruption and frauds in primary and general elections and graft and dishonor in high places. One of our great statesmen has said: "Whenever you get somebody with influence to do something that somebody else without influence cannot do, that is graft!" The call upon the Democrats of the State is soberly and diligently to survey our Party's history and inquire into the conditions existing at our National capital and at our State seat of Government during the last Legislature, and fearlessly face the truth. It

is of current report, and the charge is openly made, that in our seat of Government at Frankfort was erected a sinister power "greater than the people themselves"; that the legislative will yielded in part to the pressure of a group of agents "marked, quoted and signed" to do the bidding of certain selfish interests and answerable only to such interests. These agents, it is heralded, consisted of present officials, ex-officials and lobbyists of both parties, whose names are written large, to be read by all. To them party name is merely a tag, without definition or meaning. Their work was open, fearless, direct and concerted,in lobbies and upon the floor of the legislative hall. Their operations have caused the hot and fetid breath of scandal, just or unjust, to stain the formation and acts of legislative committees, the organization of penal and charitable institutions, road departments, and other departments of state. They would choose to become a group of self-constituted directors of both branches of the Legislature and of both of our great Parties. In either Party, their defeat in plans or purposes is resented by leading and directing a bolt. They ignore party discipline and come back, not to claim the right to serve, but demanding control. They arrogantly claim a balance of power. They assume the prerogatives of royalty. "They know no law. They can do no wrong." In the spirit of the haughty monarch, Louis the Fourteenth, they assert: "We are the state. Present your portfolios to us." Shall their power be increased? We know it will be, unless the forces of the whole people in our Party come into action and assert their right of supremacy. The deduction rings clear from past performance and present indications, that they are in the fight to organize and control the coming Democratic county conventions, and through them the general convention, and use their power to seize the party machinery and thus establish and perpetuate their dominance. There can be no question but that the great majority of loyal

organization Democrats should control county Democratic conventions, and that the minority led by selfish groups should fail in their purpose. The Democratic men and women, upon their own motion, should take charge of the mass conventions at each county seat on June 9 at two o'clock, and determine the character of their own Party. We are told that the object of the coming convention is to select National delegates. Be not deceived. This is only a part-truth. It is also a convention to organize the Democratic Party in Kentucky and to place authority in a Democratic State Executive and Central Committee which places the control either in the hands of the people or in the hands of the "departyizers". We are told the convention concerns only national issues. Again you meet a specious suggestion. Honesty in government, corruption in office, graft, the rule of the people, purity of conduct, are issues in both Nation and State, and you cannot ignore them in one without losing them in both. The call of the Democratic Party is for an electorate bound to no irresponsible group of men and seeking no special interest, no jobs; an electorate desiring an opportunity to serve and having a "decent respect for the opinion of mankind". I have an abiding confidence in the virtue of the great body of the people in Kentucky.

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'Tis strange 'tis passing strange this sentiment is not invoked in political races
~~money~~ - ~~a man is good as a horse~~
Is it not amazing the same influence which would give us clean horse racing would not give clean political racing. Surely a man is good as a horse
~~Surely the [illegible] of [illegible]~~
Is the ~~wagering~~ wagering of the jewels of ~~[illegible] rights~~ principles involving justice liberty equality of rights ~~of of~~ of less importance than the wagering of ~~the~~ the American dollar

TO THE DEMOCRATIC VOTERS OF KENTUCKY:-

All Kentucky Democrats qualified to vote are called under party authority to meet at the Courthouses at their respective county seats on the 9th day of June, 1928, at the hour of two p.m., central standard time where that time prevails and eastern standard time where that time prevails to select delegates to the State District Convention to be held at Lexington, June 14th, 1928, who in turn select delegates to the National Convention to be held at Houston, Texas, on June 26th, 1928. The delegates selected by the county conventions and sent to Lexington are vested with authority to make party laws and to organize the party machinery by naming the State Central and Executive Committees for the government of the Democratic Party for four years.

The glory and honor of a great party as an instrument of future achievement in popular government is an issue as can plainly be seen. Wherefore, I appeal to the patriotic impulse in the heart of every citizen Democrat, and the pride of character of every true Kentuckian to attend the county convention and register their best opinion and assert their sovereign rights as citizens.

The issues are clear as a ray of light to those who refuse to close their eyes. Who shall select the delegates to the State Convention at Lexington? Who shall select the delegates to the National Convention? Who shall make the party laws for future party government? Who shall organize the State Central and Executive Committees to exercise the authority of the party for the next four years?

The issue is joined: Shall a combination of Republicans and Democrats define party discipline who are slaves of privilege answerable alone to special interests, or shall it be the people in the exercise of their sovereign rights through trustworthy delegates selected by them. Shall it be a group of wilful men who boast the power of organizing both branches of the State Legislature who claim the right to elect or reject

Love for truth
and a passion for
justice.

But it is true — I
would rather defeat
with these expressions
~~my lips~~ in my speech
[illegible]
[illegible]
my voice and my [illegible]
have been consecrated to
my country

Intellectual revolt

Love of truth and passion
for justice

Material decay and
and political [illegible]

requirements such a society
without the aid of moral
and spiritual forces.

Sophist

in both parties and control all appointments of profit and emoluments of our State government. Who turn to the people and say 'tis ours to give, 'tis ours to feed and to cast their favors like bones to dogs; or shall the people rise in their asserted majesty of their might. Shall the men who would organize an office-holding trust at Frankfort and who are sending their emmissaries throughout the State at the expense of the State while drawing their pay from the State and using the State's gasoline in their efforts to organize, or shall it be the tax-payer, the men who work, the men who earn their bread by the sweat of their brow; these who constitute the majority.

Shall those who by hocus-pocus, presto change, and by arts of ledgerdomain, which would make Herman and Bret Hart's Heathen Chinee look silly, gave Sampson a republican majority over Beckham of 32,131 when all the rest of the Democratic ticket won of the 360,000 loyal democrats whose opinions were unmercifully crushed under the unscrupulous heels of the minority? Shall those who defeated Beckham, and are proud of their shame, or those who recognize their obligations to their party?

The answer is easy. It will be the people if they but assert their rights. To sum it all up the Democrats of the State stand for a popular government as declared by Jefferson and lift their banner of the Convention at Lexington or shall a special minority with its mask and hidden stiletto run up their black flag.

which the people as the source
of all authority = ~~the people~~
it was the Govr. of po[illegible]
~~should~~ Jefferson = 50 yrs [illegible]
our party during this great [illegible]
~~this~~ great [illegible] ~~But we as a~~
party produce ~~it as the one~~
as the ~~[illegible]~~ stone upon
~~which~~ ~~[illegible]~~ ~~If we~~
~~When~~
~~[illegible]~~ Tis yours to say whether
you will contend for the right
to govern ~~yourselves~~ through
delegates selected by you or deliberately
~~turn~~ turn a good govern power
~~to~~ to a self ~~constituted~~ groupe
trustees hardly worthy ~~[illegible]~~ to
be our masters. What service for
the privilege they enjoy the loaves
fishes they may distribute and the punishment
they may ~~[illegible]~~. Sung the [illegible]
men and whom [illegible] you
and [illegible] a [illegible] will crush
~~them~~. The glorious responsibility rest
upon the Democrat host of men
and women of Kentucky. My chore
is to meet it nobly and worthily
Ever remembering our father labors
~~[illegible]~~ fought and died for rights
and not for profit.

IS THERE A "DIVORCE EVIL"?

This is not exactly a legal question but is rather a social question. It is, however, a subject that is brought constantly to the attention of every circuit judge in Kentucky, excepting only the four fortunate gentlemen who preside over the common law courts in this county. It has occurred to me, therefore, that aside from its general interest it does not lie too far afield from your special province to make it an appropriate topic of discussion.

There is unquestionably a general impression that there is a "divorce evil". The subject is constantly discussed upon that assumption on the platform and in our current literature and is an unfailing topic at every conclave of churchmen. The Protestant Episcopal Church, in particular, has taken the subject to its bosom and more and more inclines to imitate the example of the Roman Catholic Church in the restriction, if not the absolute prohibition, of divorce. The reasoning of these reformers seems to be something like this: Each divorce represents an unhappy marriage; the fewer divorces the fewer unhappy marriages; if there were no divorce, there would be no unhappy marriages: let us therefore forbid divorce and put an end to matrimonial unhappiness.

This is, of course, not entirely a fair statement of the argument, because it omits to mention the theory that the only way out of an unhappy marriage is through it; that is to say, that if the door of the divorce court were closed many couples who now go through that door would reconcile themselves to their condition and would make a fair measure of success out of a situation from which there was no other escape. Doubtless there is something in this view, although less, I think, than is generally supposed. But, at best, it offers but a slight mitigation of the misery that finds a partial outlet in the divorce courts.

The conviction that there is a divorce evil appears to find its justification in the immense increase in the number of divorces. I shall not trouble you with any elaborate statistics on this subject but a few figures will suffice to illustrate the situation. The number of divorces in the United States, per 100,000 of population, for the years 1896, 1906 and 1916, was as follows; 1896, 62 divorces; 1906, 84 divorces, 1916, 120 divorces. This is a doubling of the percentage in two decades. The number of divorces in 1906 was more than 72,000, whihh it is said was double the number for all the rest of the Christian world for the same year. This number had risen in 1916 to 112,000, a threefold increase in two decades. In the United States, the figures vary very greatly in different geographical areas. The percentage is smallest in the South Atlantic States, where it was in the year 1916, 59 divorces per 100,000 of population and highest in the Pacific States where it was 210 per 100,000, or almost four times as many. Indeed, divorce, like empire, seems to take its way westward. The percentage West of the Mississippi River is considerably more than double that East of that river.

In Jefferson County (Kentucky) the average annual number of divorces rose from 57 in the decade 1865-1875 to 287 in the decade 1895-1905, a five-fold increase. In 1916, the number was 650 and in 1922 880, (which is about 250 or 260 per 100,000 of population and fifteen times the number for 1870.) In 1905, the number of absolute divorces in this county alone was apparently in excess of the number in the same year for the whole of Great Britain and I think it safe to assume that the difference is greater at the present time.

During this year, in this county, wives got almost three times as many divorces as were obtained by husbands. Two-thirds of the divorces obtained by wives were on the grond of cruelty, which

under the liberal decisions of the Court of Appeals is our most elastic cause for divorce and requires a shorter lapse of time than abandonment or separation which rank next in popularity. Eighty-five per cent of the husbands' divorces are obtained on the last two grounds, the remainder being for infidelity.

Of the marriages dissolved in this County this year, about one-third were celebrated in Jeffersonville, Indiana, which when we consider what must be the small number of Jeffersonville marriages relatively to the total number of married couples in this county shows a very low average of durability for the unions formed under the easy regulations of Indiana.

What, then, is the explanation of this immense increase in divorce in this Country? No one will admit the supposition, for example, that married unhappiness is 100 times as prevalent in this country as it is in Great Britain, although our divorce percentage is 100 times greater than theirs. No one will suppose that in Jefferson County marriage now fails a dozen or more times where it failed ~~over~~ Once a generation ago. It is not a difference in unhappiness. It is a difference in the revolt against it. And who will be bold enough to say that this is a sign of degeneracy? May it not be the very opposite?

In dealing with marriage and divorce we are dealing with the most imperious passion to which man is subject. Domesticity is not one of man's natural aptitudes. He is an imperfectly domesticated animal and whatever adaptability to family life he has is the result of a long and painful discipline. I do not mean to abuse my sex but I think that taking all things of society into consideration, really comfortable husbands must be considered as in the nature of rarities. And if they are so now, they must have been much more so in times past. Theseus abandoning at Naxos Ariadne by whose wit and courage and devotion he had been able, only a short time before, to bring off his greatest exploit, and thus lay the foundation of his career, is a not unfair example of

The pagan would attribute human characteristics to the gods and it is not without significance that the highest of them was represented as a very paragon of infidelity.

man's inconstancy. ~~And~~ It is well known that if Juno had lived in Kentucky instead of Olympus she could have divorced her august but fickle husband a dozen times or more.

The ancients, with a sense of the practical, adapted themselves and their laws to the situation. Under the Roman republic, we are told, the husband could renounce the arrangement when he pleased, and this was the law as given by Moses to the people of Israel. They did this not because they thought it a desirable arrangement, but doubtless because they thought it inevitable. And in Rome, whether under the Republic or the Empire, divorce was allowed by mutual consent. It is a little difficult for us to get this point of view, accustomed as we are through many centuries of ecclesiastical teaching to regard marriage as a Sacrament. And it shocks us, more or less, to think of marriage as a contract which can be cancelled by agreement, just as any other contract. But that was the view of the ancient world.

Of course, there were grounds upon which a divorce might be obtained by one against the will of the other. These were changed from time to time, by imperial decree. Some of them look like our Statutes and some seem strange to us, as for example the wife's going to the theatre or circus without her husband's consent, or going or remaining from home against his wishes. But at all times divorce could be had by mutual consent.

Justinian, in the sixth Christian Century, undertook to limit this right to certain causes and decreed that even then both parties should forfeit all property and be confined for life in a monastery. Here we see the growing influence of the Church, but nature was too strong for the doctors of divinity and Justin who followed Justinian on the throne repealed all of his predecessor's restrictions, the repealing enactment reciting that it was difficult "to reconcile those who once come to hate each other and who, if compelled to live together, frequently attempted each other's lives."

One of the many striking instances of the power of the Church during the Middle Ages is the influence exerted in matters of marriage and divorce. It resulted from this influence that the Christian world, until modern times, accepted the two leading principles of the Canon Law of divorce, first, that there could be no divorce by consent but only by decree of an ecclesiastical court; and second, that there could be no divorce from the bonds of matrimony; that is to say, there could be no second marriage. Upon the latter point, there was difference between the Roman and the Greek Churches, due to a difference in construction of the words of Jesus, reported by Matthew, where He said; "Whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery". or as Mark has it, "Committeth adultery against her."

The Roman Church held the view that this meant an offense committed before the marriage, which fell in with its "no divorce" doctrine, since an offense before marriage could be regarded as making the marriage void 'ab initio' and as authorizing an annulment decree, which the Roman Church used freely as a means of adapting its vigorous rule to man's infirmity. The Greek Church, on the contrary, held that this meant an offense after marriage, and consequently allowed absolute divorce on the ground of adultery. I think it must be admitted that the Greek Church had the right of it.

The Canon Law of divorce is founded upon the clerical view of marriage, on the one hand, as an undesirable thing, and upon the other, as a divinely ordained Sacrament and that view, in turn, was founded chiefly upon the teaching of St. Paul. This bachelor from Tarsus had few of the qualities that we associate with saintly character. He was the sort of saint that Mr. Roosevelt would have liked. He was one of the great examples of the strenuous life. His virtues were strenuous virtues. He was aggressive and pertinacious. Gentleness was not in him. You may be sure Paul never turned the other cheek. He defended himself and maintained his opinions vigorously. He was pre-eminently a man of action, an enthusiast, a missionary,

a founder of churches. He could be quarrelsome and ~~beast~~ hard. He allowed no competition from among his disiples. Timothy and Titus, who were of his train, were little more than Secretaries.

But, singularly enough, he was the founder of the theology of the Middle Ages and the Canon Law of divorce has its roots in the letters written by Paul to the churches he had founded at Ephesus and Corinth. To the Corinthians he wrote;

"It is good for a man not to touch a woman. Nevertheless, to avoid fornication, let every man have his own wife and let every woman have her own husband."

He says to them that it is better not to marry at all; but as a concession to the weakness of the flesh he adds, "But if they cannot contain, let them marry; for it is better to marry than to burn".

"He that is unmarried", he says, "careth for the things that belong to the Lord, how he may please the Lord. But he that is married careth for the things that are of the world, how he may please his wife". He tells them that while it isnot sinful to marry (and I think he admits this rather reluctantly), "nevertheless, such shall have trouble in the flesh".

This view, which seems so impractical to us, was prompted in part by the belief in the second coming of Christ which was supposed to be imminent. He writes in conclusion to the Corinthians, "But this I say, brethren, the time is short, it remaineth that both they that have wives be as though they had none".

In the later epistle to the Ephesians we find a somewhat different tune. It is not certain that Paul was the author of this letter; but however that may be, it was attributed to him and here we find those mystical comparisons between marriage and the relation of Christ to His Church, upon which are based the ecclesiastical view of marriage as a Sacrament. If the marriage of these two persons was

ordained by God, then man may not put them asunder.

The view of the mediaeval church was that marriage was an inferior state; it was for those whose fortitude was not equal to higher things. St. Augustine, who we are told was a gay blade in his youth, admitted reluctantly that the conjugal act was blameless if committed for the sole purpose of having off-spring; but not otherwise. The ideal married life was that attributed to Mary and Joseph; that is, a marriage with mutual vows of Chastity. This St. Augustine recommended, with how much success I leave you to judge.

The partiality of the Church for celibacy is well known. It threw every obstacle in the way of marriage. The degrees of consanguinity within which marriage was forbidden were increased, and to these were added the doctrines of "affinity", as further impediments; so that upon the death of one spouse the other was forbidden to marry into the kindred of the departed spouse within the prohibited degrees. These rules were brought to our attention in recent years by the struggle in England over the "Deceased Wife's Sister" bill.

And the hostility of the church to divorce seems to have been founded not so much upon the desire to preserve marriage ~~but~~ as upon the desire to discourage it by threatening all who contemplated it with a sort of life-imprisonment. So tenacious has been the power of these doctrines that even in England, whose four centuries of Protestantism had its beginning in a royaldivorce, divorce was allowed only by Act of Parliament, until 1857, when Lord Westbury, over the violent opposition of Mr. Gladstone, put through an Act giving the Courts power to grant absolute divorce, to the husband, for adultery alone, and to the wife, for adultery coupled with cruelty or two year's desertion.

For myself, I do not think there is a "divorce evil", of any serious proportions. If there is an "evil", it is a "marriage evil". There are, of course, too many hasty and thoughtless marriages. Perhaps something can be done by legislation to allay this. In reading

the divorce records in my court, I am struck with the amount of unhappiness that could be avoided by the exercise of self-control and the display of some unselfishness. But as long as there are improvident people, there will be improvident marriages. As long as people are selfish and wilfull, unhappiness will flow from those qualities.

The increase in divorces represents a growing revolt, as I have suggested, against a condition which people are coming to believe, in spite of the Church, is not inescapable. In this country we are accustomed to make experiments, we are not satisfied to take things as inevitable because others tell us they are so. I do not believe we can estimate the amount of dumb misery that women have undergone, from brutal or unfaithful or indifferent husbands, because they have bowed to the tradition, enforced by the spiritual terrors of the Church, that there was no way out. The States of this Union have undertaken to mitigate that misery, as has never been done before, by offering a way of escape from such intolerable conditions.

And it is part of the emancipation of women which this generation has witnessedthat they have availed themselves more and more of the opportunity for freedom which is given by the comparatively liberal divorce laws of this country.

It is often said that the interests of the children of a marriage justify a denial of divorce. Unquestionably there is something in this view. The children of a divorced couple are in a situation vastly less fortunate than that of the children of a happy and united family. But I am inclined to think - indeed, I have no doubt, - they are in a better situation than children who are compelled to live in a house which is the ~~scum~~ scene of drunkenness or brutality or even of constant quarrels and antipathy between the parents.

Doubtless it will be thought by many of you that I take too cynical a view of marriage and its benefits. I hope not. I am persuaded that marriage offers to men and women the greatest attainable

happiness. But its success depends upon certain traits of character which unfortunately many persons do not possess. And when it does not succeed, it fails more miserably than anything else in the world. We have in this country, adopted the policy of recognizing these failures and of offering to their victims an opportunity to make at least one more try for happiness. And I think we are right.

"Stress is laid upon the fact of the influence, political and otherwise, exerted upon the official life of the country, hampering and rendering ineffective the just operation of law. Not only is it reflected in the authority mentioned, but it is apparently the collective opinion of the best minds who are giving the subject sincere consideration. We would be remiss in our duty, in view of this, if we did not urge the grand jury to look into the official life of the county, and should you find any of the officials, from your Circuit Judge, County Judge, Commonwealth Attorney, County Attorney, Magistrate, school trustees or city officials, who are failing in their full and complete performance of their duty, you should indict them, if it amounts to a malfeasance or misfeasance in office, and should you find them bending to any corrupt political influence and it is sufficiently apparent and certain, even though it does not amount to an indictable offence, it is within your province to make such a report to this Court as will throw the light of publicity upon their misconduct. When men fail in their official duty and courts do not measure up to the legal requirements, the government fails. Our government rests upon the purity and integrity of the official life. Justice must be speeded up and made swift and certain. We have often urged the importance of the observance and enforcement of the prohibition law, the non-enforcement of which has become a scandal to the State and Nation. It is up to the county and state officials to meet the disgraceful situation which has arisen.

"The policy of the present Federal Prohibition Administration

recently adopted has filled us with astonishment. We hope we are wrong in our conclusion, but it seems to us the rules adopted hamper rather than assist the enforcement of the law.

"Effective work has been done heretofore by under-cover men or 'plain clothes' officials as styled in the city. We are reliably informed that a rule has been adopted by the Prohibition Department that no under-cover man shall be used in the detection of offences. We also understand that they have adopted the rule that agents shall not take any informer with them to point out the offender or the place where the law is being violated. They have also caused to be placed upon the automobiles of the agents insignia in large lettering indicating the car as being an official car and used in the prohibition service. We do not mean to charge that this policy was adopted for the purpose of preventing detection, but we do mean to say that such is the effect of it. In other words, such policy would say to the bird hunter, 'When you go hunting, take a brass band', and to the fisherman, 'Throw a rock in the pool as you approach, to give notice that you are coming.' Under the present admitted system of organized crime in the sale and transportation of liquor, so far as the Federal Government is concerned, it will be easy for offenders to get notice of the approach of officials, by telephonic and other means. The new policy takes away from officials the secrecy of their movements and exposes them to be waylaid by desperadoes. We have heard the ridiculous suggestion that the labeling of the car is a

protection to the innocent and non-offenders. Upon the contrary, such labels can be easily counterfeited by the lawless, and thereby give an unsuspicious approach where otherwise the danger might be anticipated. It is our understanding that these new rules have caused great demoralization among the agents and operators who detect and run down violators.

"Those in charge of prohibition enforcement cannot be too careful in adopting methods and means which on the face show sincerity of purpose. Already has the Federal Department been openly charged as being handled and used for political purposes.

"We personally know Judge William Lewis, one of the distinguished Judges of this State, who stands high personally and politically in the estimates of those who know him. He openly charges that in his recent race for Congress, 'almost every moonshiner, whisky runner and others having indictments pending against them in the Federal Court at London or before Jim Rollins, United States Commissioner at Pineville, were flattered, cajoled and given to understand that to line up with Finley and to have their folks do so, would bring them immunity or favorable recommendation to the Court.' Again he says, citing the instance: 'Some months before the primary, an automobile containing several gallons of liquor was captured in Bell County. The owner of the car made his escape, and is reported to have gone to Canada. He belonged to a prominent family, and they started out for Lewis for Congress. Something happened. A few days before the pri-

mary, he returned to Pineville. His car was turned over to him and repaired, and he went out working for Finley. Many other cases might be given."

"Here is a direct and specific indictment broadcast throughout our State. Could anything be more demoralizing and bring into greater disrepute the officials of the law? In this connection, we would not omit to state that in this indictment Judge Cochran was clearly and distinctly exonerated.

"In the abandonment of former means of detection by the Federal Prohibition Department, it is made necessary that the County and State officials become more active and vigilant."

Judge Hardin then discussed the necessity and importance of contact being established by the good citizens of the county with the officials.

His Excellency, the Governor of Kentucky, our worthy Toastmaster, distinguished guests, and ladies and gentlemen:

As Harrod's Fort was the distributive center of heroic action during the Indian Wars, I desire the sweep of my thoughts to do equal honor to the brave pioneers of all forts and stations in their gift of Kentucky to the citizenry of our State. They possess in common both purpose and character and this we should not forget.

On a square stone fixed in the walls over the lintel of the main entrance door of a Colonial home built by an illustrious pioneer are boldly and deeply chiseled these words, to be read by his children and the generations to follow:

"Look to the law for thine inheritance rather than thy progenitors."

In this we find reflected the high and noble purpose carried in the brain and heart of the pioneer.

It was not the mountain with its minerals, the sloping hill that altogether lured the pioneer with its grazing, nor the meadow land with its blue grass, but they sought to build homes and shelter them with a government of just and equal laws, to be administered with fairness and honor.

" Look to the law for thine inheritance"

What of the character of the pioneer? Hear this, fellow banqueteers; In all the chronicles of the long years, from Finly's first journey in Kentucky in 1767 to the close of the Indian Wars at the Battle of the Thames, in 1813, no instance, save McGeary's killing of Molonthe occurred, where Kentuckians met their foe other than upon equal terms and in fair fight. Hundreds of instances attest their equal readiness for single combat or contest of numbers, and almost every encounter brought death to the pioneer or his foe , but the escutcheon of Kentucky was never tarnished by a blot of cruelty, nor her lofty courage soiled by the massecre of the defenseless, or by indignity to prisoners of war.

This I regard as a most striking statement of the heroic and noble character of the Kentucky pioneer, together with this- we have his full size picture -- he believed in God,in the right,in courage,honor, integrity,the sanctity of pure women.

Wherefore, Mr Toastmaster,I have the honor of proposing as a toast, and ever present burning memory of the great purpose,lofty courage,shining honor,and the greatness of soul of the great men whose heroic deeds won for us the great territory and Government of the State of Kentucky.

May we not hope that their virtues,achievement and pioneer spirit so possess us asto urge a greater and still greater Kentucky.

After discussing many phases of law violation, and the general conditions in State and Nation manifesting hostility to law and indifference to authority, Judge Hardin called attention to the findings of the recent meeting of the American Bar Association in Chicago. He urged that they were a challenge to the best thought and profoundest consideration of all people who were concerned in good government.

Quoting from Chairman George W. Wickersham, of President Hoover's Law Enforcement Commission, he said:

"A basic difficulty in the administration of justice lies in the use of political influence not only in the selection of prosecutors, court officials and judges, but in the performance of their duties."

He said that Charles Evans Hughes, Chief Justice of the United States, in his address before the American Bar Association, points out the difficulties in law enforcement in these words:

"Our Government is one of laws, through men, and almost all our problems in the administration of the criminal law could be solved by the selection of honest men, free from corrupting influences, fear and favor or political control."

Quoting from Roscoe Pound, Dean of the Harvard Law School, he said: "An openly expressed contempt for law is common among the so-called better classes. In the practical application of the criminal code, politics enters in a scandalous degree."

Judge Hardin said:

Bechan [illegible] 367 507

Public Opinion

Public Opinion is an organization or coordination of many of separate individual judgments

Thus a collective judgment is reached which we call "public opinion" Christobige opinion in favor of the eighteenth amendment

Public opinion is a more or less rational collective judgment formed by the action and reaction of many individual judgments

Popular emotion which ~~depends upon~~ arises from for its formation upon a contagion of feeling

Public sentiment which is a mass of feelings associated with the will [illegible] hopes of a group formed through debate and open discussion

Rule of Public Opinion

Public O" is nothing but the synthesis of individual judgments

Democracy rule of public will or rule of popular will is nothing but coordination and cooperation of the actions will of the individual members of the group

Substitute for the popular will the popular emotion

[illegible] all [illegible]

Try to serve your country without dollar your purpose

Your fear [illegible] justice to lift the mass

In any act of service a real selfish interest

L.P.S.

The business of the organization is to [illegible] your group and [illegible] form and that is [illegible]

"Decent respect for the opinion of mankind"

"There is but one way of holding the confidence of the American people and that is to deserve it"

Committees. This further subdivides itself into the question of whether or not members of the State Committee from Districts and Counties that counted 47,000 votes for Sampson last November shall control party counsels and party conventions.

Foolish consistency is the hobgoblin of
little minds adored by little statesmen
and philosophers and divines
Emerson Essay Self Reliance

With consistency a great soul has
simply nothing to do
Emerson

Speak what you think
to day though it contradict
every thing said before
Emer