

Liquor raised legal questions

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the indictment against his client. The charge read that Wertz was "keeping, running and operating a place where intoxicating liquors are sold, bartered or given away." According to the *Bloomington Evening World*, "Attorney Miers made an exhaustive argument, the basis of his contention being that the disjunctive 'or' is used in charging in the language of the statute, which makes the charge so that the defendant is unaware of just what he is charged."

After the motion was denied by the judge, the courthouse habitués were provided with plenty to talk about in the days ahead. Wertz's contention was that he was of German extraction and therefore drank

a lot of beer. Drayman Harry Pryor testified that he often hauled beer to the home for "family use" — sometimes as much as two or three barrels a week. As for the bottles, Wertz explained that "he bought empties and shipped them to Indianapolis."

Though some of the men arrested during the raid on the Wertz home said they hadn't purchased any beer, their testimony was offset by the prosecution's decoy, McIntyre. The defendant was found guilty, given 30 days in jail and fined \$50. Had Wertz "seen the error of his ways," the story would have ended there, but his little establishment turned out to be an equal opportunity speakeasy.

Next week: Messie Wertz's day in court.