

## BUTLER CLOSES HIGH-POWERED BEER FACTORIES

Police Raid Breweries in  
Philadelphia Despite  
U. S. Protection.

**Editor's Note**—This is the twenty-fourth installment of General Butler's personal column, published weekly in this paper and his newspaper early this year. The articles will appear daily. The Times reserves the right to edit the articles in this territory.

**By Smedley D. Butler**

"You can't touch the breweries!" That was what I was told when I began my work in Philadelphia. I was informed that local police had no jurisdiction over breweries, dared not raid them and could do little except watch for outgoing trucks loaded with high-powered beer. This came to me from legal counsel whose opinion I respected. I was informed brewery work was a Federal task.

At that time there were some twenty-odd breweries operating at full blast, all but two or three manufacturing high-powered beer; some with Federal permits and others without permits to manufacture even near-beer.

Most of the breweries had, at one time or another, been found violating the law by Federal prohibition agents, but nothing had come of it.

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## THE INDIANAPOLIS TIMES

On one occasion, in those early days, police learned that a brewery that had been raided, seized and turned over to the United States marshal's office to be guarded, was again manufacturing and shipping beer of illegal alcoholic content. I ordered a detail to invade the premises and seize the illegal beer.

### Shooting Threatened

When the police tried to enter they were met by a group of deputy United States marshals who threatened to shoot our men if they entered. The police, not knowing how to meet the situation, left. The next morning when I was informed that everything had been arranged at the brewery and we found nothing, the deputy United States marshals having departed.

The first year we managed to make some seizures, but nothing was really accomplished.

In the summer of 1925, however, I learned, after much seeking after, that, under the law police could raid breweries.

Immediately we began a campaign and soon were able to obtain the first padlock on a brewery in Philadelphia. Through two seizures of high-powered beer, a Federal court before whom the case was tried on our evidence, ordered the Rising Sun Brewery closed for a year.

### Every Brewery Watched

Every brewery in Philadelphia was watched and raided, local beers and men arrested. The local courts, in most instances, ordered the high-powered beer returned to the breweries on one technicality or another.

Finally our raids became too persistent, the chance of being caught too great, the fear of arrest too much, the cost of legal action too high, and the breweries began to shut down, one by one, so, before I left, not a single brewery in Philadelphia was operating illegally.

Breweries, I found, could be made to obey the law. Several, including the Bergner and Engel brewery, largest in the eastern part of the United States, was padlocked for a year by Judge McDevitt.

Here is a typical case of such a plant—the Bergner & Engel, Inc., as compiled by police investigators from Federal records. It is only part of the company's record.

### Repeated Violations

"Following are violations since 1922. In each instance this concern was detected violating the prohibition laws by shipping high-powered beer from their plant. Violations, Aug. 17, and Oct. 2, 1922; April 19, 1923, and Feb. 9, 1923. These cases were all settled by a compromise, company admitting liability and paying a small fine. Again caught violating June 23, 1924, by United States Prohibition Department. At that time a report was submitted to the United States district attorney. Case heard by Judge McKeegan, who, on a motion by attorney for defense, ruled the evidence was insufficient. Case dismissed July 1, 1924."

I have before me as I write, the criminal records of fourteen breweries. For years they violated the laws, were detected, sometimes prosecuted, more often not, and

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