

Case No. 14,875. UNITED STATES V. COULTER.
[1 Cranch, C. C. 203.]¹

Circuit Court, District of Columbia.

Dec. Term, 1804.

DISORDERLY HOUSE—SELLING LIQUOR TO NEGROES—SUNDAY
SELLING—LICENSE.

The practice of selling spirituous liquors, in a public manner, to negroes and slaves, assembled in considerable numbers, and suffering them to drink the same in and about the house on the Sabbath, constitutes the offence of keeping a disorderly house, although the owner may have a tavern license.

[Cited in *State v. Crawford*, 28 Kan. 733.]

Indictment for keeping a disorderly house.

Mr. Morsell, for the defendant, contended that a disorderly house is only indictable at common law as a common nuisance, and that actual disorder must be proved. Coulter had a license to keep a tavern; he is only prohibited by statute from selling on Sundays; from dealing with slaves, &c.

Mr. Jones, for the United States. A baw-dy-house is indictable as a common nuisance, and yet it is not necessary to prove that any one person has been disturbed by it. The tendency to corrupt the morals makes it a common nuisance.

THE COURT. The license does not authorize the defendant to sell to slaves or negroes on a Sunday; it is therefore no justification as to those facts. The practice of selling spirituous liquors in a public manner to negroes and slaves, assembled in considerable numbers, and suffering them to drink the same in and about the house on the Sabbath, constitutes the offence of keeping a disorderly house.

Verdict guilty. Fined \$10.

¹ [Reported by Hon. William Cranch, Chief Judge.]