

Sept. 30th, 1924.

Dr. H. H. Laughlin,
Eugenics Record Office,
Carnegie Institution of Washington,
Cold Spring Harbor,
Long Island, N.Y.

Dear Sir:-

Representing the General Hospital Board of Virginia, I have in charge a test case under the Virginia Eugenical Sterilization statute approved March 20th, 1924, (Acts of Assembly 1924, page 569), with which you may be somewhat familiar, as I recall that Dr. Arthur H. Estabrook from your office made some inquiries about this act in my office some weeks ago.

The first trial of the case will probably be in the Circuit Court at Amherst, Va., about the middle of October. Whichever way that Court may determine the case it will be taken to the Supreme Court of Appeals of Virginia. If the Act be sustained by this our highest court, it will then be taken to the Supreme Court of the United States as the Hospital Board is unwilling to proceed under the Act until it shall be sustained by the highest court, which, of course, is the Supreme Court of the United States, because of the alleged rights under the Federal Constitution involved.

Both in the preparation of the statute and in preparation for the trial of this case we have found your book on "Eugenical Sterilization in the United States", published by the Psychopathic Laboratory of the Municipal Court of Chicago in December, 1922, very helpful and it has occurred to us that perhaps because of your interest in the subject you might be willing to assist us in making up a proper record for the test case.

This case as it has so far been made up involves a feeble-minded young woman nineteen years of age, who together with her mother, who is also feeble-minded, is an inmate of the State Colony for the Feeble-Minded, and the young woman is herself the mother of a feeble-minded child. What I should like to get, if possible, would be a deposition of some authority

Dr. H. H. Laughlin -- #2.

who has made a study of the hereditary considerations involved in such cases so that we might get into the record testimony from the most approved sources tending to support the theory of such laws by showing if we can that such a patient is the probable potential parent of defective offspring and that considerations both of public welfare and of the welfare of the individual patient counsel the performance of the operation in view.

Could you give us such a deposition or indicate some one else well qualified and willing to do so? If so, I think we could arrange simply to forward agreed interrogatories to which the person testifying could make such written answers under oath as appear to him proper. But to have the matter in place at the trial will require some expedition, and if the suggestion appeals to your interest I would very much appreciate hearing from you just as soon as convenient.

Also if you have knowledge of any later cases in point, decided by the courts after those cited in your book, I would appreciate receiving a reference to them.

Thanking you, I am

Very truly yours,

AES/A*

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE	SYMBOL
Telegram	
Day Letter	Blue
Night Message	Nite
Night Letter	N L

If none of these three symbols appears after the check (number of words) this is a telegram. Otherwise its character is indicated by the symbol appearing after the check.

RECEIVED AT

C10HN JO 30 3 EXTRA NL

TD MTWASHINGTON MD OCT 23 1924

DR ATHUR H ESTABROOK

HOLD FOR ARRIVAL CARE HINDMAN SCHOOL HINDMAN KY

SUPERINTENDENT PRIDDY LYNCHBURG VIRGINIA WANTS EXPERT WITNESS STERILIZATION

TEST TRIAL AMHERST VIRGINIA NOVEMBER EIGHTEENTH CAN YOU ATTEND WIRE

LAUGHLIN AM FORWARDING LETTER TO HINDMAN WAIT FOR IT

JESSIE ESTABROOK

420P

LAW OFFICES
STRODE AND EDMUNDS
KRISSE BUILDING
LYNCHBURG, VA.

AUBREY E. STRODE
J. EASLEY EDMUNDS, JR.

Oct. 10th, 1924.

Dr. Arthur H. Estabrook,
Carnegie Institution of Washington,
Cold Spring Harbor,
Long Island, N.Y.

Dear Dr. Estabrook:-

Your favor of the 7th inst. reached my
office in my absence in attendance upon court.

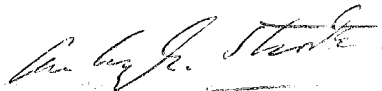
I thank you very much for your offer of
co-operation in the test case but we had already arranged
through Dr. Fridy, Superintendent of the State Colony
for the Feeble-minded, and his correspondent at Charlottes-
ville, Va., a social worker there, to obtain such infor-
mation as we could of the family history of the case.

This case is not local to Amherst and
happens only to be tried in the Amherst Court because
the institution is located in that County.

Again thanking you, I am with kind re-
gards,

Very truly yours,

AES/A.



Copy to:

Dr. Arthur H. Estabrook,
C/o Mr. A. McCuvvin,
Mt. Washington, Md.

LAW OFFICES
STRODE AND EDMUNDS
KRISSE BUILDING
LYNCHBURG, VA.

AUBREY E. STRODE
J. EASLEY EDMUNDS, JR.

Oct. 29th, 1924.

Dr. A. H. Estabrook,
Hyden, Ky.

My dear Dr. Estabrook:-

Under date of the 27th inst. I have received from Dr. H. H. Laughlin a letter enclosing an analysis made by him of the data sent him by Dr. Priddy concerning Carrie Buck, the patient of the Feeble-Minded Colony whose case under the Virginia Sterilization Law is to be tried on appeal to the Circuit Court of Amherst County at Amherst, Va., on Tuesday, Nov. 18th.

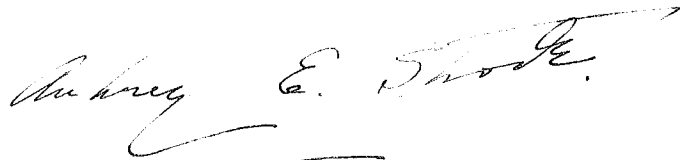
We shall hope to obtain Dr. Laughlin's deposition in reply to interrogatories which I shall shortly prepare and send him, but he has suggested, and I am sure it would be also very helpful if you could conveniently arrange to attend this trial on November 18th at Amherst as I think your testimony would be helpful and especially so in that we should like to have some expert evidence to meet possible developments at the trial and for the information of the Court if the Judge shall himself desire to ask questions about the general principles involved.

I will, therefore, appreciate the service if you can kindly let me know at once whether you will be able to attend if desired and if so, upon what terms. While this is being made a test case and, of course, some expenses will be necessary, the funds available are quite limited and we must, therefore, be careful before incurring any expense to make sure that it will be within the means available.

With kind regards, I am

Very truly yours,

AES/A.



Copy to
Eugenics Records Office,
Cold Spring Harbor,
Long Island, N.Y.

Nov. 5th, 1924.

Dr. H. H. Laughlin, Assistant Director,
Eugenics Record Office,
Cold Spring Harbor,
Long Island, N.Y.

My dear Dr. Laughlin:-

Several days ago I sent you the Interrogatories for the taking of your deposition in the Eugenics Test Case to be tried at Amherst, Va. on the 18th inst., which I trust reached you in due course and which I hope you may conveniently answer and send to Amherst as soon as possible.

Though I wrote Dr. A. H. Estabrook at Hyden, Ky., as you suggested, asking him to come to Amherst on the 18th inst. if he could arrange it, I have not heard from him and fear the letter did not reach him. If you have a later address for Dr. Estabrook I would greatly appreciate the service if you would kindly telegraph me here, at my expense, upon the receipt of this letter where I may reach Dr. Estabrook by mail or telegraph, as we are exceedingly anxious to have him assist us in this matter and would be very glad indeed if he could arrange to come to Charlottesville two or three days in advance of the 18th to make some preliminary investigations for us and be prepared in any event to testify at Amherst, Va. on the 18th inst.

The General Hospital Board of Virginia, whom we represent, would pay his expenses for this trip and we feel that his services would be very helpful, and feeling that his services would be very helpful we would appreciate any assistance that you can give us in having him arrange to be with us, certainly by the 18th and a few days sooner if possible.

Thanking you, I am

AES/A

Very truly yours,

LAW OFFICES
STRODE AND EDMUNDS
KRISSE BUILDING

LYNCHBURG, VA. November 6th, 1924.

AUBREY E. STRODE
J. EASLEY EDMUNDS, JR.

Dr. Arthur H. Estabrook,
Hyden, Ky.

My dear Dr. Estabrook:-

Your letter of the 3rd inst. saying that you could come to Amherst for the trial of the Carrie Buck case on the 18th inst. for the payment of your expenses and a per diem of \$20.00 per day while in attendance in court reached me this morning after I had written Dr. Laughlin on yesterday seeking to confirm your present address.

I am glad to hear from you and to know that you can assist us in this matter.

As you will note from my letter to Dr. Laughlin, a copy of which I sent you, we should be glad to have you come on two or three days in advance of the 18th to make some preliminary investigations for us at Charlottesville, Va., Carrie Buck's home, which you had previously offered to do but which I thought then could be satisfactorily done by Miss Duke and other social workers there who were assisting us in the matter. However, the information obtained by Miss Duke was not as full as we had hoped to get and I think it not unlikely that you in co-operation with her and others there might be able to run down some additional pertinent facts, as we wish to present in this test case as strong a showing of facts as possible, both for the trial court and for the appellate courts, as we shall not have another opportunity to get the facts in the record upon which this case must be tried.

I would suggest, therefore, that you come to Lynchburg, if you can, about the 13th to see Dr. Priddy at the Colony, where you may also find Carrie Buck and her mother, both of whom are feeble-minded patients there, and where you would have access to the records which would suggest lines of inquiry at Charlottesville, Va., to which point you might go the next day and return to Amherst by the 18th for the trial.

Please kindly advise me here and Dr. A. S. Priddy, Superintendent, at Colony P. O., Virginia, just when he may expect you.

Very truly yours,

AES/A.

Aubrey E. Strode

Copy to:

Dr. H. H. Laughlin,
Cold Spring Harbor,
Long Island, N.Y.

Dr. A. S. Priddy, Supt.,
Colony P. O., Va.

Hyden, Ky.
Nov. 8, 1924.

Mr. Aubrey Strode,
Krise Building,
Lynchburg, Va.

My dear Mr. Strode.

I have just received your letter of the sixth, stating definitely that you desire that I be present at Ashurst for the Carrie Buck case. I wired you last night from here, duplicating my letter of the third, saying that I could come if desired.

If weather and other conditions permit, I shall arrive in Lynchburg either at 7.12 P.M., Wednesday night, or early Thursday morning. I am a days ride on horseback from the railroad and hence may not make exactly the train I desire, but should there be any delay, I shall arrive by Friday morning at the latest. I will communicate either with you or Dr. Priddy as soon as I come in.

It will probably be best for me to see Carrie Buck and her mother first, going to Charlottesville later. Will you communicate with Miss Duke at Charlottesville so that she will be available there as soon as I can reach there? We can later send her the exact time of my arrival. I think that will expedite matters very much.

I am mailing a copy of this to Dr. Priddy for his information.

Very truly yours,

Arthur H. Estabrook.

LAW OFFICES
STRODE AND EDMUNDS
KRISSE BUILDING
LYNCHBURG, VA.

AUBREY E. STRODE
J. EASLEY EDMUNDS, JR.

Nov. 15th, 1924.

Dr. A. H. Estabrook,
C/o General Delivery,
Charlottesville, Va.

My dear Dr. Estabrook:-

I have your letter of yesterday reporting upon your investigations in the Carrie Buck case.

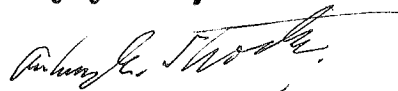
I had the Clerk at Amherst send you C/o General Delivery, Charlottesville, witness subpoenas which you can fill in as explained with the names of witnesses desired and by delivering the copies to the witnesses legally summon them. If, however, any of them need funds to bring them to Amherst Tuesday morning and you will so advise Strode & Edmunds here, we shall be glad to advance the funds necessary for this purpose.

I received today the book "The Jukes in 1915" and will bring it to Amherst.

Awaiting your further advices and thanking you, I am

Very truly yours,

AES/A.



Copy to:

Dr. A. S. Priddy, Superintendent,
Colony P. O., Va.

LAW OFFICES
STRODE AND EDMUNDS
KRISSE BUILDING
LYNCHBURG, VA.

AUBREY E. STRODE
J. EASLEY EDMUNDS, JR.

December 11th, 1924.

Dr. Arthur H. Estabrook,

Hyden, Ky.

My dear Dr. Estabrook:-

Your favor of the 29th ult. enclosing your expense account was duly received and has been forwarded to Dr. Priddy who will doubtless send you a voucher shortly, though it will probably go to you at Cold Spring Harbor, N.Y.

Judge Gordon in opening his court this week at Amherst said that he had not had an opportunity as yet to prepare his opinion in the Carrie Buck case, but intimated that he would probably decide it in our favor.

Your assistance in that case was very much appreciated and I thank you.

With best wishes, I am

Very truly yours,

AES/A.

