

**THE NOBLE EXPERIMENT ENDS: A STUDY OF  
THE REPEAL MOVEMENT OF PROHIBITION**

**UNIVERSITY OF MICHIGAN**

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THE NOBLE EXPERIMENT ENDS:  
A STUDY OF THE REPEAL MOVEMENT OF PROHIBITION

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An Abstract  
Presented to  
the Graduate Council of  
Austin Peay State University

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In Partial Fulfillment  
of the Requirements for the Degree  
Master of Arts

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by  
Janet Tyler Winn

May, 1977



## Abstract

I propose to make a study of the movement for repeal of the Prohibition Amendment to the Constitution. The study will include the reasons for the failure of Prohibition.

The paper will begin with a brief history of how and why Prohibition became a way of life in the United States. In order to understand why Prohibition finally failed, one must know the background of this thirteen year social experiment.

A large part of the paper will discuss the criminal elements that grew due to Prohibition. Even though gangsters existed in huge numbers before Prohibition, their activities expanded when liquor became illegal to make and sell. Rumrunners, bootleggers, and moonshiners practically ran the country. The gangsters even had many politicians in their back pockets. All of this will be discussed.

An integral part of the movement to Repeal the Eighteenth Amendment concerned the various groups that banded together to fight for their cause. Lawyers had their organization, hotel personnel had theirs, and there were some groups made up strictly of women. The major group of the time was the Association Against the Prohibition Amendment. Each of these organizations worked hard to influence the people of America and the politicians into repealing the Eighteenth Amendment and passing the Twenty-First

Amendment. In fact, their work was a major contribution to that fact, and this will be brought out in the paper.

With the people of the United States awakened to the fact that Prohibition had failed, the next step was to end it. First, elections were held in 1932, and its candidates and platforms showed that it would not be long before the goal of the Wets was achieved. Then, Congress had to decide how to go about getting the law changed and a new amendment added to the Constitution. When the method had been decided, the next step was to have the states ratify the Twenty-first Amendment. All of these things will be discussed to show how America went from a nation of people who had to sneak drinks to one of open, free-flowing alcohol.

Finally, the results, celebrations, and conclusions concerning the end of Prohibition will be discussed. Many people felt that the country was in no better shape without Prohibition than it had been with it. Crime was still rising, more people were drinking, and to top it all, there was a depression in America. At the same time, others celebrated the Twenty-first Amendment with a bang. However it was welcomed; Prohibition-the Noble Experiment-was over.



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May, 1977

To the Graduate Council:

I am submitting herewith a Thesis written by Janet Tyler Winn  
entitled: "The Noble Experiment Ends: A Study of the Repeal Movement  
of Prohibition." I recommend that it be accepted in partial fulfillment  
of the requirement for the degree of Master of Arts, with a major in  
History.

Wendellis Winn  
Major Professor

We have read this thesis and  
recommend its acceptance:

Preston J. Hubbard  
Second Committee Member

J. Milton Henry  
Third Committee Member

Accepted for the Graduate Council:

Wayne E. Stamps  
Dean of the Graduate School



## Acknowledgements

I wish to express my sincere appreciation to Dr. Wentworth Morris, Dr. Preston Hubbard, and Dr. J. Milton Henry for their help with my thesis, and their help throughout my history studies at Austin Peay State University. Without their help and friendships, graduate school would not have been as much fun and rewarding. I would also like to thank one of my political science professors, Dr. Vernon Warren, who had faith in me and was a great friend.

I also wish to thank my husband and my parents for their help, encouragement, and patience. They made it all possible for me. Special thanks go to a family friend who typed this thesis for me.

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## Chapter I

### How Did It Happen?

In order to understand why a majority of the American people wanted to repeal the Eighteenth Amendment, one must understand why Prohibition happened at all. The amendment had passed Congress during the uprush of war idealism in December, 1917, when two-thirds of the nation were living under local prohibition and the other third knew severe war-time restrictions on drinking. "The Prohibition movement was the fruition of ten decades of temperance agitation; the pleas of church and women's organizations were strengthened by corrupt practices of liquor interests, by the desire of southern whites to keep alcohol from Negroes, by automobile risks, by German control of breweries, and by the efficient pressure politics of the Anti-Saloon League."<sup>1</sup> The amendment seemed to be rural mid-west in concept. It took no account of the fixed habits of many urban dwellers, particularly of recent immigrant stock.

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<sup>1</sup> Jeannette Nicols, Twentieth Century United States (New York: D. Appleton-Century Company, 1943), p. 243.

While Prohibition seemed to help some families, it did not affect all people. It was hoped that Prohibition would combat crime and drunkenness, and cause people to save the money that they were throwing away on liquor. Industry claimed alcohol was the cause for many accidents, unemployment, and loss of work hours. Yet, a large proportion of the population still flouted the law more or less openly. Expensive drinking at speakeasies became highly fashionable. High school aged youngsters proudly began carrying hip flasks while others drank to show their contempt for the law.

The Wets argued that the Drys had taken advantage of the nation in abnormal times-the war. The first aim of the Drys was "to enshrine a liquor law in the Constitution where they thought it would be unassailable, while their tactics were put through a moderate amendment in any form and then pass a severe law to enforce it."<sup>2</sup> Many people voted for the amendment in order to escape the constant badgering of the Anti-Saloon League. "Fear of the League was so great that, according to the Washington Times, the Eighteenth Amendment would not have been passed if a secret ballot had made it impossible for the League to publish the names of those who

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<sup>2</sup> AJP Taylor, editor, Purnell's History of the Twentieth Century (New York: Purnell, 1974), p. 1310.



voted wet."<sup>3</sup> The amendment was therefore passed easily by both bodies of Congress and quickly ratified by the states.

There were problems with the early stages of Prohibition that would show up later to cause the "Cry for Repeal." For one thing, the Drys had split both the Republican Party and the Democratic Party down the middle. It became clear that the parties were too divided on the issue ever to be able to enforce Prohibition wholeheartedly. Also, there were flaws in the wording of the amendment. It forbade the sale of liquor, but it did not forbid the purchase of or drinking of liquor. People who had stocked their cellar before Prohibition could serve drinks legally until the stock ran out. The law did nothing to those who preferred to drink out on the town since it laid down penalties only for those who sold liquor-the bootleggers. Respectable citizens could drink legally in illegal saloons and leave the proprietor to face the consequences. This he rarely had to do since the system of graft and corruption which linked politics and crime provided excellent protection.

In order to get Prohibition through Congress, the Prohibitionists pushed through a measure that was unen-

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<sup>3</sup> Ibid., p. 1310.

forceable. The Volstead Act and other acts were intended to provide entertainment. Unfortunately, many people felt that these acts violated the basic rights given people by the United States Constitution. As a result, there was little respect for it and the Eighteenth Amendment came to be regarded as a "wart on the nose of the Constitution."<sup>4</sup> Within the next thirteen years people would begin working to strip the country of the burden of the amendment.

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<sup>4</sup> Ibid., p. 1311.

## Chapter II

### Volstead Act-1919

The Volstead Act was sponsored by Representative Andrew Volstead of Minnesota. The original bill was considerably more severe than the amended act of sixty-seven sections, later supplemented by another six sections, which evolved out of the debates on the measure in Congress. The House Judiciary Committee "weakened the clauses of the bill that dealt with search and seizure, with the soliciting of orders for liquor, and with the report of arrests for drunkenness by local officers."<sup>5</sup> House amendments partially restored the search and seizure clauses. They also provided for "severe penalties against the wrongful issue of search warrants, and allowed the possession of liquor in private homes and the sale of sacramental wine."<sup>6</sup> The amended bill was passed in the House, 287-100.

The bill was then referred to a Senate Judiciary Subcommittee and the Senate Judiciary Committee. Further

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<sup>5</sup> Andrew Sinclair, Prohibition: The Era of Excess (Boston: Little, Brown, and Company, 1962), p. 167.

<sup>6</sup> Ibid.



clauses were passed. The additions included "dwellings where people could possess liquor without fear of reprisals were defined as including residences, apartments, hotels, or similar places of abode."<sup>7</sup> Also, individuals were still allowed to store and consume liquor and, in addition, to manufacture light wine and cider at home. The Senate passed the bill without a roll call. It was then returned to the House, which refused to accept the Senate's amendments.

A conference was set up between the House and the Senate to reach an agreement. At the conference, the Senate won almost every one of its provisions. It succeeded in striking out the clause penalizing drunkards on public vehicles and legalizing the manufacturing of beer before it was made into near-beer. The Volstead Act also provided for the enforcement of war-time prohibition. Woodrow Wilson vetoed the final bill, but Congress overrode the veto.

The Volstead Act was also known as the National Prohibition Act. It was declared be: "An act to prohibit intoxicating beverages, and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to ensure an ample supply of alcohol, and promote its use in scientific research and in

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<sup>7</sup> Ibid.

the development of fuel, dye, and other lawful industries."<sup>8</sup>  
The use of beverage alcohol was "restricted to the patients of doctors, communicants at religious services, and makers of vinegar cider."<sup>9</sup>

The Commissioner of Internal Revenue was charged with administering the enforcement of the act. There were two categories of penalties for bootleggers. For first offenders, the fine was \$1000 and six months in jail. Second offenders received five years in jail and a \$10,000 fine. Places selling liquor illegally were padlocked by the court for one year. Personal property used for the transportation of liquor could be seized and sold by public auction to help defray costs of enforcement. At the same time, the purchase of liquor did not make the purchaser liable for prosecution.

Although the Prohibitionists had written Prohibition into the fundamental law of America, that fundamental law prevented them from enforcing it. The Volstead Act provided them with a means of enforcement. But, the act also had some faults. It seemed to deny Americans their heritage guaranteed them by the Bill of Rights. Congressman Crago, of Pennsylvania, said that "he feared that the law would breed a discontent and disrespect for the law in these United States

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<sup>8</sup> Fletcher Dobyns, The Amazing Story of Repeal (Chicago: Willet, Clark, and Company, 1940), p. 266.

<sup>9</sup> Sinclair, Prohibition: The Era of Excess, p. 168.

beyond anything we have ever witnessed before."<sup>10</sup> The act also refused trial by jury in some cases. It confiscated personal property, and it extended the power of the judiciary. The sanctity of the home was invaded by the act too. The failure of the enforcement of the Volstead Act was due to "administrative stupidity, political graft, the federal structure of the United States, an antiquated legal system, and the flaws in the act itself."<sup>11</sup> These causes of failure were overshadowed by one overriding consideration. The Prohibition law could not be adequately enforced in the America of the twenties. "It is doubtful that national Prohibition can ever be enforced, even under a dictatorship, since alcoholic drinks have been made in every civilized society in history."<sup>12</sup>

In 1933, Franklin Delano Roosevelt felt that the time was ripe for a national referendum on the Volstead Act. Instead of taking the stand of one or the other, he made definite statements to both. In his biography of Roosevelt, Kenneth Davis defined Roosevelt's position:

To fervent Wets a referendum would result in modifications of the act that

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<sup>10</sup> Sinclair, Prohibition: The Era of Excess, p. 169.

<sup>11</sup> Ibid., p. 182.

<sup>12</sup> Ibid., p. 183.



would at the very least legalize light wines and beer and protect individual rights of privacy and properly from the excessive zeal of Prohibition agents. To fervent Drys, notably William Jennings Bryan, he indicated that the proposed referendum would result in endorsement of the present act by an overwhelming majority, thus encouraging a much more rigorous enforcement than it had thus far obtained.<sup>13</sup>

Al Smith took a stand in favor of an immediate repeal or modification of the Volstead Act to permit the sale of beer and light wines.

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<sup>13</sup> Kenneth Davis, FDR: The Beckoning of Destiny (New York: G. P. Putnam's Sons, 1972), p. 722.

### Chapter III

#### Wickersham Commission and Report

The Wickersham Commission and its report played a large role during Prohibition. The Commission was technically called the National Commission on Law Observance and Enforcement. Its chairman was the former Attorney General George W. Wickersham. The Commission was appointed by President Herbert Hoover in 1929. "Despite its sloth and evasiveness, the Wickersham Commission produced a mass of absorbing information about law enforcement in America and dealt the deathblow to Prohibition."<sup>14</sup> The Commission decided to:

Go into the whole subject of enforcement of the Eighteenth Amendment and the National Prohibition Act; the present condition as to observance and enforcement of that act and its causes; whether and how far the amendment in its present form is enforceable; whether it should be retained, or repealed, or revised, and a constructive program of improvement suggested.<sup>15</sup>

The Wickersham Commission "canvassed the country

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<sup>14</sup> Sinclair, Prohibition: The Era of Excess, p. 213.

<sup>15</sup> Dobyns, The Amazing Story of Repeal, p. 352.

for facts bearing on the deplorable situation engendered by the Prohibition Amendment."<sup>16</sup> Although their conclusions and recommendations may have been thought hesitant and contradictory, they did do a good job in prying open the facts. A Professor McBain was moved to declare that their report was "the most scientific and non-partisan study that we have or are likely to get at any near date."<sup>17</sup>

The preliminary findings of the Commission were released on January 13, 1930. The group recommended that the Prohibition Bureau be transferred to the Department of Justice. It advised:

The codification of Prohibition laws over the last years and the strengthening of the padlocked provisions of the Volstead Act; the laws should never have been so complex or so easily evaded. And worst of all, the Commission recommended that casual or slight violations of the Prohibition laws should be handled without trial by jury to ease the congestion in federal courts.<sup>18</sup>

Heever had great difficulty in staffing this group of people. The members had to be chosen from the ranks of the moderates, who were more concerned with the question of

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<sup>16</sup> Joseph Pellard, The Road to Repeal (New York: Brentano's, 1932), p. 181.

<sup>17</sup> Ibid.

<sup>18</sup> Sinclair, Prohibition: The Era of Excess, p. 358.



good government than with the rights and wrongs of the Prohibition problem. Besides the chairman, there were ten other members of the Wickersham Commission. There was a former Secretary of War; a former state Chief Justice; a Circuit Judge; two District Judges; three practicing lawyers; the Dean of the Harvard Law School; and the President of Radcliffe. The Commissioners heard evidence for nineteen months, and spent half a million dollars.

A special committee appointed by the Wickersham Commission reported in 1930 that welfare agencies in forty-one cities were greatly concerned with the effects of Prohibition upon children, especially those whose families were engaged in bootlegging or illicit distilling. They displayed a tendency toward vandalism, truancy, drinking, fear, and more. A report made by the same committee stated:

The great mass of testimony is to the effect that the Prohibition laws, as they are enforced, are not regarded in the same light as other laws; the prevailing attitude is one of defiance, resentment, or merely indifference...A violation in itself does not involve a sense of guilt; the only shame is in getting caught, and successful violation is rather a matter of boasting. Fear of punishment does not act as a deterrent to manufacture for home use or to engage in the traffic.<sup>19</sup>

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Herbert Asbury, The Great Illusion: An Informal History of Prohibition (New York: Doubleday and Company, 1950), p. 164.

The final report of the Wickersham Commission was submitted in 1931 after two years of study. It proved a disappointment to the Drys. The report is "significant in the emphasis which it placed on the necessity of putting any constitutional change to be made before the people themselves for adoption or rejection."<sup>20</sup> The evident effect of the report was "to damage the dry cause by showing that even a dry group of moderate conservatives, after a careful study of Prohibition, had to admit it was not working."<sup>21</sup> The report also showed that "Prohibition had a bad start partly because of inferior personnel and organization."<sup>22</sup> The National Prohibition Act, according to the report, came into existence "at the time best suited for their adoption and at the worst time for their enforcement."<sup>23</sup>

On March 21, two months after the submission of the report, the Voluntary Committee of Lawyers issued a solemn statement in regard to the report. It "praised the Commission for its exhaustive study of the facts, garbled from the report the strongest statements in regard to

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<sup>20</sup> Pollard, The Road to Repeal, p. 182.

<sup>21</sup> Thomas Coffey, The Long Thirst (New York: W. W. Horton and Company, 1975), p. 279.

<sup>22</sup> "Where the Wickersham Report Leaves Prohibition," Literary Digest, January 31, 1931, p. 7.

<sup>23</sup> Sinclair, Prohibition: The Era of Excess, p. 189.

failure of enforcement and the results of liquor lawlessness, and wove wet propaganda into the statements and conclusions."<sup>24</sup> The committee hoped that by using this type of propaganda, anyone who had not read the report might think it favored repeal.

President Hoover submitted the report to the Congress of the United States on January 20, 1932. In his message to them, Hoover said:

"The Commission by a large majority does not favor the Repeal of the Eighteenth Amendment as a method of cure for the inherent abuses of the liquor traffic. I am in accord with this view. I see serious objections to, and therefore must not be understood as recommending the Commission's proposed revision of the Eighteenth Amendment which is suggested by them for possible consideration at some future time if the continued effort at enforcement should not prove successful."<sup>25</sup>

In their joint statement, the Commissioners said:

"Hereinbefore we have given our reasons for the conclusion that Repeal of the Eighteenth Amendment is not advisable. We are convinced that it would be a step backward, that it would not conserve the achieved benefits of National Prohibition, and that it would be likely to lead to conditions quite as bad as those we are seeking to escape."<sup>26</sup>

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<sup>24</sup> Dobyns, Amazing Story of Repeal, p. 92.

<sup>25</sup> Grace Root, Women and Repeal (New York: Harper and Brother Publishers, 1934), p. 91.

<sup>26</sup> Dobyns, Amazing Story of Repeal, p. 91.



The following is a reprint from the text of the report of the Wickersham Commission on how the Commissioners stood on the issue of Prohibition.

Five members of the Wickersham Commission favored further trial of present liquor regulations, in the report presented to Congress; four of them seek revision, and two are for outright repeal.

The members' decisions were:

George Wickersham, New York: further trial.  
 William Grubb, Birmingham, Alabama: further trial.  
 Judge William Kenyon, Port Dodge, Iowa: further trial.  
 Judge Kenneth Mackintosh, Seattle: further trial.  
 U. S. District Judge Paul McCormick, Los Angeles: further trial.  
 Miss Ada Comstock, Cambridge: revision.  
 Henry Andersen, Richmond, Virginia: revision.  
 Frank Leesch, Chicago: revision.  
 Rescoe Pound, Cambridge: revision.  
 Newton Baker, Cleveland: repeal.  
 Monte Lemann, New Orleans: repeal.

Commissioner Andersen recommended sale of liquor by a National Corporation under government regulation, which was endorsed by Commissioners Leesch, Mackintosh, and Pound, and also by Commissioners Kenyon and McCormick on the condition that future trial shows enforcement of Constitutional Prohibition a failure.

A reprint of the Commission's conclusions from the report text follows and states that:

The Commission is opposed to repeal of the Eighteenth Amendment.

The Commission is opposed to the restoration of

the saloon.

The Commission is opposed to the Federal or State Governments, as such, going into the liquor business.

The Commission is opposed to the proposal of modification to permit manufacture and sale of light wines and beer.

The Commission holds that the cooperation of the States and the support of public opinion are essential for law enforcement.

The Commission believes that, while there has been improvement since the enactment of new enforcement laws in 1927, there is yet no adequate observance or enforcement, the present organization is inadequate, and that enforcement could be improved by certain changes in the laws, additions to the personnel, and removal of certain irritants, the latter including the limitations on medical prescriptions of alcohol and the omission of a maximum alcoholic content for home-made fruit-juices.

Some of the Commission are not convinced that Prohibition under the Eighteenth Amendment is unenforceable, and believe that a further trial should be made with the help of the recommended improvements, and that if after such trial effective enforcement is not secured there should be a revision of the amendment. Others of the Commission are convinced that it has been demonstrated that Prohibition under the Eighteenth Amendment is unenforceable, and that the amendment should be immediately revised, but, recognizing

that the process of the amendment will require some time, they unite in the recommendations for the improvement of the enforcement agencies.

All the Commission agree that if the amendment is revised, it should be made to read substantially as follows:

Section 1. The Congress shall have power to regulate or to prohibit the manufacture, traffic in or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes.



"I make my money by supplying a public demand. If I break the law, my customers, who number hundreds of the best people in Chaicage, are as guilty as I am. The only difference between us is that I sell and they buy. Everybody calls me a racketeer. I call myself a business man. When I sell liquer, it's bootlegging. When my patrons serve it on a silver tray on Lake Shore Drive, it's hospitality."

-Al Capone

## Chapter IV

### Crime and Corruption

Gangsters and the crimes associated with them were around long before the adoption of the Eighteenth Amendment. But, with the amendment they added illegal liquor to their list of criminal activities and made much money off of it. The criminals took advantage of the violations of the Prohibition law just as they did of other forms of vice and lawlessness. "Bootleggers exist not because there are laws taxing or prohibiting the liquor traffic; they exist because there are people who are so devoid of a sense of social responsibility and respect for law that they will gratify their greed regardless of the law."<sup>27</sup>

The Association Against the Prohibition Amendment felt that in order to eliminate the speakeasy and the bootlegger, "it would have been necessary to repeal all Prohibition laws, abolish liquor taxes and licenses, remove restrictions against the sale of liquor to children and the establishment of saloons in the neighborhood, and remove restrictions against the sale of liquor on Sunday and

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<sup>27</sup> Dobyns, The Amazing Story of Repeal, p. 51.

after midnight."<sup>28</sup> Peter Odegard, an author, stated that a prominent wet member of Congress once told him the principle upon which the Wets based their propaganda:

"Everytime a crime is committed, they cry Prohibition. Everytime a girl or a boy goes wrong, they shout Prohibition. Everytime a policeman or politician is accused of corruption, they scream Prohibition. As a result, they are gradually building up in the public mind the impression that Prohibition is a major cause of all the sins of society."<sup>29</sup>

It was the Association Against the Prohibition Amendment that inspired propaganda and caused it to be broadcast on a national scale. William Randolph Hearst was an effective broadcaster of this propaganda in his newspaper. The Association was determined to make the people believe that political corruption, gangsters, racketeers, gang warfare and crimes of violence were the result of Prohibition. Another piece of propaganda used by the Association was that "Repeal would destroy bootleg profits which were used to corrupt politics and for the possession of which criminals were fighting, that it would convert bootleggers, rumrunners, hijackers, gangsters, and racketeers into lawful and peaceful liquor dealers, end the corruption and crimes, establish order and restore respect

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<sup>28</sup>Ibid., p. 52.

<sup>29</sup>Ibid., p. 369.



for the law."<sup>30</sup>

The Prohibitionists thought that the sale of liquor was a social crime, that the drinking of liquor was a racial crime, and that the results of liquor were criminal actions. Crimes once charged against liquor were now charged against the Prohibitionists, "who were accused of causing the rise of the national syndicates of crooks and murder gangs by making over to them all the profits of the illegal liquor trade."<sup>31</sup> According to the famous criminologist, John Landesco, "Prohibition had enormously increased the personnel and power of organized crime."<sup>32</sup> With the coming of the telephone, the machine gun, and the automobile, local gangsters could extend their control over cities and states. The only thing else that they needed was a steady income, and this income was provided by national Prohibition. In the early days of the Volstead Act, gangsters were merely fronts for ordinary businessmen who owned the breweries and distilleries. "They provided protection and ensured delivery of liquor, while the businessmen had the necessary political influence to prevent interference."<sup>33</sup>

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<sup>30</sup> Ibid., p. 370.

<sup>31</sup> Sinclair, Prohibition: The Era of Excess, p. 221.

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

The profits of Prohibition were so enormous that a pattern developed for the manufacture and sale of illicit liquor. From 1920 to 1923, there was a host of small bootleggers and rumrunners competing for the profits of the trade. Only these criminal gangs which were already organized in the large cities, such as the Unione Siciliana, could keep an enormous "slice of cake" for themselves. Big city gang wars flourished from 1924 to 1929. The few respectable brewers and distillers fled for their lives. By 1929, conventions of major racketeers were meeting at Atlantic City, each with his defined territory, in which he held monopolistic power. The main members of the New York delegation were Frank Costello, Frankie Yale, Larry Fay, Dutch Schultz, and Owney Madden. Maxie Hoff was the head of the Philadelphia organization. The Detroit group was known as the Purple Gang, while Cincinnati and St. Louis were run by members of the old Remus mob. Solly Weissman headed the Kansas City delegation. Of course, Chicago was run by Al Capone. The only good result of organized gangdom was that the menace of the unattached hoodlum had almost disappeared.

Organized crime worked its way into incredible power across the nation through politics and business. The politicians would prevent the police from proceeding against gamblers, racketeers, and bootleggers in return for large campaign contributions and blocks of votes on election day.

The Illinois Crime Survey of 1929 discovered that chain voters, colonized, and crooked election boards were recruited regularly from the ranks of organized crime. "Only the mass vote of the aroused middle classes of Chicago could make occasional forays of reform against the eternal tie-up between crime and politics and liquor, which was bad before and after, and at its worst during, Prohibition."<sup>34</sup> Employers hired gangsters to protect machines, and to assault and murder union organizers and armed strikers. Later, labor unions hired gangsters to attack scabs and foremen, and dynamite mills and factories. Perhaps "the most flagrant connection of big business and the Prohibition gangsters was through Harry Bennett's 'Ford Service Department', the largest private army in America."<sup>35</sup> Over 8,000 men with prison sentences were employed there. Throughout the twenties and thirties, the Ford plants remained outside the labor unions, while strikers and organizers were killed, beaten up, and threatened by the "Ford Service Men". This alliance between the biggest of businessmen and the underworld gave immunity to gangsters from prosecution for their bootlegging and immunity to businessmen in their defiance of labor unions.

In the eyes of the Italian or the Slavic community,

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<sup>34</sup> Ibid., p. 224.

<sup>35</sup> Ibid.



the wealthy bootlegger and racketeer was the American dream come true. The recent immigrants had come to America in pursuit of a dream, and these among them who made fortunes by violating certain laws were their first heroes and helpers. These men were the neighborhood successes. "The prestige and power of the *Unione Siciliane* gave all poverty-stricken Sicilians a hope in the future and a certain national pride against an America which discriminated against them."<sup>36</sup> The chief sources of bootleg liquor in all major cities were found in the tenements, in the Little Italys and Little Bohemias of the slums. The tenement dwellers were organized by the gangsters into an army of alky cooks and booze-runners.

Towards the end of Prohibition, the gangsters were not prosecuted as much as they had been. Society wanted liquor and knew they could obtain it from the gangsters. Respectable people were, therefore, content to let the criminals slay their own. "In the belief in rough justice rather than the rotten enforcement of the law, in the dislike of informing on men who were fulfilling a public service in the eyes of most city dwellers, the Prohibition racketeers flourished unchecked, until they began to be damned

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<sup>36</sup>  
Ibid., p. 226.

by bad publicity."<sup>37</sup> Therefore, the immunity of the gangsters from prosecution gave the Wets a strong propaganda case.

During Prohibition, liquor flourished. Working men switched from beer to hard and bad liquor, and resented the fact that they were forced to do so. Saloons were destroyed in order to preserve the home, but families saw little of the ex-saloon customers. They were busy in their cellars making home-brew. Many people who had been abstainers for fear of the rowdy saloon became drinkers within the sociable and respectable home. By 1930, the amount spent on bootleg liquor was between four and five billion dollars a year. Actually, no money was being saved on liquor due to Prohibition. "The chief function of the bootlegger was to supply spirits to the consumer, while the job of the head of the drinking home was to make wine or beer."<sup>38</sup> During Prohibition, according to pamphlets of the time, many new terms for drunkenness arose. Some of these were: blind, canned, stinko, zezzled, screeched, pie-eyed, owled, cock-eyed, piffed, squiffy, pickled, ossified, shickered, spifflicated, and wapsed down.

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<sup>37</sup>Ibid., p. 228.

<sup>38</sup>Ibid., p. 237.

A problem that the authorities had concerning gangsters and illegal liquor was patrolling the border and coasts in order to keep smuggling from becoming a huge operation. The United States-Canadian border is 3,986 miles long. Even an army would have difficulty policing it. Liquor flowed into the United States by land and sea so freely that the supply always exceeded the demand. "Bootleggers only bought what they had to buy in the overland trade, or from the boats plying the Lake Erie ports, or from the sleds that ran the stuff when the waterways froze over."<sup>39</sup> The Rum Row flotilla "plied almost at will between New York and such points as Nassau (The Isle of Rum) and St. Pierre or Miquelon (The Isle of Champagne) and other ports of supply."<sup>40</sup>

Moenshining was another illegal operation that gave the Prohibition Bureau trouble. Moenshiners flourished in the most unlikely places. An abandoned church in Iowa had a \$50,000 rig in its sub-cellar. A Virginia farmer sliced his dugout right into the green hills. An Omaha still trailed out a barn through a sixty-five foot concrete tunnel. A Mississippi man had a huge manure pile over his underground still.

As Prohibition brought respectability to the

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<sup>39</sup> Paul Sann, The Lawless Decade (New York: Crown, 1957), p. 94.

<sup>40</sup> Ibid.



criminal, so the speakeasy brought respectability to the saloon. "The heyday of the speakeasy was during the twenties when it flourished like the hydra; chop off one of its heads and two grew in its place."<sup>41</sup> It offered night-club acts, liquor, and indifferent food at huge prices. In 1929, the Police Commissioner of New York City estimated that there were 32,000 speakeasies in the metropolis.

Maurice Campbell, federal Prohibition administrator, categorized the varieties of speakeasies in 1930. He stated that:

"First we have the night club and extravagant private clubs patronized by visitors bent on seeing night life or what they think is the gay New York way of life. Next in order is the bar patronized by the businessman. Often he thinks it is clever to drink his cocktail in defiance of the law. Then we have the bohemian place in the cellar or the garret, supposedly patronized by artists or people who would like to be. After them there is a great gap in the social order of the speakeasy. New York's working people are not part of this illegal trade. Finally, there is the criminal gathering of the lowest order. In these places it is possible to buy any kind of drink, occasionally genuine but generally diluted or poisonous."<sup>42</sup>

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<sup>41</sup> Sinclair, Prohibition: The Era of Excess, p. 236.

<sup>42</sup> James Horan, The Desperate Years (New York: Crown Publishers, 1962), p. 16.

There were quite a few changes in appearance from the old saloon to the new speakeasy. Swinging doors were replaced by locked doors containing a peephole. Carpets or bare boards took the place of the old sawdust floors. The mirror behind the bar, the barkeeper's third eye, remained in place. Drink prices went up from two to ten times, depending on supplies and law enforcement. "The quality of spirits in the expensive speakeasies reached the pre-Velstead level after the first two years of adulterated hell."<sup>43</sup> Beer, however, declined in quality and wine even more so. Introduction by someone who had been there before was usually required. Each new patron must have his name registered and then he would be issued a card of admittance to be presented on the next visit. The devious means employed to protect the entrances to speakeasies probably added to the general mystique of the place. "Bells had to be rung in a special way, a sliding panel behind an iron grill would open to reveal a cautious face examining the arrivals, and the proper words such as "Joe sent me" would open the portals."<sup>44</sup> The speakeasy could be found "in the basement of fashionable Manhattan mansions, in penthouses off Park Avenue, in Greenwich Village cellars, in Wall Street

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<sup>43</sup> Sinclair, Prohibition: The Era of Excess, p. 231.

<sup>44</sup> Sann, The Lawless Decade, p. 191.

office buildings, in brownstone rooming houses, in tenements, in two-family dwellings in the Bronx, etc."<sup>45</sup> There was one on New York's East Side with an exterior that made it look like a synagogue, while others resembled tea rooms or soft drink parlors.

Costs of running a speakeasy in New York were estimated at \$1370 a month. This included \$400 of protection money to law enforcement agencies, such as the Prohibition Bureau, the Police Department, and the district attorneys. The lowly cop collected another \$40 each time that beer was delivered. A blackmail system of anonymous complaints might net the police additional income. When the depression arrived, the speakeasy could not survive such costs.

All types of women went to the speakeasy when public drinking became so fashionable. "For women, liquor became a flag of their new freedom."<sup>46</sup> The women had become bored and sought entertainment in the risky security of the clubs. They became decidedly welcome fixtures in the speakeasies. In the fancier speakeasy, one might find women with their escorts, both dressed in evening clothes. At the less socially accepted places, women in the flesh-for-sale trade

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<sup>45</sup>Ibid.

<sup>46</sup>Sinclair, Prohibition: The Era of Excess, p. 233.



might be seen.

Speakeasies had both good and not so good characteristics. On the plus side, it discouraged the patronage of down-and-outs. Also, it put an end to the saloon custom of treating to drinks and of allowing drinkers to pour their own drinks. But, the points on the negative side were as strong. Proprietors complained that they always lived in fear of federal raids, of hold-ups, and of padlocking. Speakeasy owners and their families were ostracized. Bootleggers began to deliver to the homes of wealthy patrons taking away the business of the speakeasy. A visit to the speakeasy became a sign of emancipation. "Perhaps the worse was that public drunkenness was made a virtue signifying manliness and liberty against a tyrannical government.

The propaganda of the Association Against the Prohibition Amendment on the subject of the speakeasy and the bootlegger was false and misleading. It was said that "they were the product of Prohibition; that they were establishing a reign of corruption and lawlessness which was debauching our politics, destroying respect for all law and subverting our institutions."<sup>48</sup> The organization piously called upon the people to repeal the Eighteenth Amendment

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<sup>47</sup>Ibid.

<sup>48</sup>Dobyns, The Amazing Story of Repeal, p. 50.

and destroy the Prohibition "Frankenstein."<sup>49</sup> All of this was sheer hypocrisy. A large number of the members of the association had their bootleggers and they openly and defiantly drank and served bootleg liquor. "Their real objection to the bootlegger and the speakeasy was not that they were corrupt and lawless, but that they sold untaxed liquor."<sup>50</sup>

In its practical effects, national Prohibition transferred two billion dollars a year from the hands of bootleggers, criminals, or worse. Gangsters from all their illegal activities were thought to be earning \$6,000,000 weekly. The criminals ran great distilleries, breweries, and printing-plants twenty-four hours a day turning out counterfeit booze and labels. Easy profits filled the capacious pockets of bootleggers, speakeasy operators, and corrupt government agents. "Their excesses would help to bring repeal of the measures on which their sudden wealth depended."<sup>51</sup>

In returning to one of the main problems of Prohibition, that of enforcement, one must mention the Prohibition Bureau. This group did some good, but like much of the time, it was corrupt in many ways too. The Bureau had many

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<sup>50</sup> Ibid.

<sup>51</sup> Nichols, Twentieth Century United States, p. 244.

jobs to tend to concerning illegal liquor. It had to "guard more than 18,000 miles of national boundaries, check 11,000,000 doctors' prescriptions, obstruct the diversion of the 170,000,000 gallons of industrial alcohol produced yearly, and search out and destroy commercial stills without number and prevent home brewing in 22,000,000 homes."<sup>52</sup> But even as the Bureau was enforcing Prohibition laws, many of the agents were corrupt. During the decade 1920-1930, of the 17,816 persons who worked for the Bureau, 1,587 were dismissed for criminal causes. Their offenses included concealment of criminal records, extortion, illegal disposal of liquor, embezzlement, theft, immorality, failure to file tax returns, intoxication, and many other crimes. Assistant United States Attorney Willebrandt found, within the first months of her appointment, that "droves of agents were as devoid of honesty and integrity as the bootlegging fraternity...no more to be trusted with a commission to enforce the laws of the United States and to carry a gun than the notorious bandit Jesse James."<sup>53</sup> How could the average citizen be expected to uphold the Prohibition laws, if the very people who were supposed to enforce them were corrupt themselves? This would be a downfall of

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<sup>52</sup> John Kobler, Ardent Spirits (New York: G. P. Putnam's Sons, 1973), p. 272.

<sup>53</sup> Ibid.



of Prohibition. In the booklet, Crime Since Repeal by Leonard V. Harrison, the author says that: "The unescapable conclusion is that legalization under suitable regulations and control, contributes to a reduction of crime, while Prohibition contributes to its increase."<sup>54</sup>

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<sup>54</sup>Debyns, The Amazing Story of Repeal, p. 427.

# Typical Consumption of Bootleg Liquor in a Year

	<u>proof gallons</u>
distilled spirits from cane sugar	45,900,000
distilled spirits from cane or beet sugar	10,000,000
distilled spirits from grains	4,000,000
diverted industrial alcohol	9,929,218
smuggled spirits	<u>3,557,500</u>
total spirits	73,386,718
 wines from grapes and raisins	 118,320,300
smuggled wines	<u>155,900</u>
total wine	118,476,200
 malt liquors (home-brew)	 683,032,000
malt liquors smuggled	<u>1,444,800</u>
total malt liquors	684,476,800

## All Beverage Liquors

spirits	73,386,718
wine	118,476,200
beer	<u>684,476,800</u>
total possible production	876,339,718

	<u>gallons</u>	<u>retail cost per gallon</u>	<u>total cost</u>
spirits	200,000,000	\$11.00	\$2,200,000,004
wine	110,000,000	2.30	253,000,000
beer	790,000,000	.50	359,000,000
			<hr/>
			\$2,848,000,000



## Chapter V

### Organizations Opposed to Prohibition

The opponents of Prohibition began from the moment the law came into effect. The very failure to gain full compliance with the law led to disillusionment among a number of its supporters and to energetic attacks from others. Prohibition was attacked by the various groups in the name of individual freedom, and drinking was referred to as striking a blow for liberty. The Wets, as anti-Prohibitionists were referred to, contended that the Eighteenth Amendment could not be enforced and therefore should be removed from the Constitution.

Roy Haynes, the Prohibition Commissioner, reported the meeting of an anti-prohibition congress in Brussels in the mid-1920's. It was attended by representatives from Belgium, Canada, Spain, Finland, France, England, Denmark, Italy, Norway, Sweden, and Switzerland. There, "a world fight against Prohibition was planned, with the United States as the center of the wet campaign."<sup>55</sup> By 1926, all nations except the United States had loosened or dropped their dry laws.

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<sup>55</sup> Sinclair, Prohibition: The Era of Excess, p. 334.

Both the American Legion and the American Federation of Labor aided the wet cause. The former "objected to a condition endangering respect for the law," while the latter cried, "No beer, no work!"<sup>56</sup> Samuel Gompers, President of the American Federation of Labor, told the Senate Judiciary Committee: "...depriving the American workingman of his glass of beer tends to promote industrial unrest and discontent."<sup>57</sup>

There were many reasons why labor leaders changed from the dry side to the wet side. One of these reasons was the failure of the labor unions in the 1920's. Prohibition had caused a slight decline in membership in the unions. At the same time, Prohibition "had strengthened the forces of corruption among employers and union leaders, had made the winning of strikes more difficult, and had blunted the edges of the class war."<sup>58</sup> The labor leaders began fearing the competition of gangsters' and employers' unions. They also used Prohibition as a means of whipping up class hatred. They "pointed out truthfully that Prohibition was a rich man's law in fact, even if it applied equally

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<sup>56</sup> Kobler, Ardent Spirits, p. 336.

<sup>57</sup> Ibid.

<sup>58</sup> Sinclair, Prohibition: The Era of Excess, p. 346.

to everybody in theory."<sup>59</sup> The lawlessness, that was growing due to Prohibition, threatened to cause mass unemployment and to shake the roots of society. "The same employers who had supported the Eighteenth Amendment a decade earlier to benefit themselves and their workers now advocated repeal to protect themselves from their workers."<sup>60</sup> They felt possibly that legal beer would relieve some of the social tensions and lessen class hatred.

There were other reasons for the labor leaders to change over to the side of repeal. Prohibition seemed to have lost them more than it had gained them. "The increased consumer market promised by Prohibition had not materialized, and in fact, the profits of the liquor trade had been turned from the pockets of brewers and distillers to the pockets of the criminals, who were making a nuisance of themselves by trying to muscle into legitimate industry."<sup>61</sup> At the same time, "the deficiency in government revenue from the liquor tax had been made up by a tax on the incomes of the wealthy and of corporations."<sup>62</sup> The switch-over of both employers and workers from the side of the Drys to the side of the Wets paralleled the switchover of the

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<sup>59</sup>  
Ibid.

<sup>60</sup>  
Ibid., p. 348.

<sup>61</sup>  
Ibid.

<sup>62</sup>  
Ibid.



country. The change was due mainly to economic propaganda of the time.

Another group opposed to Prohibition was the National Association Opposed to Prohibition. This organization of anti-Prohibitionists was subsidized by hotel and real estate interests. It chose the daisy as its emblem of protest, "reminding members that Chaucer called it 'the eye of the day.'"<sup>63</sup>

The brewers and distillers made ideal opponents for the champions of Prohibition. They could be described as "interested parties to this dispute, primarily concerned with the preservation of their own profits."<sup>64</sup>

Many Bar Associations across the United States played active roles in working towards repeal of the Eighteenth Amendment. In 1930, six different associations took stands against Prohibition. They were the Boston Bar Association, the New Jersey State Bar Association, the Detroit Bar Association, the St. Louis Bar Association, the San Francisco Bar Association, and the Bar Association of Portland, Oregon. That same year, "the American Bar

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<sup>63</sup> Kobler, Ardent Spirits, p. 336.

<sup>64</sup> Charles Merz, The Dry Decade (Seattle: University of Washington, 1931), p. 215.

Association itself approved a preposal for repeal, by a referendum vote of 13,779 to 6,340."<sup>65</sup>

Two years prior, in 1928, the Bar Association of New York "adopted a resolution asserting it to be 'the sense of this association that the Eighteenth Amendment, the Volstead Act, and all orders and regulations for the enforcement thereof should be repealed and the subject of Prohibition be remitted to the sole regulation of the several states.'"<sup>66</sup>

A movement for repeal was initiated in 1927 among the Bar Associations of the country by a group of lawyers in New York City who incorporated themselves as the Voluntary Committee of Lawyers. At first the group was limited in membership to lawyers from New York City. Later the Voluntary Committee "expanded to include eminent barristers in all parts of the country."<sup>67</sup> Its original objective was the passage of repeal resolutions by the nation's Bar Associations. The name "Voluntary Committee" was "intended to convey the impression that the organization resulted from the voluntary and spontaneous action of disinterested citizens whose purpose was to preserve

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<sup>65</sup> Ibid., p. 214.

<sup>66</sup> Ibid.

<sup>67</sup> Debyns, The Amazing Story of Repeal, p. 79.

the spirit and purpose of the Constitution of the United States."<sup>68</sup> They based their opposition to national Prohibition essentially on legal grounds: "The Eighteenth Amendment is inconsistent with the spirit and purpose of the Constitution of the United States and in derogation of the liberties of the citizens and rights of the states as guaranteed by the first ten amendments thereto."<sup>69</sup>

The lawyers did not become fanatic about repeal until their rich clients became concerned about rises in income tax. They wanted to reduce the income taxes of their clients. Of course, the lawyers wanted to please the men from whom they could expect big fees.

Another major organization concerned with repeal was the Crusaders. Its members were young men, and the founders were young millionaires whose sense of social responsibility was perhaps not overwhelming. They were the sons of the munition manufacturers and Wall Street magnates who were financing and carrying on the work of the Association Against the Prohibition Amendment. Their object was "to help their fathers get rid of their income and corporation taxes by bringing back the liquor traffic with all the

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<sup>68</sup> Ibid.

<sup>69</sup> Merz, The Dry Decade, p. 213.



evitable intemperance."<sup>70</sup> They proposed to attain this end by "helping their fathers deceive the people, elect to office men who would take orders from the liquor interests and big business, secure the repeal of enforcement statutes, change the resulting conditions to Prohibition, and work for the repeal of the Eighteenth Amendment."<sup>71</sup> They adopted as their motto, "Join the Crusaders and substitute real temperance for Prohibition intemperance."<sup>72</sup> They pretended to be for temperance in order to get people to listen to them. Although they had no popular following and represented only a crowd of young millionaires, they were able, "by virtue of the unlimited publicity given them by the wet press, to exert a powerful influence as they appeared in political conventions, in city councils, in state legislatures, and in the national Congress."<sup>73</sup> The Crusaders believed that the control of liquor should be vested in the state rather than in the national government.

The platform of the Crusaders was based on four main provisions. First, they wanted repeal of the present enforcement acts, the Volstead Act and the Jones Law. Next,

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<sup>70</sup> Debyns, The Amazing Story of Repeal, p. 101.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid., p. 102.

<sup>73</sup> Ibid., p. 103.

they wanted passage by the states of laws which would control the manufacture and sale of intoxicating liquors along lines best suited to the problems of each individual state. Third, federal legislation to protect states who may desire to remain dry from liquor importation was desired. Lastly, they wanted "the repeal of the Eighteenth Amendment which any plan of Prohibition reform makes essential so that no future Congress may nullify these acts."<sup>74</sup> The Crusaders were also unalterably opposed to the saloon.

The organizers and members of the American Hotel Association, another anti-Prohibition group, were not concerned in the slightest degree with the public welfare; they were interested solely in cash. Actually, they should have called their organization the American Saloon-Keepers' Association, if they had wanted to be truthful. They announced that their purpose was "to induce men to spend for liquor the money that they should use to purchase the necessities and comforts of life for their families."<sup>75</sup> They were also quite enthusiastic for the wet program of the Association Against the Prohibition Amendment. The organization exerted a powerful influence in the repeal campaign. There were units in every part of the country, and therefore they were able to "put pressure upon their employees, the

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<sup>74</sup> Ibid., p. 102.

<sup>75</sup> Ibid., p. 119.

people who furnished them with supplies and others with whom they transacted business, their patrons, the politicians, and many other elements."<sup>76</sup> They even furnished headquarters for the various wet organizations. Dry organizations were put under severe restrictions, and upon various pretexts they were often denied the use of rooms in the hotels as headquarters.

In 1918, Captain William H. Stayton founded the Association Against the Prohibition Amendment (AAPA) with financial aid from the brewers and distillers. "As set forth in its charter, its two primary aims were: to prevent the country from going on a bone-dry basis, and to make the Eighteenth Amendment forever inoperative."<sup>77</sup> A few years later, the DuPont brothers, Pierre Samuel, Irene, and Lammont, assumed leadership of the organization. At full strength, the Association's directors totaled 227, nearly every one a titan of industry, commerce, or politics. Some of the distinguished directors were John Raskob, Vice-President of E. I. DuPont de Nemours Company and chairman of the Democratic National Committee; Elihu Root, corporation lawyer, Secretary of War, Secretary of State, and Republican Party policy advisor; Herbert L. Prah, Standard

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<sup>76</sup> Ibid., p. 120.

<sup>77</sup> Kobler, Ardent Spirits, p. 336.



Oil; Newcomb Carlton, President of Western Union; and Charles H. Sabin, President of Guaranty Safe Deposit Company and chairman of the board of International Rubber Company.

The Association Against the Prohibition Amendment "modeled its tactics on those of the Anti-Saloon League, backing wet candidates for office, pressuring newspapers and magazines through their advertising departments and vilifying the League's leaders."<sup>78</sup> An Authors and Artists Committee, constituting the Association's propaganda arm, enlisted almost 600 members. The members included: humorist Irvin S. Cobb; playwright Channing Pollock; journalist Wallace Irwin; and writer Owen Johnson. The committee produced tens of pamphlets, books, and cartoons "abscribing to Prohibition practically every evil that afflicted mankind such as disease, insanity, poverty, unemployment, and crime."<sup>79</sup>

The Drys were quick to point out, though, that there was one significant difference between the Association Against the Prohibition Amendment and the Anti-Saloon League. While nine-tenths of the money donated to the

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<sup>78</sup> Ibid., p. 338.

<sup>79</sup> Ibid.

League came through the churches from small contributors, three-quarters of the money given to the Association in 1929 came from the pockets of fifty-three millionaires. The Association was definitely backed by the very wealthy, who hoped for relief from corporation and income taxes if taxes on liquor once again brought in money to the United States Treasury. "It was unfortunate that the genuine interest of these men in personal liberty and repeal could be construed as an interest in the financial benefits which repeal might bring to them."<sup>80</sup> Captain Stayten testified that "a limit of one-twentieth of the total budget of the Association was allowed to be given by liquor interests; the rest was donated by other kinds of businessmen."<sup>81</sup>

In 1926, the Association joined hands with the Moderation League, the American Federation of Labor, and the Constitutional Liberty League of Massachusetts in "presenting evidence to Congress in an attempt to prove that the law had not been and could not be successfully enforced."<sup>82</sup>

An outstanding achievement of the Association was its capture of the national machinery of the Democratic Party.

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<sup>80</sup> Sinclair, Prohibition: The Era of Excess, p. 338.

<sup>81</sup> Ibid., p. 339.

<sup>82</sup> Merz, The Dry Decade, p. 213.

This was accomplished through the influence of Al Smith. As the representative of Tammany Hall, Smith was a rabid wet and a staunch supporter of the Association's program. When he was nominated for president, he appointed as chairman of the Democratic national committee, John J. Raskeb, one of the most powerful and influential members of the organization. Raskeb had two qualifications for his new position: "he wanted to rid the country of the damnable affliction of Prohibition, and he could open the money bags and secure the support of the millionaires connected with the organization."<sup>83</sup> Smith also appointed Joseph Shouse as the chairman of the Democratic national executive committee after the election. Raskeb and Shouse devoted the next four years to the work of wresting the Democratic Party from the control of men like Bryan, Glass, Hull, Sheppard, and others, and turning it over to the Tammany organizations of New York and other cities which were determined that the Eighteenth Amendment should be repealed.

Fabian Franklin, a member of the board of directors, said that "if the law was ever repealed it would be because it had become odious to the people, and that they will not obey a law which they do not respect."<sup>84</sup> Therefore, the

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<sup>83</sup> Debyns, The Amazing Story of Repeal, p. 15.

<sup>84</sup> Ibid.



Association felt the law should be destroyed by open and constant violation of it. Mr. Walter H. Buck, another member of the board of directors, gave an exact statement of its purpose and method:

"I hope, very much, therefore, that the Association Against the Prohibition Amendment will keep its face set steadily in one direction and that is the Repeal of the Eighteenth Amendment. The practical way to do this is to organize for the fight this fall in such selected districts where we should be able to put in a Wet in the place of a Dry member of Congress. Ultimately, we should be able to cut off all appropriations to the Prohibition unit of the Federal government, and sooner or later by such means we will be in a position to get rid of the Eighteenth Amendment. And I believe that the way I indicated is the only way."<sup>85</sup>

The politicians came to realize the power of the Association Against the Prohibition Amendment. They learned "that by the simple device of becoming wet, they could obtain the support of powerful financial interests, of the machine and of the press, and also the money with which to conduct their campaign and get out the vote, while their dry opponents would be damned by silence or by vilification."<sup>86</sup> Therefore, most politicians announced

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<sup>85</sup>Ibid., p. 33.

<sup>86</sup>Ibid., p. 69.

themselves for repeal, and they accepted and broadcast the propaganda for the organization just as they accepted and used its money.

By the end of 1931, the Association reported that the idea of submitting repeal of the Eighteenth Amendment to special conventions in the several states had caught the imagination of politicians in many parts of the country. "That plan of procedure may be said now to have achieved pretty general recognition and acceptance among party leaders."<sup>87</sup> The Association took the credit for the passing of the Twenty-first Amendment in its entirety. It had gained its victory "by bringing to bear every proper influence on Congress."<sup>88</sup> The organization was called "the savior of the private drink organization."<sup>89</sup> Yet, "whatever the Association's motives and methods, it undeniably reflected a growing disillusionment with the Noble Experiment among people of all classes, as numerous referendums indicated."<sup>90</sup> At the same time, it is one of the tragedies of our history that the entire weight of the organization's

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<sup>87</sup> Ibid., p. 45.

<sup>88</sup> Sinclair, Prohibition: The Era of Excess, p. 393.

<sup>89</sup> Ibid.

<sup>90</sup> Kobler, Ardent Spirits, p. 338.

influence was "cast on the side of the criminal liquor dealers, the underworld, Tammany politics, tax invasion, and public deception."<sup>91</sup> There cannot be the slightest doubt that "it was their seven years' campaign that brought about the conditions which made it possible for President Roosevelt and his political allies to give Prohibition its final and fatal thrust."<sup>92</sup>

Mrs. Pauline Sabin, President of the Women's National Republican Club, in 1929, announced her resignation from the National Republican Committee in order to promote modified liquor laws. She rallied twenty-four sister dissenters, and on May 28, in Chicago, they launched the Women's Organization for National Prohibition Reform (WONPR). Chapters were established in forty-three states and the District of Columbia. Within a year 300,000 women had joined, and by 1932, the membership had passed the 1,000,000 mark.

The "Sabine Women" as they evitably came to be called did not flinch from a glass of wine or even an occasional martini. When entertaining, some served their guests from portable home bars, an innovation that appalled the journalist, Miss Ida Minerva Tarbell, who wrote "...tea parties

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<sup>91</sup>Dobyns, The Amazing Story of Repeal, p. 17.

<sup>92</sup>Ibid.



have become cocktail parties...where fashion points, women follow...these insidious and sinister ladies at the bar are too sinister a fact to deny...they are spreading a fatal poison."<sup>93</sup> As they fought along with the Association Against the Prohibition Amendment, gradually winning support among local, state, and federal politicians, the attacks grew harsher. According to the American Independent, a publication of an organization of the Kentucky Drys, "you cannot find two dozen women in the state who openly advocate the repeal of the Eighteenth Amendment, who is not either a drunkard, or whose home life is not immoral, or who does not expect to get in the liquor business when and if it is again legalized."<sup>94</sup> The chairman of the National Prohibition Committee, David Leigh Colvin, described them as "Bacchantian maidens, paroling for wine-wet who, like the drunkards whom their program will produce, would take the pennies off the eyes of the dead for the sake of legalizing booze."<sup>95</sup>

From May 16 to 21, 1932, the WCNPR observed Repeal Week. It was a week set aside to be given over to an intensive publicity campaign and a drive for members and funds. The Missouri branch carried out a successful campaign. Ten

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<sup>93</sup> Kobler, Ardent Spirits, p. 343.

<sup>94</sup> Ibid.

<sup>95</sup> Ibid.

enrollment centers were opened. Repeal was the theme of radio talks, press articles, and advertisements posted on 110 billboards. Speeches were broadcast on loudspeakers. The Anti-Saloon League attempted to get the police to stop the women. The WONPR quickly had a series of huge signs painted, which, when shown in succession, stated their messages boldly to the people. A Pennsylvania organization conducted a tour of buses with amplifying equipment to carry speakers through the southeastern counties of the state. In Jacksonville, Florida, Repeal Week was celebrated with the opening of a headquarters shop, a membership drive, displays of numerous posters, selling of automobile plates, and distribution of literature from sidewalk booths. There was also a Repeal Parade and a Repeal Luncheon. The luncheon was open to the public and all county candidates of State Legislature offices were invited to speak. All the candidates with a single exception declared himself in favor of repeal. The single exception failed to win in the election. Repeal Week in North Carolina was marked by "a declaration in favor of Repeal by a popular and influential evangelist, who subsequently rendered great assistance in the educational work of the anti-Prohibition forces."<sup>96</sup> The membership drives in other areas proved successful too. The organization

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<sup>96</sup> Root, Women and Repeal, p. 108.

in St. Paul increased its membership by 12,000. In Pittsburgh, in just four days, membership increased by 11,294. A new organization was begun in Montana with 1500 new members.

The United Repeal Council was established prior to the Democratic and the Republican conventions in Chicago. The "five major organizations fighting for the repeal of the Eighteenth Amendment had decided to attend the conventions as a unit."<sup>97</sup> They were the Association Against the Prohibition Amendment, the Voluntary Committee of Lawyers, the Hotel's Men's Association, the Crusaders, and the Women's Organization for National Prohibition Reform.

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<sup>97</sup> Ibid., p. 77.



## Chapter VI

### The Failure of Prohibition

By the middle of the 1920's, many felt that Prohibition had outlived its usefulness. Many of the nation's newspapers had important influences in the development of opposition to Prohibition. Day-by-day they ran articles showing the ill effects of the dry cause especially in the larger cities. Many churches in these cities urged the boycott of these newspapers. The Literary Digest ran a series of opinion polls in order to determine the sentiment of the Americans on the Prohibition issue. It distributed ballots across the country in both urban and rural districts. "Each ballot asked for an expression of opinion (1) in favor of the existing law, (2) in favor of its modification to permit light wines and beer, or (3) in favor of complete repeal."<sup>98</sup> Samples of these polls are located at the end of this chapter. The polls proved in favor of modification or repeal more than remaining with the existing law. This pleased the Wets, while the Drys called them misleading. The Newspaper Enterprise Association also held an opinion poll. Newspapers (326 of them) in forty-seven states participated

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<sup>98</sup> Merz, The Dry Decade, p. 224.

in a poll of 1,747,630 people. Eighty-one per cent of the people showed strong sentiments against Prohibition.

The Drys all felt that Prohibition was not a failure even though the movement was growing stronger to change the law. Dr. Louis Henry Smith, President of Washington and Lee University, called the law "the longest and most effective step forward in the uplift of the human race ever taken by any civilized nation."<sup>99</sup> Roy A. Haynes, an early Prohibition Commissioner, said "the law cut drink arrests in half, cut deaths from alcohol, cut the population of prisons and almshouses, and cut juvenile delinquency considerably."<sup>100</sup> The Drys spent years compiling statistics to prove that Prohibition was a success, but others allegedly proved them wrong. "The Drys felt Prohibition was the will of the majority, while the Wets felt it was an attack on individual freedom."<sup>101</sup>

The Wets felt that the conditions had become worse under Prohibition. They claimed that more young men and women drank under Prohibition, and that there were more speakeasies now than there had ever been saloons. Also, statistics showed that liquor had found its way into almost every home and that workers were still drinking as they had

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<sup>99</sup> Sann, The Lawless Decade, p. 92.

<sup>100</sup> Ibid.

<sup>101</sup> Sinclair, Prohibition: The Era of Excess, p. 244.

before. Crime still prevailed. The bootleggers had become millionaires. People were still buying illegal liquor in defiance of the law. Enforcement of the amendment and the Volstead Act became almost impossible.

There were three main factors that helped push the movement for repeal. The first was a new social attitude. Prohibition added a spice of sin to the habit of drinking. People were in the search for pleasure. Life styles had changed and drinking was included. Most people drank openly now because they felt the law was an attack on their freedom. Wet propaganda organizations became more active. The times had changed.

The extremism of the Drys was another factor. The Drys no longer felt that Prohibition was just a cure for the alcohol problem, it became a cure-all for society. They soon started making unrealistic claims concerning the laws.

A third factor which doomed Prohibition was the onset of the Depression. "Prohibition was accused of four major economic crimes which led to the Great Depression."<sup>102</sup> If the breweries and distilleries that were destroyed under Prohibition were restored, a million men would be put back to work. The farmers would benefit if the supply of grain to the breweries were begun again. "The large amount of

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Ibid., p. 371.



government spending associated with enforcement of the Prohibition law; repeal Prohibition and the Federal government could cut its expenses."<sup>103</sup> There had been a huge loss in the federal revenue caused when the Eighteenth Amendment ended liquor and its taxes. This tax had to be made up in the 1920's by a high income tax on the income of the wealthy so, if the tax were restored, the wealthy would save some of the money they were spending on taxes and be able to invest it wisely. The wheels of industry would begin turning again. "Repeal was now represented as a way of fighting the slump."<sup>104</sup>

Bernard Baruch also gave three reasons why Prohibition should be repealed. First, he stated that it encouraged disrespect for the law. Crime and drinking flourished, Prohibition increased taxation. "The average taxpayer finally realized that he had been paying the bills, while the boot-legger had been collecting the revenues which ought to go to the government."<sup>105</sup> Lastly, Prohibition transferred evils such as drinking into the home. Everyone felt "that money spent on enforcement would be more humanly applied to

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<sup>104</sup> Taylor, Purnell's History of the 20th. Century, p. 1312.

<sup>105</sup> Alfred E. Smith, "On the Way to Repeal," New Outlook, August, 1933, p. 10.

unemployment relief."<sup>106</sup>

By the end of 1930, five possible alternatives to the existing situation had been proposed. One of these alternatives was the willing compliance with the law on the part of enough people to reduce the problem of enforcement to manageable terms. A realistic effort to enforce the law in the face of whatever opposition it encountered was a second alternative. Also, there could be nullification of the law by deliberate failure to enforce it. Another alternative was an effort to modify the law by some change in the Volstead Act. The last alternative was the repeal of the law and restoration of the problem to the states.

The decisive factors at the end of 1930 were the "widespread disregard of the law, indifference in the state legislatures, and unwillingness on the part of the federal government to accept the entire burden of enforcement."<sup>107</sup> The law was obeyed where it was liked. Where it was not, there was nothing to enforce it except the same familiar sequence of ultimatums with no force behind them. Most local enforcement agencies felt Prohibition was a farce so they did not enforce the law wholeheartedly. "It is significant that most plans for repeal proposed at the time sought

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<sup>106</sup> Kobler, Ardent Spirits, p. 350.

<sup>107</sup> Merz, The Dry Decade, p. 282.

to assure the friends of Prohibition that repeal need not necessarily mean either the return of the saloon to any part of the United States or the loss of federal assistance to those states which wished to prohibit intoxicating beverages entirely."<sup>108</sup> The Wet leaders believed that the best and probably the only chance for repeal was to accomplish it in 1933. "The tide of wet propaganda was at its flood and would start to ebb when the people began to understand its source and character."<sup>109</sup> The Depression had reached its lowest point. In their distress, the people listened eagerly to confident promises that repeal would give a new impetus to business and relief from taxation.

Many great Americans spoke out about the failure of Prohibition. On June 6, 1932, John D. Rockefeller, Jr. announced that he favored repeal of the Eighteenth Amendment. He announced his stand just a few days before the 1932 national conventions. His purpose of making the announcement at that time was self-evident. "He hoped that Prohibition would now be taken out of partisan politics, and he hoped both parties would adopt repeal planks."<sup>110</sup>

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<sup>108</sup> Ibid., p. 298.

<sup>109</sup> Dobyns, The Amazing Story of Repeal, p. 168.

<sup>110</sup> Coffey, The Long Thirst, p. 297.



Rockefeller was not really an anti-Prohibitionists. He and his father had paid millions toward the passage of the Eighteenth Amendment. He felt later, though, that Prohibition had failed. He believed that drinking had generally increased, and the speakeasy not only had replaced the saloon, but it replaced it twofold and sometimes threefold. Respect for the law had greatly lessened and many people openly disrespected it. Crime had also increased.

Roosevelt also realized all of this. He went on to say that, "It is not expected that the repeal of the Eighteenth Amendment will in itself end all these evils and restore public respect for law; I believe, however, that its repeal is a prerequisite to the attainment of that goal."<sup>111</sup>

Al Smith was another famous man who spoke out in favor of ending Prohibition. He said that "he had always felt that a dry party could not survive in this country, especially when the fanaticism which helped put the Eighteenth Amendment on the books finally receded."<sup>112</sup> He also felt that those who had the courage of their convictions had in the end proved to be the real victors.

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<sup>111</sup> John Rockefeller, Jr., "The Failure of Prohibition," Review of Reviews, July, 1932, p. 42.

<sup>112</sup> Alfred Smith, "On the Way to Repeal," New Outlook, August, 1933, p. 9.

Many of the distinguished supporters of repeal were as fanatical as the Drys. One of these was Dr. Nicholas M. Butler, President of Columbia University. He compared the Volstead Act with the Fugitive Slave Law, and Prohibition with slavery. Dr. Butler stated that, "like Abraham Lincoln, I shall obey these laws so long as they remain on the statute book; but, like Abraham Lincoln, I shall not rest until they are repealed."<sup>113</sup> The other fanatical supporter was Corey Ford. He agreed that the extreme Wets should urge every free-thinking American to drink until the Drys had to give up their fight. Ford believed that the Eighteenth Amendment should be repealed, and that the public should disobey it completely in order to accomplish that goal.

Mr. Hoover would not discourage the opinion that Congress should refer the question in some form to the states for a fresh decision by the people. He felt that the Eighteenth Amendment should have been the final solution of the evils of the liquor traffic, but he knew it had failed and the law was being disrespected. This was his recommendation concerning the issue:

"It is my conviction that the nature of this change, and one upon which all reasonable people can find common ground, is that each state shall be given the right to deal with the problem as it may determine, but subject to absolute guaranties in the Constitution of the

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<sup>113</sup> Sinclair, Prohibition: The Era of Excess, p. 369.

United States to protect each state from interference and invasion by its neighbors, and that in no part of the United States shall there be a return of the saloon system with its inevitable political and social corruption and its organized interference with other states. American statesmanship is capable of working out a solution and making it effective."<sup>114</sup>

Dwight W. Morrow overnight became the most interesting political figure in the nation, and the leader of the political side of the movement to repeal the Prohibition amendment. He felt Prohibition was a governmental problem, not a moral issue. In states where there is cooperation between the people and the officials, Prohibition succeeds. At the same time, Prohibition does not succeed in states where the people will not help the Federal agents. He did not believe that an amendment to the Volstead Act would accomplish anything. Therefore, Mr. Morrow was a staunch supporter of repeal.

The stage had been set. Many people know now that the Prohibition experiment had failed. There was only one thing left to do; get the law changed. "From a cloud no bigger than a man's hand, the sentiment for Repeal, the agitation for Repeal, the expectation of Repeal, has grown so big

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<sup>114</sup>

Albert Shaw, "The Progress of the World," Review of Reviews, September, 1932, p. 16.



that it now overshadows the whole political sky."<sup>115</sup>

The people next needed to elect a Wet Congress who would see to it that the Eighteenth Amendment would be repealed.

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<sup>115</sup> Fabian Franklin, "The Onward March of Repeal,"  
Forum, May, 1931, p. 307.

### The Literary Digest Prohibition Polls

The first authoritative revelation of the strength of anti-Prohibition sentiment in the United States was afforded by a nation-wide poll taken by the Literary Digest in 1922.

The returns were:

for enforcement	-	306,255	(38.46%)
for modification	-	325,549	(40.88%)
for repeal	-	164,453	(20.66%)

Drys refused to accept the accuracy of this wet strength, for in those early Prohibition days it was almost heretical to bring the liquor issue into the open. That the Digest poll was a true reflection of public sentiment, however, was further revealed in a second poll in 1930, the results of which were:

for enforcement	-	1,464,098	(30.46%)
for modification	-	1,399,314	(29.11%)
for repeal	-	1,943,052	(40.43%)

A third poll in 1932, posing the wet and dry question more directly apparently revealed decisively the anti-Prohibition feeling and foretold authoritatively the overwhelmingly dry defeat of 1933. The results were:

for continuance	-	1,236,660	(26.49%)
for repeal	-	3,431,877	(73.51%)

Comparing the last Prohibition poll with the official vote on repeal in thirty-nine states, we find the following:

	<u>Digest Poll</u>	<u>Official</u>
Wet	3,166,454 (74.57%)	14,663,547 (73.57%)
Dry	1,079,744 (not available)	5,269,131 ( N. A. )

As one looks at the polls one will see that the Literary Digest personnel failed to survey the Southern States except for Georgia. This tends to discredit the reliability of the polls and their conclusions. Beginning with the fourth poll, though, all states were surveyed. They are much more reliable than the first three in this respect.



## Third Report of Literary Digest Prohibition Poll-1929

<u>State</u>	<u>For Enforcement</u>	<u>For Modification</u>	<u>For Repeal</u>	<u>Total</u>
California	24,150	27,086	28,742	79,978
Connecticut	2,294	4,343	7,571	14,208
District of Columbia	1,342	1,636	2,694	5,694
Georgia	4,061	3,321	3,503	10,885
Illinois	30,721	40,318	59,341	130,380
Indiana	19,779	14,664	14,608	49,051
Iowa	17,812	12,298	11,449	41,559
Kansas	17,957	6,823	4,900	29,680
Michigan	18,707	20,302	27,677	66,686
Minnesota	17,661	17,530	21,896	57,087
Missouri	18,950	15,601	24,364	58,915
Nebraska	8,812	5,880	5,263	19,955
New Jersey	15,365	26,811	43,374	85,550
New York	42,800	88,598	139,912	271,310
North Dakota	2,289	2,008	2,196	6,493
Ohio	34,990	36,172	34,471	108,633
Pennsylvania	31,585	34,534	64,505	130,624
South Dakota	2,664	2,015	1,674	6,353
Washington	7,928	7,728	6,718	22,374
Wisconsin	<u>9,002</u>	<u>11,273</u>	<u>16,357</u>	<u>36,632</u>
	333,978	383,117	527,388	1,244,483

## Fourth Report of the Literary Digest Prohibition Poll-1930

<u>State</u>	<u>Per Enforcement</u>	<u>Per Modification</u>	<u>Per Repeal</u>	<u>Total</u>
Alabama	2,797	1,678	1,713	6,188
Arkansas	3,447	1,724	1,749	6,920
California	34,672	38,169	41,451	114,292
Connecticut	9,091	15,739	25,558	50,388
Delaware	1,288	867	2,180	4,335
District of Columbia	2,560	2,998	4,836	10,394
Florida	1,900	1,824	2,558	6,282
Georgia	4,884	3,885	4,245	13,014
Illinois	40,619	52,225	78,892	171,736
Indiana	23,791	17,736	18,096	59,623
Iowa	24,971	17,790	17,036	59,797
Kansas	21,270	8,119	6,000	35,389
Kentucky	6,598	5,526	8,170	20,294
Louisiana	916	1,319	2,377	4,612
Maine	4,116	2,589	4,035	10,740
Maryland	4,493	5,632	10,999	21,124
Massachusetts	19,594	16,723	30,688	67,005
Michigan	24,969	27,782	38,370	91,111
Minnesota	23,425	23,506	29,710	76,641
Mississippi	1,651	1,022	1,540	4,213
Missouri	26,193	21,119	36,164	83,476

Nebraska	11,551	8,058	7,314	26,923
New Hampshire	3,160	2,279	2,386	7,825
New Jersey	21,023	35,793	58,863	115,679
New York	57,484	116,453	186,867	360,804
North Carolina	6,628	4,195	3,444	14,267
North Dakota	3,056	2,681	2,975	8,712
Ohio	41,702	42,826	44,949	129,477
Oklahoma	6,687	3,535	3,166	13,388
Oregon	8,510	7,263	5,920	21,693
Pennsylvania	55,484	58,079	106,521	220,084
Rhode Island	1,968	2,582	5,116	9,666
South Carolina	1,885	1,210	1,348	4,443
South Dakota	3,815	2,971	2,439	9,225
Tennessee	4,853	2,460	2,240	9,553
Texas	7,848	4,236	3,904	15,988
Vermont	1,959	1,440	1,874	5,273
Virginia	4,859	4,404	7,437	16,700
Washington	11,517	11,270	10,277	33,064
West Virginia	4,942	4,255	4,145	13,342
Wisconsin	<u>11,161</u>	<u>14,290</u>	<u>21,209</u>	<u>46,660</u>
	553,337	598,252	848,751	2,000,000



## Third Literary Digest Poll-Cities

<u>City</u>	<u>Enforcement</u>	<u>Modification</u>	<u>Repeal</u>
Asbury Park	208	249	356
Camden	681	784	1,954
Cedar Rapids	547	706	627
Cincinnati	1,833	5,074	6,524
Cleveland	3,363	6,062	8,369
Columbus	2,272	3,043	2,639
Davenport	378	786	1,275
Des Moines	1,776	1,163	996
Dayton	1,360	1,791	1,673
Evansville	336	425	771
Fort Wayne	537	975	1,048
Greenwich, Conn.	89	184	449
Indianapolis	1,518	1,832	1,645
Kansas City, Kansas	503	299	417
Kansas City, Missouri	3,615	2,251	1,519
Lincoln	1,249	487	298
Minneapolis	5,025	5,415	7,119
Montclair	358	487	712
St. Louis	3,560	8,308	17,813

St. Paul	1,989	2,995	4,270
Topeka	1,086	430	432
Trenton	584	791	1,583
Wichita	889	529	339

## Results of the Third Poll

From 1922 to 1930

1. In every state, the swing of opinion has been toward the repeal of the Eighteenth Amendment.
2. That swing was least in Kansas and greatest in New Jersey and New York.
3. The proportion desiring some change, either modification or repeal, has risen from 62 per cent, eight years ago, to 72 per cent now.
4. There is a close relation between the proportion of the balloters who desire repeal and the proportion of the population who live in cities.
5. If these figures represent not only the persons balloting or the states in which they live, but the whole country, then a continuation of the same rate of change for about four years more would result in fully half of the population being in favor of repealing the Eighteenth Amendment.



## Sixth Report of the Literary Digest Prohibition Poll-March, 1932.

<u>State</u>	<u>For Continuation of 18th. Amendment</u>	<u>For the Repeal of 18th. Amendment</u>	<u>Total</u>
Alabama	4,857	6,863	11,720
Arizona	250	796	1,046
Arkansas	6,070	6,411	12,481
California	22,411	69,477	91,888
Colorado	5,203	8,182	13,385
Connecticut	8,642	46,875	55,517
Delaware	1,592	4,312	5,904
District of Columbia	1,966	6,930	8,896
Florida	3,385	9,866	13,251
Georgia	11,660	20,745	32,405
Idaho	798	1,683	2,481
Illinois	38,446	171,687	210,133
Indiana	51,176	108,540	159,716
Iowa	18,241	30,084	48,325
Kansas	22,277	19,481	41,758
Kentucky	11,406	24,886	36,292
Louisiana	1,974	8,824	10,798
Maine	5,314	10,906	16,220
Maryland	11,679	39,355	51,034
Massachusetts	32,699	123,139	155,838
Michigan	20,913	72,929	93,842

Minnesota	12,582	39,715	52,297
Mississippi	3,498	5,522	9,020
Missouri	16,391	42,217	58,608
Montana	692	2,698	3,390
Nebraska	9,429	15,405	24,834
Nevada	36	237	273
New Hampshire	4,464	9,334	13,798
New Jersey	26,530	156,850	183,380
New Mexico	478	1,229	1,707
New York	67,399	388,641	456,040
North Carolina	25,589	26,082	51,671
North Dakota	1,802	5,060	6,862
Ohio	85,106	222,012	307,118
Oklahoma	12,306	14,955	27,261
Oregon	4,628	9,978	14,606
Pennsylvania	112,418	340,298	452,716
Rhode Island	2,559	13,567	16,094
South Carolina	3,158	5,702	8,860
South Dakota	2,167	4,380	6,547
Tennessee	12,176	13,567	25,743
Texas	18,292	28,105	46,397
Utah	663	1,478	2,141
Vermont	3,253	7,650	10,903
Virginia	20,820	37,426	58,246
Washington	6,195	14,604	20,799

West Virginia	12,270	22,719	34,989
Wisconsin	8,937	44,974	53,911
Wyoming	564	1,998	2,562
State Unknown	7,814	8,519	16,333
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	763,175	2,276,861	3,040,036



## Literary Digest's Final Prohibition Poll-April, 1932

	<u>Continuance</u>	<u>Repeal</u>	<u>Total</u>
New England	76,432	273,956	350,388
Maine	10,877	24,794	35,671
New Hampshire	6,620	14,529	21,149
Vermont	4,937	11,329	16,266
Massachusetts	39,184	143,950	183,134
Rhode Island	3,431	18,395	21,826
Connecticut	11,383	60,959	72,342
Middle Atlantic	240,192	995,725	1,235,917
New York	76,922	426,694	503,616
New Jersey	29,953	174,806	204,759
Pennsylvania	133,317	394,225	527,542
East North Central	286,758	901,349	1,188,107
Ohio	106,367	280,196	386,563
Indiana	66,126	140,100	206,226
Illinois	53,748	228,973	282,720
Michigan	20,702	110,528	131,230
Wisconsin	39,815	141,553	181,368

West North Central	183,814	377,535	561,349
Minnesota	31,475	101,694	133,169
Iowa	32,480	57,874	90,354
Missouri	43,890	106,519	150,409
North Dakota	6,810	21,205	28,015
South Dakota	7,110	15,159	22,269
Nebraska	19,790	33,222	53,012
Kansas	42,259	41,862	84,121

South Atlantic	141,643	267,105	408,748
Delaware	2,442	6,425	8,867
Maryland	14,318	46,964	61,282
District of Columbia	3,009	10,509	13,518
Virginia	27,721	47,617	75,338
West Virginia	23,662	44,741	68,403
North Carolina	32,429	32,361	64,790
South Carolina	12,282	18,361	30,643
Georgia	14,038	25,479	39,517
Florida	11,742	34,648	46,390

East South Central	82,063	118,527	200,590
Kentucky	26,143	53,662	79,805
Tennessee	27,479	29,122	56,601

Alabama	16,394	20,438	36,832
Mississippi	12,047	15,305	27,352
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West South Central	96,185	154,019	250,204
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Arkansas	14,817	16,202	31,019
Louisiana	7,510	33,286	40,796
Oklahoma	25,026	30,004	55,030
Texas	48,832	74,527	123,359
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Mountain	36,058	85,053	121,111
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Montana	4,859	19,995	24,854
Idaho	5,313	10,710	16,023
Wyoming	1,832	6,420	8,252
Colorado	14,870	22,887	37,757
New Mexico	1,547	4,781	6,368
Arizona	2,552	7,027	9,579
Utah	4,650	10,281	14,931
Nevada	395	2,952	3,347
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Pacific	77,452	242,163	319,615
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Washington	15,358	48,973	64,331



Oregon	11,446	26,271	37,717
California	50,648	166,919	217,567
State Unknown	<u>16,063</u>	<u>16,445</u>	<u>32,508</u>
Final Totals	1,236,660	3,431,877	4,668,537

## Chapter VII

### Elections

In the Presidential Election of 1924, the Prohibition Amendment had not come under intensive consideration, but both parties had pledged themselves to its enforcement. The Democratic candidate, however, in 1928, repudiated his party's dry platform. He opposed Prohibition, and the Eighteenth Amendment became a powerful issue in that campaign. Unfortunately, Al Smith lost decisively. During the 1928 election, it became evident that the Republican Party was for Prohibition, while the Democrats leaned to the growing wet cause. This meant then, that the Democratic victories in the 1930 Congressional elections was identified as one favoring the wet cause, especially the election of Dwight Morrow who became the leading proponent of the repeal movement.

In 1930, the state party conventions put the writing on the wall for the Drys. Twenty-one state platforms in fourteen states demanded outright repeal of the Eighteenth Amendment. A repeal plank was adopted by the Democrats in all fourteen states, but only in seven by the Republicans.

As of March, 1932, an article in the New York World Telegram stated that if the popular revolt against Prohibition continued at its present speed, "one more election might be

enough to create in Congress the two-thirds necessary to submit to the people a new amendment concerning Prohibition."<sup>116</sup> Before and during the political conventions in Chicago in June, 1932, the growth of public hostility to the Eighteenth Amendment was simply amazing. The strength of the Drys was collapsing. When the conventions were about to convene, the Voluntary Committee adopted a resolution demanding that "President Hoover and all Democratic candidates for the presidency declare themselves in favor of the repeal of the Eighteenth Amendment."<sup>117</sup>

The race was between Herbert Hoover and Franklin D. Roosevelt. Roosevelt declared himself for repeal in his acceptance speech, as did Hoover. Yet, Hoover's turnabout almost cost him all of his dry support. The Drys termed him a deserter, and the Wets called him an unreliable convert. The Wets, therefore, backed Roosevelt who had promised them the most. Both parties adopted wet planks in their platforms. "the Democrats extremely wet with their amazing advocacy of out-and-out repeal, the Republicans mildly wet with their recommendations of some retention of federal control to

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<sup>116</sup> "The Wet-Dry Victory in Congress," Literary Digest, March 26, 1932, p. 8.

<sup>117</sup> Debyns, The Amazing Story of Repeal, p. 94.



safeguard the interests of dry states and to prevent the return of the saloon."<sup>118</sup> Both parties also indicated by unanimous votes their opinion that "the people of the forty-eight states should pass judgement once more upon the question of Prohibition."<sup>119</sup>

The cause of repeal won beyond anyone's wildest dreams. Franklin Roosevelt's party had increased its Congressional majorities to 59-37 in the Senate and 312-123 in the House. It now looked as if Prohibition was doomed. A breakdown of some of the states' elections showed that Massachusetts elected ten Wet Senators and fourteen Wet Representatives out of fifteen. Pennsylvania elected twenty-five Wet Congressmen to only nine Dry ones. Seven Drys in Illinois lost their seats for re-election. Nebraska elected a Wet Congressman in the driest Congressional district. Oregon returned a one hundred per cent repeal representation to the House. In California, only three districts did not elect Wets. "Not only was the party supporting outright repeal swept into office by a huge plurality, but every referendum on the question of repeal of the Eighteenth Amendment

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<sup>118</sup> Pollard, The Road to Repeal, p. 194.

<sup>119</sup> Albert Shaw, "The Progress of the World," Review of Reviews, September, 1932, p. 17.

or repeal of state Prohibition laws and enforcement acts  
won by an overwhelmingly popular vote."<sup>120</sup>

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Reet, Women and Repeal, p. 117.

## Chapter VIII

### The Big Step-Repeal

After the elections were over, there was only one main thing to do. The question of repeal needed to be answered. Public opinion had become too strong to be ignored by Congress and President Roosevelt.

When the lame-duck Congress met, the Democratic House leadership under Vice-President-elect Garner insisted on having a repeal resolution brought up on the opening day. Indignant Wets protested that this was a snap vote intended to shelve the question for the remainder of the session. The Drys objected to the immediate vote for other reasons. Representative Tarver of Georgia, declared that "you know if you don't do it now you won't do it at all."<sup>121</sup> They did not do it then, but 272 Representatives voted for repeal and 144 voted against it. A change of six votes would have put it over.

On December 21, 1932, the Wets won their first victory in Congress since 1917. The House passed a bill legalizing 3.2 per cent beer by a majority of 65. The bill died in the

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"How the Wets Won," Current History, December, 1933, p. 277.



Senate. Meanwhile, a Senate subcommittee headed by Blaine of Wisconsin was considering a repeal resolution, and it was this which was finally submitted to the states.

There was one point with respect to repeal on which both the friends of Prohibition and the opponents could agree. It was the unquestioned right of every American to work for the repeal of any law of which he disapproved. In 1928, Governor Alfred E. Smith had come up with a proposed plan for repeal. It was based "on the Canadian System of sale by a public agency in those states in which a majority of the electorate approved such a policy by referendum vote."<sup>122</sup> Dwight Morrow also submitted a plan for repeal. His plan was for a new amendment which would "restore to the states the power to determine their policy toward the liquor traffic, but simultaneously vest in the federal government power to give all possible protection and assistance to those states that desire complete Prohibition against invasion from states that do not."<sup>123</sup>

The proposal by Congress that the question of the repeal of the Eighteenth Amendment should be submitted to conventions in the states, instead of to state legislatures, marked an important innovation in American government.

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<sup>122</sup> Merz, The Dry Decade, p. 298.

<sup>123</sup> Ibid., p. 299.

Senate Joint Resolution 211 was introduced by Senator Blaine of Wisconsin on December 6, 1932. It proposed submitting the question of repeal of the Eighteenth Amendment to conventions in the states. The resolution was amended by the Committee on the Judiciary to provide for the submission of the proposal of repeal to legislatures of the states, instead of to conventions. The amending of the resolution surprised many people for the good and for the bad.

In explanation of the amendment of the proposal, Senator Blaine stated that at the moment there were over forty state legislatures in session. If the joint resolution should be acted upon by the current session of Congress, it could go to the state legislatures immediately for action. It was obvious the Senator asserted, ratification would be deferred about four years or more if the convention method should be agreed upon as the method. He also emphasized the fact that the convention method would be an expensive one, involving large campaign expenses, as well as the cost of election of delegates and the holding of the convention. Time and expense could be saved by submitting the question to the state legislatures.

Despite the opinion of the committee and Blaine's argument in support of it, Senator Robinson of Arkansas offered an amendment to the resolution to change the method of ratification from the state legislatures to conventions in the states. In the debate which followed, much of the discussion

was concerned with the power of Congress to provide, by law, for the election of delegates to the conventions in the states. Senator Robinson expressed the opinion that, "even if the power of Congress were conceded, any attempt of Congress to exercise it would result in the defeat of ratification in a large number of states."<sup>124</sup> The Robinson amendment was then passed by a vote of 45 yeas to 15 nays, and the proposed amendment in its final form by 63 to 23.

There were only forty minutes of debate in the House on the method of ratification. It was stated that each state must set up its own procedure, although there might be forty-eight types of machinery. The joint resolution passed by a vote of 289 to 121; fifteen votes more than the needed two-thirds majority was obtained. In a breakdown of the vote, 109 Republicans, 179 Democrats, and 1 Farmer-Labor Party member voted in favor of the resolution. Voting against it were 89 Republicans and 32 Democrats.

On February 20, 1933, the resolution was delivered to the Secretary of State, Henry L. Stimson. The next day he sent certified copies of it to the respective governors of the forty-eight states. During 1933, laws were passed in forty-three states (Georgia, Kansas, Louisiana, Mississippi,

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<sup>124</sup> Everett Brown, Ratification of the Twenty-First Amendment to the Constitution of the United States: State Convention Records and Laws (New York: Da Capo Press, 1970), p. 5.



and North Dakota being the exceptions) providing for action upon the proposed amendment. During that same year, conventions were held in thirty-eight states, and all except one, South Carolina, ratified the amendment. In North Carolina, the electorate voted for convention delegates, but also voted against holding a convention. Montana, Nebraska, Oklahoma, and South Carolina made provisions for the selection of convention delegates in 1934, but Montana alone elected delegates and held a convention in that year. Ratification of the amendment was completed on December 5, 1933, and a certificate to that effect, as required by law, was signed at 6:37 P.M. by Acting Secretary of State, William Phillips.

The lack of deliberation in the conventions followed as a matter of course from the nature of the elections at which delegates were chosen. As a rule, the choice of the voters was between delegates pledged for or against repeal, although in some states provision was made for unpledged delegates. The delegates favoring repeal were overwhelmingly in the majority. "In only six of the thirty-eight states which ratified the Twenty-first Amendment were votes registered in the conventions against repeal, and in five of these the vote was almost negligible: Oregon, 5; Montana, 4; Washington, 4; New Jersey, 2; and Michigan, 1."<sup>125</sup> Indiana was the exception.

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<sup>125</sup> Ibid.

There, the vote stood 246 to 83, and in the Indiana convention a definite attempt was made by the opponents of repeal to elect their slate of officers to preside over the convention. "Indiana, more than any other state, adhered to the idea of a deliberate convention, although even in Indiana the law required from each delegate a pledge that he would, if elected, vote in accordance with the declaration made in his petition of candidacy."<sup>126</sup> At the other extreme was Arizona where the law provided for the election of delegates to the convention. The law there also required a delegate to carry his pledge to vote for or against the ratification or he would be guilty of a misdemeanor and his vote would not be considered.

The sessions of the conventions were relatively brief. New Hampshire required only seventeen minutes for her action on repeal, for instance. No state used over one day for their session. The longest part of the convention seemed to be the lengthy roll calls in some states. Speeches ranged from very brief spans to quite lengthy ones, mainly about the history of the repeal movement.

As previously stated, no uniform method for the ratification process was adopted. The details were left to the states. Many of the state legislatures were still confused

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<sup>126</sup>  
Ibid.

as how to handle the process. In their laws providing for the conventions, no less than twenty-one states included a section stating that, "if Congress should prescribe the manner in which the conventions should be constituted, the provisions of the state act should be inoperative and officers of the state were authorized and directed to act in obedience to the act of Congress with the same force and effect as if acting under a State Statute."<sup>127</sup> The states so providing were Arizona, California, Connecticut, Delaware, Florida, Idaho, Indiana, Iowa, Maryland, Montana, Nevada, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Vermont, Washington, and Wyoming.

Of the states which passed laws providing for ratifying conventions, sixteen made provisions by general laws for any amendment which might be proposed in the future. These states were Arizona, Delaware, Florida, Idaho, Indiana, Iowa, Missouri, Montana, New Mexico, Ohio, South Dakota, Texas, Utah, Vermont, Washington, and Wyoming. The laws of the remaining twenty-seven were of a special nature and related only to the amendment at hand.

There was considerable difference of opinion as to whether the delegates to the conventions should be elected by the voters of the states at large, or by districts, or by a combination of the two methods. The following twenty-five

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<sup>127</sup>

Ibid., p. 515.



states voted at large for their delegates: Arizona, California, Colorado, Delaware, Florida, Idaho, Illinois, Iowa, Kentucky, Minnesota, Missouri, New Hampshire, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Utah, Vermont, Virginia, West Virginia, and Wisconsin. Arkansas, Indiana, Maine, Massachusetts, Michigan, Montana, Nebraska, Nevada, North Carolina, Oregon, South Dakota, Texas, Washington, and Wyoming chose their delegates by districts. Only four states combined the methods. They were Alabama, Connecticut, Maryland, and New Jersey.

The methods of nominating delegates to the conventions also showed wide variations. The nominations were made by petitions in Alabama, Arkansas, Arizona, California, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Kentucky, Maine, Minnesota, Montana, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, and Wisconsin. In Colorado, the nomination was made by the governor. Mass conventions of qualified electors elected delegates in Iowa, Missouri, Nevada, Texas, and Wyoming. In Maryland, Massachusetts, Michigan, New Hampshire, South Carolina, Vermont, Virginia, and West Virginia, the delegates were chosen by nominating committees, boards, and caucuses. A primary election was held in Nebraska.

In the action of these conventions was written

another chapter in the history of the Constitution. "The people accomplished the purpose for which they were called and truly registered the will of the American people on a great national issue."<sup>128</sup> Their actions will serve as a guide to future action in similar cases.

Even the most sanguine Wets were astounded by the speed with which the states acted on the Twenty-first Amendment. By early December, 1933, thirty-five states had ratified the amendment. This was one short of the needed three-fourths. The Utah convention took its time, though it had a mandate to ratify since November. Utah wanted to make sure it would be the deciding thirty-sixth state. "No other state shall take away this glory from Utah," proclaimed the President of the Utah League for Prohibition Repeal. Finally, "on December 5 at 5:32 P.M., Washington time, delegate S. R. Thurman, having satisfied himself that the thirty-fifth state (Pennsylvania) had ratified, cast the last ballot for Utah."<sup>129</sup>

At seven o'clock, thirteen years, ten months, and eighteen days after the Noble Experiment began, President Roosevelt signed the proclamation ending it. Prohibition was over and the country could now celebrate! The long, hard struggle to Wet down the Drys had been successful.

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<sup>128</sup> Ibid., p. 8.

<sup>129</sup> Kobler, Ardent Spirits, p. 353.

# Votes by the States Ending Prohibition

<u>State</u>	<u>Yes</u>	<u>No</u>	<u>Absent</u>
Alabama	103	0	13
Arizona	14	0	0
Arkansas	75	0	0
California	22	0	0
Colorado	15	0	0
Connecticut	50	0	0
Delaware	17	0	0
Florida	63	0	4
Georgia	no provision for ratification		
Idaho	21	0	0
Illinois	50	0	0
Indiana	246	83	0
Iowa	90	0	9
Kansas	fails to provide for ratification		
Kentucky	19	0	0
Louisiana	fails to provide for ratification		
Maine	72	0	8
Maryland	24	0	0
Massachusetts	45	0	0
Michigan	99	1	0
Minnesota	21	0	0
Mississippi	fails to provide for ratification		



Missouri	68	0	0
Montana	45	4	0
Nebraska	nothing available		
Nevada	39	0	1
New Hampshire	9	0	1
New Jersey	202	2	22
New Mexico	3	0	0
New York	150	0	0
North Carolina	nothing available		
North Dakota	fails to provide for ratification		
Ohio	52	0	0
Oklahoma	nothing available		
Oregon	110	5	1
Pennsylvania	15	0	0
Rhode Island	31	0	0
South Carolina	41	0	5
South Dakota	nothing available		
Tennessee	58	0	5
Texas	25	0	6
Utah	18	0	3
Vermont	14	0	0
Virginia	30	0	0
Washington	94	4	1
West Virginia	20	0	0
Wisconsin	15	0	0
Wyoming	64	0	2

## Chapter IX

### Results of Repeal

The Noble Experiment was finally over. Liquor and beer once again flowed legally across the United States. Great personal credit should go to President Roosevelt for his part in the adoption of the Twenty-first Amendment. "He had insisted that Congress carry out, without equivocation, the spirit and letter of the party platform plank, and subsequently through the Postmaster General and other personal representatives, he had placed in back of Repeal the full force of the prestige and influence of the national administration."<sup>130</sup>

There were a few bad results of repeal. While some quarter of a million people got jobs, equal amounts of bootleggers lost theirs, thus unemployment was at a stalemate. Repeal did not help the farmers much either. Only crops of barley, rye, and hops had an increased sale. The farmers had hoped that there would be more prosperity for them. Repeal also hurt those farmers who had made a profitable sideline out of moonshining. The Wets had accused Prohibition of costing

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<sup>130</sup> Alfred Smith, "A Happy New Year," New Outlook, January, 1934, p. 10.

hundreds of millions of dollars to enforce over the years, but the cost of enforcement of the liquor laws in the United States after the passage of the Twenty-first Amendment was hardly less than it had been before, since the volume of bootlegging was still at large. A further disappointment was suffered by the wealthy backers of the Wets, who had thought that their taxes would be lowered after repeal. It did not happen.

The Depression was not overcome by repeal. It became more secure. During the years immediately following repeal, approximately two and a half billion dollars were spent for liquor. Money needed for necessities was spent instead in saloons, night clubs, and brothels. This depressed every kind of legitimate business and industry. "It brought no relief to the farmers and the railroads, the real-estate markets remained depressed, foreclosures increased in number, the budget remained unbalanced, and taxes continued to soar."<sup>131</sup>

The victory of the liquor interests, the underworld, and the unscrupulous elements of big business, produced the precise results that had been foreseen by all responsible people who had not been deceived and blinded by the wet propaganda. Ports were thrown open to the liquor manufacturers of the world. Breweries, distilleries, and wineries sprung up. Saloons began filling up the country. A ban on liquor

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<sup>131</sup>Dobyns, The Amazing Story of Repeal, p. 378.



advertising was removed, and all methods of high-powered salesmanship were employed to induce people to buy liquor. More females were drinking, and reports showed that at least thirty per cent of the people in saloons and night clubs were under twenty-one years of age. Crime continued at its same pace. "The chief dangers which faced the people as the result of repeal were over-regulation and over-taxation by both Federal and State authorities."<sup>132</sup>

Experience soon demonstrated the fact that the entire repeal propaganda had been nothing but falsehoods. The Wets had not been interested in true temperance, law-and-order, personal liberty, and the Constitution, but in liquor profits and revenue. Repeal did not lessen the use of hard liquor, decrease drunkenness and crime, do away with boot-legging, help unemployment, restore prosperity to the farmer, or stop the Depression. The saloon was allowed to return even though people had been promised that it would not. Millions of sincere men and women who had voted for repeal in the hope that it would bring relief from intolerable liquor conditions, realized that they had been deceived.

Many prominent people gave their views on the merit or non-merit of repeal after it had been in effect a few years. Dr. Harry E. Fosdick, in a sermon preached in May, 1936, said:

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<sup>132</sup> Smith, "A Happy New Year," p. 9.

"The Repeal of Prohibition did not solve our problems. It simply plunged us back to the status quo ante, plunged us once more into the intolerable situation which our fathers faced two generations ago when they rose up in indignation against the liquor traffic."<sup>133</sup>

In October, 1936, in the Zion's Herald, Edgar Blake, Bishop from Detroit said:

"Never have we witnessed such drunkenness and debauchery on our streets and in public places as we are witnessing today. Never have our homes been so ruthlessly invaded. Never has our American womanhood fallen so low as since Repeal."<sup>134</sup>

The director of the Federal Bureau of Prisons said in his report that the relief expected from the repeal had not materialized. He also stated that crime had increased everywhere, and that a major problem to be dealt with now was the increasing drunkenness in women.

At the same time that some people were eagerly condemning the repeal of Prohibition, others were celebrating the momentous occasion quite happily. At the Anheuser-Busch Brewery in St. Louis, it was like a Hollywood premiere. "Floodlights played upon the beer sheds as the first barrels were trundled forth, and 30,000 beer lovers surged toward the company trucks that formed a motorcade twenty blocks

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<sup>133</sup> Dobyns, The Amazing Story of Repeal, p. 195.

<sup>134</sup> Ibid.

long."<sup>135</sup> Crosse and Blackwell, the food specialty company, advertised pickles that came in an eleven-ounce beer mug. One could buy the pickles and get the mug free, or buy the mugs and get the pickles thrown in as a bonus. Microphones were established in bars and over the radio people could hear corks popping, cocktail shakers rattling, and drunken shouts and singing from New York to San Francisco. Saloons were opened, women were admitted, and barmaids and hostesses were installed.

The moment repeal was accomplished, many of the groups that had fought hard for it decided that their tasks had been accomplished. The WGNPR, the Voluntary Committee of Lawyers, and the Crusaders disbanded, closed their offices, and disappeared from the scene.

Perhaps Gilbert Seldes summed up Prohibition and its eventual repeal best:

"It was strange that the American people gave up the right to drink when they could most afford to drink, and clamored for its restoration when they did not even have the price of a bottle of good Burgundy."<sup>136</sup>

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<sup>135</sup> Kobler, Ardent Spirits, p. 352.

<sup>136</sup> Sinclair, Prohibition: The Era of Excess, p. 348.



## Chapter X

### Conclusion

On January 29, 1919, the Eighteenth Amendment caused the people of America to have to change their way of life. No longer could people buy, sell, or make liquor for personal use. For a few years, most people abided by the new Prohibition laws, but after the mid-twenties things began to change. Illegal liquor flowed freely, crimes rose, drunkenness increased, and much more. Many organizations developed to try to bring about the repeal of the amendment. They felt that many social and family problems could be lessened if there was no more Prohibition. After much fighting and trying to convince the politicians that Prohibition was wrong, the needed thirty-six states ratified a new amendment, the Twenty-first, and Prohibition was over.

Whether the end of Prohibition was what was needed to help the country can be disputed. Statistics showed that crime, unemployment, and drunkenness did not decrease as much as people were led to believe it would. Organized crime grew dramatically during the Prohibition Era. The gangsters had wormed their way into all facets of life, but they were especially involved in manufacturing, smuggling, and selling illegal liquor to people who could not live without it. Even with the end of Prohibition, the gangsters held on to their

powerful empires and kept themselves involved in many businesses such as saloons, gambling, and prostitution.

Most people felt that the end of Prohibition would bring them more individual freedom as the Bill of Rights had guaranteed them. They wanted to be able to walk to nearby saloons and have a drink without fear of reprisal, or they wanted to be able to buy a bottle or two and have a drink at home. Perhaps mostly, they desired cheap and potable liquor. As long as Prohibition was in effect, the drinker was at the mercy of the bootlegger as to the prices he paid for the liquor. If he wanted the drink bad enough, he would pay almost any price. With the end of Prohibition, prices would definitely be more reasonable.

Times had been hard on the people. So many people were out of work, and then the Depression hit the country with full force. Many people hoped that by repealing Prohibition, the country might be better off economically. They had hoped that more jobs would be created through the liquor industry. Unfortunately, while many people got jobs, many more such as bootleggers and moonshiners lost theirs. But, the Depression had caused people to hope that any change would be better than the way things had been.

Perhaps part of the movement for repeal was sheer hypocrisy, such as some repeal organizations' desire to have liquor in moderation. This caused the advocates of "responsible drinking" to stop their educational programs

and go out of business once repeal had been safely secured.

There were so many factors for the repealing of it. In 1919, so many people were very much in favor of Prohibition, but just a few years later, a great majority wanted to get rid of it. They felt the end of Prohibition would be the best thing for the country, but others still did not agree. No one may ever know whether the repeal hurt or helped the country. Since the Depression was in full swing, one cannot be sure. The only sure thing was that once again liquor was legal.



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## Appendix

## Eighteenth Amendment - January 29, 1919

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

Twenty-first Amendment-December 5, 1933

- section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.
- Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.
- Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

## Chronology

- August 1, 1917 - Senate votes Eighteenth Amendment, 65-20.
- December 17, 1917 - House votes the amendment, 287-100.
- 1918 - Association Against the Prohibition Amendment (AAPA) founded.
- January 16, 1919 - Nebraska becomes the thirty-sixth state to ratify the amendment.
- January 29, 1919 - Eighteenth Amendment to the Constitution proclaimed to become effective January 16, 1920.
- July 22, 1919 - House passes National Prohibition Act.
- September 4, 1919 - Senate passes Volstead Act.
- January 16, 1920 - Prohibition Amendment effective.
- June 7, 1920 - Supreme Court upholds Volstead Act.
- November 6, 1928 - Mr. Hoover elected President.
- May 20, 1929 - Wickersham Commission appointed.
- May 28, 1929 - Women's Organization for National Prohibition Reform (WONPR) is founded in Chicago.
- January 13, 1930 - First report of Wickersham Commission issued.
- November 4, 1930 - Elections increase Repeal strength in House by 70; in Senate by 4.
- January 7, 1931 - Second report of Wickersham Commission issued.
- March 14, 1932 - House defeats, by vote of 228 to 169, Beck-Linthicum Resolution to take a vote on submission to



states of an amendment to the Constitution permitting those states which so desire to set up control of liquor traffic.

May 16 to 21, 1931 - WONPR observes Repeal Week.

July 16, 1932 - Senate, by a vote of 37 to 21, takes up consideration of Glass Amendment to Eighteenth Amendment, directed against return of the saloon and protecting dry states.

November 8, 1932 - Mr. Roosevelt is elected President. All referenda on question of Repeal of Eighteenth Amendment or Repeal of State Prohibition laws and Enforcement Acts are won by Repeal.

December 5, 1932 - House fails by narrow margin of 271 to 144 to pass the Garner Repeal Resolution.

February 17, 1933 - Blaine Repeal Resolution providing for vote by State Conventions on Twenty-first Amendment to repeal Eighteenth Amendment passed by Senate, 65-28.

February 20, 1933 - Blaine Resolution passed by House, 289-121.

April 10, 1933 - Michigan holds first convention in United States for ratification of Twenty-first Amendment.

December 5, 1933 - Conventions in Pennsylvania, Ohio, and Utah ratify the Twenty-first Amendment. Thirty-six states having ratified, the Eighteenth Amendment is automatically repealed.