

Smuggling and the 18th Amendment

Morality had morphed by the 20th century. Prohibition is often looked at from the perspective of individual stories and impulses. Many of the themes of Federal Prohibition are similar to those from the earlier 19th century movements, but had been metamorphosed: “Freedom,” “liberty”, as well as notions of “the home” and personal agency began to push against corporate interests or governmental factors. A fascinating doctrine from an early brewing group in Prohibition era Vermont provides value:

Up here in Vermont, where The Company started, as corner of the land once noted for its independence, we still hold to a vestige of that quality so rare in the modern world. I refer, of course, to a love of liberty. We Vermonters used (when we were a separate sovereignty, free from the shackles of the Crown and likewise from those of the unorganized colonies) to do as the spirit moved us...

Eleven dour years have passed since the advent of our country’s noble prohibitory regulations. During this doleful decade, the art of brewing has changed... in fact it has progressed in an entirely opposite direction. It has witnessed from the beginning a movement from the hands of private to those of commercial brewers, and now it has come back into the confines of the home. Everybody knows something of that horrible pandemic – the industrial revolution – the leapt upon us in the nineteenth century. That calamity put a stop to many pleasant factors of a not too unhappy existence. Definitely, and as one was beginning to think permanently, this universal upheaval in ways of living and working, checked the growth of the craft spirit among men and, in fact, snuffed out entirely the pleasant art of domestic manufacture.⁵⁷

The right to produce and consume alcohol was now being imagined as a part of the private American home and liberty, in the vein of Ethan Allan (“American,” not immigrant sentiments). Corporate interests (especially urban and German brewers) and governmental forces (federal or state) became the opposition, holding back individual liberty and advancement. Suffrage and political involvement was heavily tied to alcohol, women’s suffrage groups emerging out of temperance and affiliated progressive societies. Under state prohibition and local option, individuals had a wide degree of agency and opinions about temperance. While the prohibitionists ultimately attained their goal, Federal prohibition instantaneously removed this nuance of democracy from the countryside and replaced it with outright prohibition, eventually moderating wider opinion about alcohol, even before crime become a serious issue. With federal prohibition, all control was taken away from the localities and public sentiment began to turn away from what was perceived as poor legislation, enforcement that was either too heavy or too light, and increases in crime and corruption.

There is a long legacy of national or regional legislation conflicting with ways of life in the Champlain Valley. One can find 200 years of examples: The Embargo Acts,

⁵⁷ Orton, Vest, *Proceedings of the Company of Amateur Brewers* (n.p.: privately printed, 1932), University of Vermont Special Collections, in Krakowski, *Vermont Prohibition*, pp.110-111

19th century inter-state prohibition laws (exemplified by the Jug Affair), the legacy of the Underground Railroad through the valley, International smuggling with Federal Prohibition, and even contemporary “Human smuggling” of today.⁵⁸ The rural landscapes and a long unmonitored border (at least until Federal Prohibition) make the region well suited for avoidance of regulations on trade. This has also made enforcement of those regulations consistently difficult.

Law and lawlessness during the 14 years of Federal Prohibition played a major role in changes of public opinion across the country. In the rural border country, smuggling (which had always been a facet of life) reach unprecedented levels. Technological changes had further knit the valley together, with roads, trains, boats, and even planes. Prohibition leads to mass movements of people and materials, not just alcohol but also other contraband in exchange for it in Canada.⁵⁹ Although the thousands of cars that passed back and forth across the border did the bulk of the illegal trade, the largest hauls of contraband liquor were always captured along the shore of the lake, where boats and barges attempted to smuggle larger quantities at lower speeds from Canada.⁶⁰

From an International perspective, Quebec had the reputation as the wettest province in Canada; a significantly different culture just a stone’s-throw away.⁶¹ Drinking was legal in Quebec, and hard liquor could be purchased at state owned dispensaries, unlike much of the rest of Canada at the time. So much revenue flowed into Quebec from the American side of the border that the province saw a healthy increase in economic development, with money going toward infrastructure and even schools.⁶² American bootleggers would drive north across the border and stop at every single government liquor store they passed, gathering their allocation of one bottle at each, until they were fully stocked for their run south. By the end of the 1920s, Ontario would join Quebec in repealing its dry laws to reap the tax boon.⁶³

Meanwhile, on the U.S. side, massive quantities of contraband alcohol were confiscated each month. 40,500 bottles were confiscated and destroyed in one week at Rouses Point NY in 1923, and 93,960 bottles were dispatched in September 1924, a \$500,000 value! This was likely only a small fraction of the booze that crossed the border.⁶⁴ The town square park in downtown Rouses Point become giant heap of broken glass throughout the era of prohibition.⁶⁵

⁵⁸ Matalon, Lorne, “Recent Human Smuggling Cases Shine Light on Vermont-Canada Border” *VPR News*, May 18, 2018, <https://www.vpr.org/post/recent-human-smuggling-cases-shine-light-vermont-canada-border#stream/0>

⁵⁹ Everest, Allan, *Rum Across the Border: The Prohibition Era in Northern New York* (Syracuse, NY: Syracuse University Press, 1978), p.92

⁶⁰ Everest, *Rum Across the Border*, p.97

⁶¹ Boyce, Cyril D., “Prohibition in Canada” *The Annals of the American Academy of Political and Social Science*, Vol.109, *Prohibition and Its Enforcement* (Sage Publications, Inc.; Sep., 1923), pp.226-228

⁶² Moore, Sean T., “National Prohibition in Northern New York,” *New York History* (Fenimore Art Museum; April 1996) p.190, pp.179-180

⁶³ Moore, “National Prohibition in Northern New York,” p.190

⁶⁴ Everest, *Rum Across the Border*, pp.70-71

⁶⁵ “Thomas Duncan destroying seize liquor, Rouses Point NY” in Everest, Allan S., *Rum Across the Border: The Prohibition Era in Northern New York* (Syracuse, NY: Syracuse University Press, 1978), p.68, accessed on jstor.org, 2019-9-29

Lake Champlain itself continued its legacy of smuggling on water. The waterways again become centers of illicitly trace and new smuggling strategies and technologies were developed. The lake saw custom propelled boats that used surplus airplane engines, submarines that carried alcohol behind boats, and high-speed chases through the dark. Most of the smuggling, though, occurred by car along the many winding roads of Vermont and New York, leading to numerous accidents, notorious sections of road, and repair shop hideaways throughout the mountains.

Prohibition also brought major changes in norms of social and political behavior. The easing of norms created more access points for women in economy, politics, and society (i.e. outside the home). In urban areas, norms of drinking were turned on their heads by prohibition. Like Catherine Dillon of the 1860s, many other women now took advantage of the commercial vacuum around alcohol and made some money alongside men. The demise of the saloon as a male space during prohibition also opened the door to women drinking openly (although often not legally) on a social level with men. “Wet Women” became part of drinking culture and gained other social freedoms in the process through the forced alteration of societal codes. In Richford Vermont, on border with Canada, Lillian Miner became a famed bootlegger and line-house owner, flaunting international laws and gets away with it for the most part.⁶⁶ From a law enforcement angle, Geraldine Laundrie was appointed the first fully-commissioned female customs officer near Rouses Point to combat the ever increasing numbers of women smugglers at checkpoints.⁶⁷

State vs Federal Prohibition enforcement shifted over the 14 years of prohibition. In New York, there was initially cooperation between state and federal authorities until the demoralized state of New York stepped away from enforcement efforts after the Jones Act, when Federal agents increase penalties. An increase in violence was seen across the border as federal agents take over enforcement. Increases in severity of prohibition offences cause moderate judges and juries to avoid prosecution of unjust laws, and further erodes public trust and the integrity of the federal prohibition law. In the early years, there seemed to have been a lightheartedness to prohibition law-breaking for many, until those rare occasions when real damage is done to families or communities.⁶⁸ Plattsburgh newspapers recorded the full spectrum of opinion about prohibition and enforcement, but by the late 1920s had lost faith in the policy. In a letter of protest to a customs office, the Mayor of Plattsburgh lamented:

An officer with the best of intentions in enforcing the law but with a poor or uncertain aim may cause injury to innocent persons. The existence of conditions where honest and law-abiding citizens are afraid to travel our roads between sunset and sunrise is, I need hardly say, something which neither you nor I wish to have continued. We have been proud to call this section a playground but really did not think when we said it that it would come to mean gunplay... at the same time that we are trying to drive the

⁶⁶ Krakowski, *Vermont Prohibition*, p.113

⁶⁷ Everest, *Rum Across the Border*, p.60

⁶⁸ Wheeler, Scott, *Rumrunners & Revenuers: Prohibition in Vermont* (Shelburne, VT: The New England Press, Inc., 2002), pp.121-124

*bootlegger from our roads, let us not try to drive the tourists and pleasure seekers away also.*⁶⁹

But too often these tourists and pleasure seekers were complicit in the illegal trade, regardless of the risks. Chaotic scenes became common in urban spaces like Plattsburgh and on rural mountain roads, alike, as agents tried to stem the flow of smuggled contraband. Public locations where the captured alcohol was disposed of (bottles broken and drained by the thousands) became monuments to the era of prohibition along the border, as in the square at Rouses Point.

National Prohibition had much larger impact across society than previous legislation. It upended popular sentiment about control and enforcement of alcohol. It accentuated the unfair nature of sweeping prohibitive legislation. Countless violations and increasing (perceived) disregard for rule of law ultimately doomed the policy in the eyes of the public. Prohibition, although unpopular by the end, did decrease levels of drinking for much of the rest of the 20th century. Repeal of the 18th amendment represented a cycle back to the patchwork of local option laws, now sheltered under the umbrella of legalized Federal sale and regulation. Over the many decades post-21st amendment, brewing and distilling laws have been gradually relaxed, allowing for the growth of our flourishing craft alcohol industry in the Champlain Valley. All the same, the traces of a century's temperance and prohibitory efforts is still apparent in laws across the United States and along the border.

⁶⁹ Everest, *Rum Across the Border*, p.127