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Graft and Slime in New York City: Exploring the Impact of Organized Crime on the Nullification of the Eighteenth Amendment

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Graft and Slime in New York City: Exploring the Impact of Organized Crime on the
Nullification of the Eighteenth Amendment

Senior Project Submitted to
The Division of Social Studies
of Bard College
by
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Imagine living in New York City, the most populous city in America, during the late 1920s. These were the latter years of a national anti-alcohol experiment more invasive than any other governmental attempt to regulate behavior in United States history. Anyone who has broken a rule laid down by some source of authority knows that an act of rebellion against the “law”, however large or small, is often a thrilling and exciting experience. This was exactly how New Yorkers felt during the early 1920s while the National Prohibition Law was still a new addition to their lives and had not yet been recognized as a target of existential contempt. Although the Prohibition law was implemented on a federal level, therefore affecting all Americans, New York City was viewed as the most important subject in the noble experiment. This was because the dry lobbyists against alcohol believed that if Prohibition could be enforced in New York City then it would succeed on the national level. This focus made Prohibition in the city particularly important in regards to the eventual repeal in 1933. On January 17, 1920, the Prohibition era officially began after the federal government introduced the Eighteenth Amendment to the Constitution of the United States of America and coupled it with the Volstead Act to set parameters for enforcing the ban on consumable alcohol. The early 1920s were a carefree environment where many New Yorkers would drink all night, sleep late into the day, and begin again the next evening. At this time in New York City, it was not uncommon to find police officers and even Prohibition agents amongst the patrons of any of the thousands of speakeasies or nightclubs throughout the city sharing in drink and revelry. Partaking in the small act of rebellion was thrilling and communal in that it brought people together for their desire to drink and their disapproval of the federal government for having passed such an overbearing law. As the 1920s wore on, the atmosphere began to change as the jovial excitement of drinking began to

fade away and was replaced by a sullen, embittered demeanor as it became clear that Prohibition may have caused more problems than it solved. For many New York citizens, the largest apparent problem of Prohibition was that its conditions had taken a profitable market in the alcohol trade and placed it right into the hands of organized criminals. “The FBI defines a criminal enterprise as a group of individuals with an identified hierarchy, or comparable structure, engaged in significant criminal activity. These organizations often engage in multiple criminal activities and have extensive supporting networks.”¹ By this definition, organized crime had existed in America predating the 1920s. However, this project will investigate organized crime during the Prohibition era as it pertains to gangs becoming highly structured and disciplined associations with a penchant for illegal business rather than petty crime. Preceding Prohibition, criminal gangs were mostly base street thugs involved in small-time crime in a very specific locale, lacking the opportunity for expansion and the wherewithal to do so that was granted by institution of the dry law. The lawlessness that overtook New York City could not be ignored and was a point of major opposition to Prohibition which was widely viewed as having perpetuated the growth of organized crime. Life in New York City by the late 1920s was imbued with new levels of fear, as each day the local newspapers were reporting the death of yet another innocent adult or child who had been caught in the crossfire of a gangland territorial battle or shootout with the police. The instances of criminal activity and apparent lack of justice led to a strong public distrust in the institutions of law and order throughout the city that were meant to protect. All of the issues of Prohibition seemed to be compounded by the ever-present threat of criminal activity in the lawless city, and had a massive impact on the repeal movement that

¹ U.S. Department of Justice. "Organized Crime." FBI.gov. <https://www.fbi.gov/investigate/organized-crime>.

manifested in the late twenties and early thirties that would eventually lead to the abolition of Prohibition law.

The first chapter of this project will introduce the gangsters who gained tremendous influence and power during the 1920s. The aim of this chapter is to analyze some of the leaders of organized crime in New York City to showcase how the proliferation of crime was enabled and catalyzed by the conditions of Prohibition, specifically by way of creating and operating a market for illegal alcohol. Chapter two will demonstrate that, by the latter years of the 1920s, the criminal activities of organized syndicates were emerging from the shadows and spilling out into the streets to the point that innocent New Yorkers were living in fear. This fear played a dominant role in the near impunity enjoyed by gangsters in the city, as police officers could almost never find any witnesses to testify in a case that took place in a crowded street in broad daylight. Prohibition agents came to blame a huge part of the lawlessness that was widely apparent by the late 1920s on the speakeasy and the view that it had replaced the saloon as a harbor of criminal activity. In chapter three some of the displeasures experienced by New Yorkers, which were exasperated by the rampancy of crime, are highlighted and explored. Throughout the Prohibition era, the quality of alcohol was not kept to a standard as there were no regulations that needed to be adhered to in the production process. People dying of poisoned alcohol was not uncommon and the distillation process was a dangerous one that could cause explosions and fires. By the end of the 1920s, New Yorkers had come to resent the federal and local government as the efforts to enforce Prohibition law had become more aggressive, all while big time criminals walked free and those citizens who were relied upon as the backbone of American law and order were treated as the real criminals. The fourth and final chapter delves

into the harnessing of the desire for repeal of Prohibition, rooted in New York City, that spread across the country during the late twenties and early thirties. The coalition for repeal grew tremendously thanks to Pauline Sabin, as her efforts with the Women's Organization for National Prohibition Reform weakened the dry lobby and led many once loyal Prohibition supporters to join the repeal movement. The support gathered by the repeal campaign was set in place to be taken up by a Democratic candidate who became President Franklin Delano Roosevelt in the election of 1932. As President of the United States, Roosevelt became known as a man of the people and, under his administration, the Twenty-first Amendment was implemented to nullify the Eighteenth Amendment and end the Prohibition era.

This project as a whole will explore the prominence of organized crime during Prohibition. It will examine how the negative, criminal effects that followed in Prohibition's wake served as a wake-up-call that spurred New Yorkers to seek the repeal of the Eighteenth Amendment, laying down the foundation for a repeal coalition that would gain enough strength to overpower the dry lobby. Finally, this project will look at how this movement against Prohibition, inspired by the need to protect innocent New Yorkers from organized crime, led to the election of President Franklin D. Roosevelt and the institution of the Twenty-first Amendment to nullify the Eighteenth Amendment and terminate Prohibition.

Chapter One: Meet the Gangsters

January of 1920 ushered in a new year that also carried with it the official implementation of the 18th Amendment to the United States Constitution, the addition of which, along with the ratification of the Volstead Act, would place a legal ban on the transport, manufacture, and sale of intoxicating alcohol.² Illegalization of the substance allowed for the birth and growth of a new breed of criminals who came to thrive off of those legislative parameters meant to mitigate lawlessness and disorder. As simply stated by a Welsh historian and author, “Nothing like it had happened before. An entire industry -- one of the most important in the country -- had been gifted by the government to gangsters.”³ New York City, boasting a population of six million in the 1920s, became an epicenter of that lawlessness during the Prohibition Era where crime became an industry, fueled by the desire to exploit new legislature to amass prolific profits. To learn about the most prominent criminals who spurred the evolution of the common street thug into the deadly businessman is to learn the roots of what eventually would catalyze the movement to nullify the 18th Amendment and end the Prohibition Era. New York City in the Roaring Twenties was the most diverse municipality, home to many groups, races, and nationalities who clashed and collaborated in the creation of some of the most powerful crime syndicates of the Prohibition Era.

We cannot talk about organized crime during the Prohibition Era without taking time to try to understand the man who mentored many of the most prominent 1920s gangsters, and turned the noble experiment on its head to score massive profits for he and his associates. This

² The U.S. National Archives and Records Administration. "The Volstead Act." National Archives. <https://www.archives.gov/education/lessons/volstead-act>.

³ Dash, Mike. *The First Family: Terror, Extortion, Revenge, Murder, and the Birth of the American Mafia* (New York: Random House, 2009) 268.

man was Arnold Rothstein, an American-born Jew, whose roots make him a very intriguing and usual candidate for such fame as an underworld character. Arnold Rothstein stood out in the crowd of Prohibition gangsters, who were predominantly Italian or Jewish, and were commonly either the children of immigrants or had immigrated to the United States themselves at a young age.⁴ Rothstein was a second generation American-born citizen who was raised in a prosperous family with a father who held the admiration of New York Governor Al Smith and other government officials.⁵ Having completed two years of high school, Rothstein was one of the most well-educated criminals of the Prohibition Era, a feat that likely contributed to his gift in lucrative illegal enterprise. Although brought up in an Orthodox Jewish home Arnold never really took to the path of religion (leaving that to older brother, Harry, who became a rabbi), instead in his early twenties leaving home to lead the life of a gambler.⁶ Interestingly, while entirely immersing himself as a gambler in New York City who slept through the day dreaming of big winnings to seek thrills and profit at night, Rothstein avoided the vices of alcohol and tobacco unlike so many of his peers. Herein one can find another quality that could have contributed to Rothstein's success as a mastermind of illegal business during the 1920s.

Organized crime could not have attained such decisive control over operation of New York City's liquor trade without the system masterminded by Arnold Rothstein. Rothstein divined that the ban on alcoholic beverages would not hinder America's desire to drink. Rothstein engineered and for a short time operated an infrastructure of many moving parts that

⁴ Mappen, Marc. *Prohibition Gangsters: The Rise and Fall of a Bad Generation* (New Brunswick, NJ: London: Rutgers University Press, 2013) 3.

⁵ Mappen, 33.

⁶ Katcher, Leo. *The Big Bankroll: The Life and Times of Arnold Rothstein* (New York: Harper & Brothers, 1958) 20.

would ultimately swell his income by the millions from illegal alcohol while funding other criminal activities in the alcohol market. Rothstein purchased speedboats to transport illegal alcohol onto American soil, warehouses to store the illicit goods, trucks for transport from boat to warehouse storage, and funded liquor traffickers giving them the means to set up purchasing rings throughout Canada and Europe.⁷

The day to day operation of this infrastructure would be managed by his many protégés of many ethnic backgrounds. Rothstein came to employ some of New York City's most well known bootleggers and gangsters such as Irving Wexler, Max Greenberg, Charles "Lucky" Luciano, Owney Madden, Dutch Schultz, and Jack "Legs" Diamond who eventually branched out and created their own business empires both illegal and legitimate. As associates and apprentices to Rothstein, these men learned to cooperate in their businesses to create fixed prices and reduce damage to human life. Running the entire operation would have carried too many risks and required too much effort so once this apparatus was established with power-hungry gangsters running different components, cooperating and feuding with one another, he faded to the shadows to become a silent investor and profiteer of the illegal liquor trade. Although Rothstein took a large step back from directly controlling the illegal alcohol enterprise, he still commanded a few lawyers and small companies while his notoriety brought criminal and law-abiding citizens to seek out his sagesse. Rothstein retired as the system operator and instead became a bankroller for criminal enterprise, all the while raking in a profit of far more than he gave out. Having taken precautionary measures by abdicating direct control of the liquor

⁷ Lerner, Michael A. *Dry Manhattan: Prohibition in New York City* (Cambridge, MA: Harvard University Press, 2008) 261.

business, Rothstein's name held no blemish by the end of his life as he was never convicted of any crimes.⁸

One of the aforementioned men associated with Rothstein was Charles "Lucky" Luciano, née Salvatore Luciana, a Sicilian who immigrated to New York City with his parents in 1907 at age ten. The youthful years of nearly all of Prohibition's most notorious gangsters seemed to follow a specific pattern: leave school at an early age, commit crime, spend time in some sort of reform school, spend time in prison, become a member of one of the many pre-Prohibition gangs of New York City. Luciano fit this pattern as his teenage and early adult years following immigration to the Lower East Side consisted of him leaving school after eighth grade, committing petty street crimes, being sent to reformatory schools and eventually prison before joining the Five Points gang, known as the prep school for crime.⁹ Something that set Luciano apart from other Italian gangsters was the fact that he was raised in a section of the Lower East Side which had a large Jewish population, where he grew up with some future big-name criminals such as Benjamin Siegel and Meyer Lansky. Having been raised alongside the Jewish boys in his neighborhood, Luciano was not opposed to working alongside them, unlike so many other anti-Semitic Sicilian mobsters of the time. This attribute allowed Luciano to run an operation comprised of both Jewish and Sicilian partners (some of whom also ran their own separate gangs) and subordinates which, with the combined forces, was estimated to have numbered about two hundred men.¹⁰

⁸ Mappen, 36.

⁹ Mappen, 48.

¹⁰ Gosch, Martin and Richard Hammer. *The Last Testament of Lucky Luciano* (Boston: Little, Brown, 1975) 92.

Louis “Lepke” Buchalter was another criminal of Jewish descent who became prominent during the 1920s thanks to the advent of Prohibition. Like most of the well-known gangsters at the time Buchalter dropped out of school and fell in with the tough youths of his neighborhood in the Lower East Side where he was born in 1897, but not before completing his compulsory education through grade eight with recognition for his intelligence. Buchalter made a name for himself in the labor racket business, targeting the garment industry of mostly all Jewish workers. Between Lepke’s first arrest in 1915 and 1927, he spent time in jail for multiple arrests of grand larceny, armed robbery, and armed burglary, now a hardened criminal who would team up with other Jewish gangsters and become involved in labor slugging.¹¹ Buchalter joined a gang led by Jacob “Little Augie” Orgen, which at that time in 1922 was in a heated conflict with a rival gang over control of the labor slugging racket in the needle trades that made up a large portion of the New York City economy. Although an Irishman, Jack Diamond’s gang was hired to provide extra hands in labor slugging and bodyguard service to Augie as demand for labor slugging went up, resulting from the death of the rival gang leader. Buchalter did not like that Augie had invested in Diamond’s gang, and a difference in visions led the two men to dispute over the future of the labor racket business. In October of 1927, “Little Augie” was killed while in the car with Diamond who was wounded when three men began shooting at the car. It is believed that Buchalter and a few other rebellious members of Augie’s gang had orchestrated the attack, but the gangster code of silence prevailed and no one was ever indicted or convicted for the murder. After Augie’s death, Lepke was left in charge of the gang, power with which he would carry out his plans for the labor unions that Augie would never have agreed to.¹²

¹¹ Federal Bureau of Investigation, Louis Lepke Buchalter files, part 1 of 4.

¹² Mappen, 41.

One of the younger men who would come to criminal prominence during the Prohibition Era was Arthur Flegenheimer, better known as Dutch Schultz, who was born into a German Jewish household in Yorkville of Manhattan before moving later to the Bronx. In his adult years, Schultz told a reporter that he loved to read when he was a kid and most favored books about boys born into poverty who made something of themselves through hard work -- he had the American Dream. Schultz dropped out of school in seventh grade and worked for a short time to support his family until he found his way into the Bergen Gang in his teenage years and spent fifteen months in correctional facilities for crimes committed. His name began to come into strong recognition in 1928 when he fell into partnership with Joseph Noe, and together began a speakeasy and bootlegging operation in which they would truck in beer from a brewery in New Jersey to be sold in their own establishments or forced upon others with threat of violence. It was around this time with the expansion of operations that Schultz and Noe built up a gang of men, one of whom was Vincent Coll who would eventually depart to form a rival and will come up again in Chapter Two. Coll was not the only one vying for control of the bootleg operation as Jack Diamond appears to have been greatly opposed to the Schultz and Noe expansion. In October, 1929, Joseph Noe was killed by a man who was believed to have been a part of Diamond's own gang, which if true would certainly reveal that Diamond and Schultz were at odds over control of the bootlegging racket in the Bronx.¹³ Two months after Noe was killed, police raided one of the speakeasies now belonging solely to Schultz, finding "five hundred shotgun shells, fifteen hundred rounds of pistol ammunition, six pistols, two bulletproof vests,

¹³ Sann, Paul. *Kill the Dutchman!: The Story of Dutch Schultz* (New Rochelle, N.Y.: Arlington House, 1971) 118-119.

and a loaded magazine for a tommy gun”.¹⁴ The hit on Noe and the consequent raid that unearthed a weapons cache perfectly exemplifies the violence connected to organized crime in a time that people were beginning more and more to associate Prohibition with these dangers. Schultz was alone at the top of the operation now with rival gangs and the police circling like vultures. Dutch Schultz was shot and killed on October 24th, 1935, according to the Federal Bureau of Investigation who also wrote in a Memorandum for the Director that Arthur Flegenheimer AKA Dutch Schultz was killed in a gang hit, supposedly because he refused to peacefully surrender control over the bootlegging operation which he had worked so hard to build up.¹⁵

Although Jack “Legs” Diamond never became the richest of the Prohibition Era gangsters, his name comes up frequently in literature of the time, supporting the claim that he was the most well-known mobster in New York. Despite the fact that Diamond’s specific birthdate is unknown, it is recorded that he was enlisted in the army in 1918 at which time he was believed to have been nineteen or twenty years old. Historians are uncertain whether Diamond was drafted or if he joined up to avoid a term in prison, but he ended up as a deserter and never became a military man which may have changed the course of his life. As can be discerned from the previous profiles of New York City’s leading mobsters, Diamond was not afraid to challenge authority, nor did he ever discriminate in who he befriended or challenged. If someone was in his way -- no matter their standing-- there would be conflict.¹⁶ He was described by Dutch Schultz as a “cowboy” in the manner that he behaved because of his recklessness and

¹⁴ Mappen, 43.

¹⁵ Federal Bureau of Investigation, Arthur Flegenheimer (Dutch Schultz) files, part 3 of 5.

¹⁶ Mappen, 59.

neglect for prudence in challenging those who would in turn challenge his life.¹⁷ It is possible that some of Diamond's confidence in challenging New York City's leading gangsters came from the fact that he had been shot four times and survived, though mix ups with the hardest of criminals were likely the reason for his bullet scars.

Owney Madden was born in England in 1892 to Irish parents, but sent to the United States to live with his aunt in 1903. In 1914 was convicted of killing a man in a dispute over a girl and spent nine years in Sing Sing maximum-security prison until his release in 1923 at which point Prohibition was in full effect. He threw in with Billy Dwyer at this point who already had an established operation of warehouses, trucks, boats, and dirty politicians. Madden came into play as the boss who would carry out necessary violence and defend Dwyer's shipments from rival gangs, such as that of fellow Irishman Jack Diamond, who would look to steal the illegally imported liquor. Dwyer was eventually brought to trial in 1925 where it was leaked that he had greased the pockets of members of the Coast Guard and the police and owned a fleet of speedboats for bringing illegal alcohol to American shores, however, Madden nor their co-owned brewery were revealed and Dwyer only ended up serving eleven months in jail -- likely thanks to the bribed lawyers and judges who went to bat for him.¹⁸

While some of these men made it to old age, others died young in the 1930s, killed in the 1920s, years before the annulment of the 18th Amendment. It can be noted that the men who dedicated their lives to profiting from criminal activity were excluded from the normal function of the formal economy, and therefore felt the desire or forceful push to join criminal enterprises.

¹⁷ Sann, 303.

¹⁸ Thompson, Craig, and Allen Raymond. *Gang Rule in New York: The Story of a Lawless Era* (New York: Dial Press, 1940) 96.

No matter when they died, all of these men had become some of the most notorious gangsters in the history of New York City by way of the prohibition of alcohol and the opportunity to exploit the law with the help of Arnold Rothstein's illegal alcohol business blueprint.

Chapter Two: Lawless Streets

The 1920s came to a close with New Yorkers looking back on a decade of crime and corruption. This vice was created by the Eighteenth Amendment, the enactment of which was supposed to curtail crime and drunkenness to produce a reformed and bettered American society. By the late 1920s, opposition to the Eighteenth Amendment was climbing to new heights despite optimistic anti-Prohibition sentiments resulting from the election of Herbert Hoover to the presidential office in 1928.¹⁹ By 1929 New Yorkers were more displeased than ever with the noble experiment as the rates of crime, drunkenness, violence and corruption were peaking at their highest point in the last decade. Organized crime can be linked to all of the aforementioned, operating in the open with acts of violence and corruption while the people of New York lived each day in fear of what they may see or become implicated in. The early 1920s had of course included crime and corruption, however, organized crime operations generally took place away from the eyes of the public in speakeasies, nightclubs, breweries, and breweries where crime and violence were rampant behind closed doors and between tight gang circles. This chapter focuses on the emergence of organized crime from the underworld to the public sphere during the latter years of the Prohibition era, vitalizing the movement for repeal of the Eighteenth Amendment.

Experiencing a major change by the late 1920s, the speakeasy had, from a jovial place of drunken fun for the general thrill seeker, transformed into a scene of violence where organized crime became visible to the people of New York. The role of organized crime in the transformation of speakeasies and in turn, the alteration of public sentiment can be shown with the incident of the Hotsy-Totsy Club in July 1929.

¹⁹ Lerner, 255.

During the late hours of the night on July 14, 1929, an ex-convict called Simon Walker along with brothers Peter and William Cassidy walked into the Hotsy-Totsy Club for drinks and entertainment. This club was owned by Charles Entratta and Jack “Legs” Diamond, a gangster of Irish descent whose name so frequently arose during Prohibition that he was arguably the most well-known criminal in New York. As waterfront streetfighters, it is likely that the drunken Walker and William Cassidy were looking for a fight as they pounded on the bar and pushed around club staff until Entratta and Diamond intervened, with Diamond allegedly telling Walker that if he did not calm down he was going to get his head blown off.²⁰ The confrontation ended with William Cassidy and Simon Walker dead and a seriously injured Peter Cassidy. Although there were twenty five patrons in the club at that time, no evidence was ever brought forward against Diamond. This does not support a claim that the people of New York City were condoning criminal activity, rather the public was terrified to testify against organized criminals whose reputations indicated the wrath to be set upon anyone who came forward as a witness. Anyone who had witnessed a crime and could not be trusted to keep their mouths shut was either found missing or dead themselves, while each day news reports would highlight these incidents that so perfectly showed the deteriorating state of society after a decade of Prohibition.²¹

The occurrence of crimes that bore no witnesses to testify became a country-wide epidemic because of the influence and power of intimidation surrounding the notorious New York City gangs and their members. On June 23, 1929 the director of the City Affairs Bureau of the New York County Republican Committee, William Bullock, charged Police Commissioner Whalen of being incorrect in his contention that murder had decreased by eight percent during

²⁰ Mappen, 60.

²¹ Lerner, 257.

his tenure. According to the Chief Medical Examiner's records, the murder rate had actually increased by ten percent in the span of months during which the decrease was claimed. A detail that may have contributed to the erroneous statistic about this data was the number of convictions subsequent to the abundance of murders. The Hotsy-Totsy Club murder case is exemplary of this situation of terror where not one of twenty five witnesses to the killings would agree to testify out of fear of reprisal in a case with such notorious names. Bullock asserted that in 1928 there were only seven convictions for first degree murder out of more than 300 in Brooklyn alone.²² The *New York Times* published an article on an event that occurred November 7, 1932 in Newark, New Jersey when August Gobel was murdered in a gangland hit two years after he had witnessed the murder of prohibition agent John Finiello during a brewery raid in 1930. Gobel knew that his life would soon end this way as around the country, those loose ends who had witnessed or had knowledge of the death of Finiello were being killed off. After a five month stint in prison because of the part he played in the boiler room of the illegal Rising Sun Brewery, Gobel was free on bail and eventually came to work nights in another boiler room, this time of the Feigenspan plant. According to the plant engineer on duty on the night of November seventh, he came upon four or five strange men in the plant who tied him up before shooting eight fatal bullets into Gobel and wounding his assigned police guard. The murderers came and went as ghosts and were never found by the local police.²³ This incident is telling of what happened to those who testified or spoke about the lawlessness they saw, and speaks to the fear that had settled over the people of New York City and the nation in general as known criminals walked free in the streets.

²² "Finds Murder Gain in Whalen Regime." *New York Times* (Jun 24, 1929).

²³ "Gang Shots Silence Witness of Murder." *New York Times* (Nov 08, 1932).

Although crime had been prominent in bars and lounges prior to Prohibition, the frequency and severity of criminal activities all around in New York saw a major increase during the first decade of the noble experiment.²⁴ Murder had become the most common signifier that the lively and carefree atmosphere of the previous decade was taking on a darker, more ominous mood by the late twenties and early thirties. The epicenter of crime during the late 1920s appeared to be the speakeasy of which there were an estimated 32,000 in New York City alone at this time.²⁵ An exemplary incident took place in February 1933, when a man entered Porky Murray's speakeasy for a late drink at 2:30 in the morning to find the place deserted. After searching the bar he found the dead body of the bartender as well as a man and woman whose only fault was likely the fact that they had been present when another drunken patron had attacked the bartender. The speakeasy which had at one time been a safe haven for any prospective consumers of alcohol was now becoming a common location for more serious crimes like robbery, assault, or murder.

Major Maurice Campbell, prohibition administrator for New York, believed that the rise in crime was due to nothing more than the quantity of speakeasies strewn about the city and the inefficacy of the police force in shutting them down. The front page of the New York Times on January 14, 1930 showcased an article written on Major Campbell's views as he disparaged Mayor James Walker and Police Commissioner Grover Whalen on their lackadaisical efforts in the "speakeasy situation", where Campbell claimed that ninety percent of crime was occurring at this time. Information in this newspaper article was published with details gleaned from an

²⁴ Lerner, Michael A. 2008. *Dry Manhattan : Prohibition in New York City*, 258.

²⁵ "Whalen Says City Has 32,000 Speakeasies and Lays Crime Increase to Prohibition." 1929. *New York Times*

annual Anti-Saloon League meeting as Major Campbell spoke with Federal Prohibition Commissioner James E. Doran. Campbell had appealed to Governor Franklin D. Roosevelt a few weeks before, asking for a new approach to be taken to “rescue this great city from the stranglehold of the underworld”, in which the speakeasy and its inherent crime would be combatted through the criminal penal codes rather than those policies of prohibition which had proved thus far unsuccessful.²⁶ On the fourth of April nine months prior to this meeting, Police Commissioner Whalen had responded to the speakeasy issue in an address at a Rotary Club function. Contrary to Campbell’s belief and criticism that the saloon was worse than the speakeasy, Whalen had stated that a saloon could be easily wiped out while the police force of 18,000 struggled to even make a dent in the number of speakeasies throughout the city because, in his words, “all you need is two bottles [of alcohol] and a room and you have a speakeasy”. As will be covered in a later chapter, Campbell viewed the speakeasy issue as an easy fix if Whalen would implement Section 1,530 of the State penal law rather than attack speakeasies with policies of the Volstead Act. On April 14, 1929, New York Times journalist C.G. Poore wrote an article about speakeasies with attention to how the Police Department and Prohibition agents are working to combat the institutions. Poore highlighted the fact that, because the number of speakeasies was estimated to outnumber the police force at least two to one, the Police Department focused its resources towards busting those establishments most commonly known to harbor criminals. Along with the police force, the Federal Prohibition enforcement would carry out raids and often padlock known establishments known to be selling liquor. Poore reported something puzzling in his article, stating that the estimated 32,000 speakeasies were

²⁶ “90% of Crime Here Laid to Speakeasy: Campbell Says Whalen Ignores Complaints.” *New York Times* (1930).

those known to the police force. It would seem fitting that the Police Department, knowing which establishments were selling illegal alcohol, would shut the establishment down for good. Commissioner Whalen stressed that it is impossible to shut down all speakeasies because of legal restraints in carrying out governmental law, all that can be done is arrest the men running the establishment and the criminals gathered there. He stated that this proved essentially ineffective because as soon as a speakeasy was shut down and its owner arrested, a new operator would come into place and open a new speakeasy in the same location.²⁷ The law seemed to be inhibiting its own law enforcement officers, without there appearing to be any interest in the installation of new laws that would allow Prohibition agents and police officers to effectively shut down a speakeasy for good. To make the matter of ineffectiveness worse, it was extremely difficult to prosecute the most well known criminals who were taken into custody in these raids because these men were the most well connected with a web of political ties which nearly guaranteed their ability to act with impunity.

Although for the most part criminals worked behind closed doors away from the innocent eyes of the public, there were times when gang business spilled into the streets, often with fatal effect. While people were aware that their illegal beverages were in some way connected to criminal organizations, it was a fact they were able to ignore until “every few weeks, if not every few days, New Yorkers were given fresh evidence of the underworld’s violent involvement in the liquor trade”.²⁸ A shooting took place on the evening of July 28, 1931 outside the Helmar Social Club where five-year-old Michael Vengalli was killed and four other children were

²⁷ Poore, C.G. “Speakeasy Census Shows Brisk Trade: The Police Have Counted 32,000, But None Can Say How Many More There Are in New York”. *New York Times* (Apr 14,1929).

²⁸ Lerner. *Dry Manhattan*, 263.

injured while they played in the crowded East 107th Street. The man behind this horrific incident was twenty-three-year-old Vincent Coll who opened fire in the street in an attempt to kill Joey Rao, a gangster in the rival gang of Dutch Schultz, to gain an upper hand in the war for the city's beer-running operations. Such an event was seen in the newspaper by all and discussed throughout the city streets, attracting the attention of New York Governor Franklin D. Roosevelt and provoking Mayor Walker to declare war on organized crime and issue a shoot to kill order on Coll should the police encounter him. The actions by Coll showed an utter disregard for human life, placing the opportunity to gain an upper hand in a gang war above the lives of all those children and parents in the street that evening. For the people of New York City, this competition for business and profit became extremely problematic as it seemed to now outweigh the price of endangering young lives. The days following the death of Michael Vengalli saw the usually bustling and noisy street take on a quiet disposition as people all but silently shuffled through the block. Of all the dozens of people present on the street or peeking out the windows of the adjacent five-floor apartment building, hardly anyone -- including the parents of the wounded children -- would admit that they had seen the car or men involved in the shooting for fear of violent reprisal. Even in the face of a crime so heinous, fear still stood as an overpowering force inhibiting the police from gaining enough information to make meaningful arrests in the case.²⁹ The killing of young Michael Vengalli was not the only murder of an innocent child that made the headlines in the *New York Times* during the summer of 1931. A twelve-mile car chase and pistol fight took place through the Bronx and Upper Manhattan on Friday August 21, 1931. There were six lives lost during the long pursuit as two policemen, three bandits, and four-year

²⁹ "Gang Murder of Boy Stirs Public Anger: Governor Calls Shooting of Five Children on Upper East Side 'Damnable Outrage.'" *New York Times* (Jul 30, 1931).

old Gloria Lopez were killed by pistol fire. Gloria had been fatally shot when her parents' car crossed into the line of fire between police and the fleeing bandits. Eleven others were wounded, most being bystanders while only three were policemen. The chase ensued after a hold-up at the Mendoza Fur Dyeing Works at 712 East 133 Street where a police guard was shot and killed as bandits tried to escape with 4,619 dollars. With such an intense emotional toll taken on the community, President Hoover issued word that this incident had increased the determination of government authorities to bring an end to racketeering and gangs in America's largest cities.³⁰ Although the robbery and shootings were never connected to racketeering, the impacts of the event showcased a disregard for the law that was appearing more and more to be a product of Prohibition.

³⁰ "New War on Gangs Opened by City With Federal Aid; 3 Shot In Street May Die: Victim of Street Battle." *New York Times* (Aug 23, 1931).

Chapter Three: Public Displeasure

When the Eighteenth Amendment was ratified into the United States Constitution in 1919, dry lobbyists knew that New York City, consistently the strongest opposition to dry laws, would be the hardest to control under the Volstead Act.³¹ They understood that the city would be a microcosm of the experiment in the whole country, determining if the sustained enforcement of Prohibition was possible. In other words, it seemed, if it could be done in New York City whose inhabitants spent a million dollars a day on alcohol in 1913, then prospects looked good for enforcing the law on the federal level.³² The failure of the experiment is most simply exemplified in a question that came from Gustav Boess, the mayor of Berlin, who was visiting New York City in the fall of 1929 and innocently inquired, “When does the Prohibition law go into effect?” Even after a week-long official tour of a city that was under dry law, an outsider could find no evidence to cue the idea that Prohibition had been established for nearly a decade.³³ By the late 1920s people were fed up with the frequency of gang violence in New York City, while also expressing strong feelings of displeasure toward the governmental push for aggressive enforcement of Prohibition law. To New Yorkers the policing of alcohol felt like a cash drain as Prohibition enforcement agents could rarely catch and almost never convict any big time criminals, while the average citizen of NYC was being harassed by enforcement provisions funded by their own dollar.

³¹ Lerner, 8.

³² Cherrington, Ernest H., ed. *Anti-Saloon League Yearbook 1913*, pp. 173-174. Westerville, Ohio: American Issue Press, 1913.

³³ *New York Times*, September 24, 1929, p. 8; September 25, 1929, p. 64; September 26, 1929, p. 18; September 24, 1929, p. 8; September 28, 1929, p. 12; September 29, 1929, Section XX, p. 9.

U.S Attorney Nat Harben seems to have voiced a truth that so many Americans were feeling in the final years of the Roaring Twenties when he said, "... this tragic farce has lasted long enough. The time has come for the people to put an end to Prohibition together with its army of paid spies, snoopers, grafters, fanatics, bootleggers, prisoners, and murderers. They have no place in an American Democracy."³⁴ The roar was over, the hope of the earlier years was replaced by the realization that the noble experiment had not only failed in its goal to create a better American society -- it had completely backfired. Being caught in the crossfire of gang hits or shootouts between criminals and law enforcement was not the only fuel for the fire that burned with the New Yorker's desire for change. Although the root of all issues was organized crime in its obvious takeover of the city, it can be argued that it was the government response to the gangster issue that really displeased people to the point where they would actually do something about it. This chapter will detail some of the law enforcement actions and menaces faced by New Yorkers, all of which were directly inscribed by the government and ranged from minorly vexing to fatal.

Dangerous Alcohol

One of these contributions to public displeasure was the danger that was posed to those who desired alcohol at a time when it was a prohibited substance. For those who still craved a drink, the illegalization of alcohol necessitated that they obtain that drink through very dangerous means, or that the very drink itself was of unsafe quality. Home stills became extremely common in lower-class neighborhoods as they could be bought from a hardware store for as little as six

³⁴ *Irish World*, January 8, 1927, p. 4.

dollars, and instructions for use found in publications available in public libraries.³⁵ These illegal stills stood as a great threat in that their operation was being directed by outdated instruction manuals and they were liable to explode. While a home still was cost-efficient and could provide enough strong liquor for a household, criminal organizations saw a profitable market in the business of “alky cooking”. They set up large commercial stills for a 500 dollar investment that could pay for themselves in four days and only produced pure revenue thereon. Stills were nearly impossible to regulate for the police as they were only confiscating on average five per day while there was an estimated 50,000 spread throughout the city.³⁶ In addition to the danger of explosions, the liquor produced through homemade stills (especially in the operation of syndicate stills) almost always contained leftover chemicals from the distilling process. A danger that was actually imposed directly by the federal government itself under the Volstead Act in an attempt to curb the drinking of alcohol was the plan to add poison to industrial alcohol so as to prevent its use for human consumption.³⁷ In the money-making schemes of organized bootlegging operations, this denatured alcohol was used and was indeed distilled to try to remove the harmful additives yet small amounts remained and were consumed by drinkers who would later have to deal with the long-term health consequences caused thereby. No amount of money nor social status could guarantee that one would be consuming untainted alcohol as in 1926 the Social Science Research Council found that 99 of 100 liquor samples that were tested contained a harmful byproduct of the distilling process. The office of U.S. Attorney Emory Buckner did tests of their own and reported to Congress that in a two year period they had found that 98 percent of

³⁵ Nelli, Humbert S. *The Business of Crime: Italians and Syndicate Crime in the United States*, 159. Chicago, Illinois: University of Chicago Press, 1981.

³⁶ *Ibid.*, 162.

³⁷ Lerner, 259.

liquor samples were found to be impure; a conclusion that would only be further supported by the investigations of the New York Telegram who conjectured that the tainted alcohol “was as likely to show up in the city’s most exclusive clubs as it was in waterfront dives.”³⁸ In 1928, in a move of desperation as the Police Department and Bureau of Prohibition were at odds, the federal government announced that it would be doubling the amount of poison put into the industrial alcohol supply so as to avert its use in consumable alcohol production.³⁹

Poisoned liquor was not the only problem that plagued New York, as even untainted alcohol was consumed in substantial quantities as a result of the culture that had grown up around the illegal substance. Alcoholism became rampant during the 1920s as consumption of illicit beverages had become inextricably linked to an image of urban sophistication and social excellence that blossomed and grew under the circumstances of Prohibition.⁴⁰ This period seems to have been the birthplace of the stereotypical image of the troubled writer or artist who embodies crippling alcoholism paired with creative genius. One photographer and writer described the life of an artist in New York City in the 1920s as one of overindulgence; an endless cycle of drunken binges that would end in the later hours of the morning and begin again the next night.⁴¹ The Social Science Research Council reported in 1926 that alcoholism wards were consistently filled in hospitals that serviced people of all economic classes, showing that alcoholism did not discriminate and was not exclusive to any group of people in New York City’s raucous life of excitement. In 1930 a medical examiner in the city recorded 625 deaths

³⁸ Lerner, 259.

³⁹ Lerner, 269.

⁴⁰ Lerner, 260.

⁴¹ Douglas, Ann. *Terrible Honesty: Mongrel Manhattan in the 1920s*, 22. New York: Farrar, Straus and Giroux, 1996.

that were caused by poisoned alcohol, while another 1,295 lives were claimed by alcohol-related incidents.⁴² While alcoholism was a vast epidemic in New York City, affecting people of all types, there remained a stigma surrounding the illness. It is important to note that this stigma could have caused unreliability in the aforementioned statistics, as families would not have wanted alcohol to be included on a loved one's death certificate, leading historians to believe that the actual number of deaths from poisoned alcohol or alcohol-related issues was much higher.⁴³ It was also marked that arrests for drunkenness had steadily increased in the 1920s to that point in 1926. Drivers' licenses were being revoked at an unprecedented caliber and drinking among children was a growing and ominous occurrence. A probation officer in the city observed children as young as ten years old being brought into the police station while nearly unconscious after having bought their own drinks, likely from some divey speakeasy or other vendor of alcohol. This issue in its occurrence and frequency was just one of many problems indicative of the type of culture that was fostered under the circumstances of Prohibition and spurred the need for the end of the status quo.

Law Enforcement

The severe manner in which Prohibition law was being enforced caused New Yorkers to be cracked down upon harder in the late 1920s than at any point in the last decade. Congress passed the Bureau of Prohibition Act in 1927. The Jones Law followed in 1929 to revitalize the enforcement efforts of Prohibition standards nationwide. The former policy would largely increase the salaries of the bureau's agents and replace over half of the staff who must have been deemed as ineffective in holding to the goals and standards laid out under Prohibition legislature.

⁴² Social Science Research Council Papers, Box 5, Folder 2, Survey of City Testing Labs, 1926.

⁴³ Ibid.

In 1928 The Bureau of Prohibition Act introduced a man, Major Maurice Campbell, into the city as the new Prohibition administrator. Campbell, who came up in Chapter Two, became known as the bane of wet New York as his name was in the daily headlines for his aggressive and no-nonsense attitude towards policing alcohol sales in the city. He had no problem with making enemies in high places and did not hesitate to embarrass the New York Police Department in raiding establishments known to serve alcohol to law enforcement officers.⁴⁴ During his three year stay as Prohibition administrator of the city, it seemed that Campbell deliberately targeted the most notable businesses, possibly to strike fear into those lesser operations in showing that no one would be spared from the law.⁴⁵ New Yorkers had not previously had reason to fret about the level of policing on the sale of alcohol because until this point it had been almost negligible when compared to the amount of consumption and production throughout the city.

Campbell's aggressive tactics managed to get a rise out of the people of New York who began to complain and even form organized protests by the hundreds and even thousands. The response of New Yorkers being pushed nearly to their limit by Campbell and agents of his office, could be seen on April 25, 1930, as people gathered outside the extremely popular Hollywood Restaurant Club by the thousands in jeering protest as a raid was in process and while twenty seven prisoners were taken out of the building into custody. Of 600 patrons in the establishment that night, only eleven were arrested when it is more than likely that there were hundreds of others drinking, which seems to support Campbell's intent to employ fear tactics in scaring people and businesses away from disobedience of the law.⁴⁶

⁴⁴ Kobler, John. *Ardent Spirits: The Rise and Fall of Prohibition*, 236. New York, NY: Da Capo Press, 1973.

⁴⁵ Lerner, 260.

⁴⁶ "Seize 11 Hip Flask Patrons In Broadway Nightclub" (1930, Apr 26). *New York Times*

An important detail of this incident is the fact that up until this point arrests for carrying hip flasks were an extremely rare instance. These tactics, and Major Campbell's general demeanor as the face of Volstead Act enforcement in the city, only added fuel to growing sentiments of resentment towards the Bureau of Prohibition as animosity was mounting. It seemed that the policing of Prohibition law was increasingly targeting, or at least, apprehending the small-time offenders. This feeling was catalyzed by another raid two months later on the night of June 24 at the Central Park Casino, a popular city-owned venture which was known to frequent high-profile guests such as Mayor James Walker who was said to have been a regular. That particular night the guestlist included a Cuban government representative, a Brazilian colonel and government attaché, Bernard K. Marcus the President of the Bank of America, and several city judges and city officials. Although the nineteen arrests made did not include any of the notable individuals, save for an attorney, the intrusion by Campbell's bureau on an event with such esteemed guests again showed his unwillingness to back down or grant any sort of clemency to anyone -- no matter their name or status.⁴⁷

The Jones Law, enacted in 1929 as it passed through Congress with crushing insistence from dry lobbyists, alongside Major Campbell became a new threat to innocent drinkers -- the likes of which had not been seen. Until this point, first-time offenders of Prohibition law were sentenced a maximum sentence of six months in prison and were required to pay a one thousand dollar fine. The Jones Act, known informally as the "Five and Ten Law", now prescribed that first-time violators of the Volstead Act were subject to a maximum of five years in prison and had to pay a fine of ten thousand dollars. If unable to pay the fine, first-time violators now had to

⁴⁷ "Park Casino and Ritz Raided For Liquor" (1930, Jun 25). *New York Times*

work off the debt at the rate of one dollar per day which could effectively imprison someone for life as it would take thirty two years to pay the fine under Jones Act provision.⁴⁸ Considering that the Jones Law was implemented in 1929 and the previously mentioned accounts of the arrests made during Campbell's raids took place in 1930, all of those people were to some degree subjected to the harshness of the new conditions; however, as they were found in rather prestigious establishments, it seems safe to assume that the offenders would not have suffered the the worst that the Jones Act had to offer in imprisonment for more than a prescribed sentence. There was indeed a large gap between the rich and poor of New York City, but the introduction of the Jones Law increased the depth and width of that chasm to the point that the inequities would now determine the difference between five years and thirty two years of federal imprisonment. Someone who could pay the fine would get minimum time in jail, while a lower class drinker could spend a third of their life behind bars if they did not have the funds to pay the necessary fine. Under Campbell's control, the bureau in New York was filling Manhattan federal courts with petty offenders who would not be categorized as having substantial income such as bartenders, waiters, and peddlers. People of these occupations were the working class and likely had to work during their prison sentence in order to pay off their ten thousand dollar fine. It soon became apparent that it was undeniably easier to catch the working man having a beer after a long day in a speakeasy raid than to catch wealthy folks drinking their private stash of liquor in their homes or clubs; easier to padlock a divey speakeasy than to shut down the operations of a hotel or famous nightclub.

⁴⁸ "Coolidge signs bill for stiff dry penalties" *New York Times* (Mar 03, 1929).

The average New Yorker who used to be the archetype of a law abiding citizen and was counted on to be a cornerstone in the existence of law and order was now becoming an enemy who was viewed and treated as an enemy of justice. This new rendering of New Yorkers contributed even further to widespread feelings of distrust in the government and the tendering of a hostile attitude toward Prohibition statutes as repression became more severe, and the gravity of the level of interference and invasiveness of the constitutional amendment became evermore clear. Although Campbell's raid of big-time establishments did not give off the impression that there was an inequality in who was susceptible to punishment for Prohibition violations, the fact of the matter was that it was simply easier to apprehend the tired working class drinker than the lofty rich drinker tied up in state financial interests. Therefore disseminating a public depiction of Prohibition in which the lowly and insignificant were persecuted while the rich were granted immunity by default. Under this impression the working class also came to resent their employers who insisted that they resist the temptations of alcohol for the sake of industrial integrity, while they were known by their employees to some degree to be drinkers themselves.⁴⁹ Resentment was also found to be aimed at non-urban folk as big city inhabitants, like those in New York City, felt that Prohibition and all of its amped up mitigation measures were the idea of country dwellers who wanted to impose their ideals on city life.⁵⁰

Despite the enforcement of the hyper-aggressive provisions of the Jones Law, New York City remained sopping wet and its inhabitants did not show any more signs of being stymied than they had the past decade -- the consumption, sale, and violence surrounding alcohol continued on

⁴⁹ Report No. 2 on the Enforcement of the Prohibition Laws of the United States, 97, January 7, 1931.

⁵⁰ Ibid.

without pause. While not serving as a deterrent from drinking, the Jones Law did manage to fill city and state prisons in New York to their capacity and even to the point of overflow. Both the city prison on Welfare Island and the state prison were reaching their limit but were pushed even further with enactment of the Jones Law as the prisons' populations of 1926 had already reached their highest point in fourteen years at 1,800 and 7,200 respectively.⁵¹ This overflow caused a disruption in the operation of the penal system attempted resolution in the form of the bargain method by which anyone arrested for a violation of Prohibition law could plead guilty and provide information about how they got their alcohol, who and where they got it from in order to get a reduced sentence or no jail time at all (the sentencing was at this point left purely to a judge's discrimination).⁵²

The precarious situation of negativity surrounding the enforcement of Prohibition was worsened in 1929 when interdepartmental issues emerged with new ferocity as the Bureau of Prohibition and NYPD began to clash after the appointment of Grover Whalen as the new police commissioner. Already deeply unhappy and plagued by Campbell and the Jones Law, New Yorkers' frustrations would increase even further as another forceful and spirited law enforcement leader came into play in Commissioner Whalen. Whalen and Campbell fought each other nearly every step of the way for years as each had their own ideas on how to best enforce Prohibition in New York City -- aggravated further by their craving for the spotlight which led to the matter of their disunion and many disputes becoming public knowledge. In a time when law enforcement was integral in the preservation of both general order and Prohibition standards, the

⁵¹ Lerner, 266.

⁵² Report No. 2 on the Enforcement of the Prohibition Laws of the United States, 101, January 7, 1931.

disjunction of Whalen and Campbell and their respective offices supercharged the wet movement's claim that "the dry crusade had set the nation on an impossible law enforcement mission."⁵³ Commissioner Whalen, in his first move with newfound power, declared war on the criminal underworld of New York in January 1929. Whalen's measures for cleaning the city included hundreds of raids per week on nightclubs and speakeasies as NYPD officers smashed bars to bits with hatchets and padlocked any lowly establishment rumored to have served alcohol. Despite all of the showmanship, Whalen's efforts did not make the city noticeably drier, nor did he make any evident impact on the reduction of the crime rate to make the city safer. His methods and system for putting a stop to organized crime violence seemed only to serve as harassment of the average New Yorker desiring a drink rather than having any substantial influence on the curtailment of violent crimes afflicting the city.

The nuisances of Campbell, Whalen, and the Jones Law led to spontaneous outbreaks of emotion that sometimes became physical. The strictness of Prohibition policies at the turn of the decade transformed the streets, nightclubs, and speakeasies from places where Prohibition and police officers were welcomed with revelry and drink into hostile territory where patrons, tired of the Prohibition nuisance, would even attack law enforcement agents. "According to *Variety*, which regularly tracked these incidents as barometers of public opinion, 'vicious battles' were breaking out regularly between agents and patrons in nightclubs and speakeasies by the early 1930s."⁵⁴ Two exemplary moments of this aggression occurred in nightclubs as in one instance a woman leapt out of her seat and scratched the face of a Prohibition agent in the face, and in another when a man punched an agent in the face and broke his nose for harassing patrons of the

⁵³ Lerner, 267.

⁵⁴ *Ibid.*, 269.

club.⁵⁵ These incidents provide further evidence in favor of a view that enforcement of Prohibition was the leading to the deterioration of respect for the law as the average New Yorker, who was previously counted on to be the chief upholder of the law, was now being persecuted as a criminal and began to lash out and distance themselves from order in response.

As the 1920s wore on, the massive expenditures of both the federal and municipal administrations began to appear implausible as they poured money into the sinkhole that was the enforcement of Prohibition law. Along with the fact that New Yorker taxes were in part paying for these expenses with their tax dollars, public displeasure with the federal, state, and local government soared to new heights. The situation was inflamed when the Great Depression struck New York City harder than any other place in America, leaving nearly two million people out of a job, and its inhabitants felt that their welfare had been put on the back burner in favor of salvaging a doomed experiment in the dry crusade. Critics of Prohibition saw this as the opportunity that the country needed to repeal dry laws, as an estimated tens of thousands of jobs would open up in the city alone if alcohol production, sale, and consumption were legalized. It seemed to be an obvious solution, or at the very least a humanitarian attempt at fixing the ailment of the country's economy, as the liquor tax the year before the passing of the Volstead Act had provided the federal government with 483 million dollars and was foreseen to significantly exceed that number if dry policies were terminated.⁵⁶ Economic strife had been added to the pot of Prohibition conditions that tormented New York City along with the social and health crises. As people suffered in New York City more than anywhere in the country, their animosity toward

⁵⁵ *Variety* (January 5, 1932) 9, 35.

⁵⁶ Library of Congress, Association Against the Prohibition Amendment, "Cost of Prohibition and Your Income Tax", 2. New York: 1929.

the government's insistence on Prohibition enforcement seemed to peak as the federal government was dedicating 16 million dollars per year to the dry crusade and spending nearly 75 thousand dollars on each of Major Campbell's infamous raids.⁵⁷ Finally coming to understand the full gravity of the Eighteenth Amendment as one of the most intrusive and expensive additions to the United States Constitution to date, with unintended consequences like the widespread corruption and crime that plagued the city and nation as a whole, the inability to terminate or even decrease rates of alcohol consumption, and the complete flop of the law's sole purpose of creating a safer and more benevolent society, New Yorkers began to decided that a repeal could not be put off any longer.

⁵⁷ Ibid., 5.

Chapter Four: The Repeal

The Great Depression struck America in the summer of 1929 after the crash of the stock market in October of the same year. Unemployment rose to nearly fifty percent in large cities like New York, and many of those who retained their jobs were reduced to part time.⁵⁸ At this time during the crucial years between 1929 and 1933 the country looked to President Herbert Hoover, widely viewed as the nation's leading dry proponent. Hoover, as the face of the country, was perceived by New Yorkers as being an agitator in the twin crises as his persistent support of Prohibition was compounded by the ill effects of the Great Depression. The prominent issues of Prohibition and the Depression began to stack against the incumbent president as people began to directly associate the decline of the country's social and economic welfare with political instability and President Herbert Hoover and the Republican Party at the helm. The 31st President's laissez-faire attitude both in terms of the economic state of the country as he resisted the granting relief policies while insisting that the market would correct itself, and his decision to stay the course of Prohibition even as it became apparent as an experimental disaster, made him a subject of hatred in troubled times as an ineffective problem solver.⁵⁹ His maintenance of the status quo through apparently negligent moderation and refusal to make the necessary drastic changes on neither the front of Depression nor Prohibition, even at the behest of his administration presented itself as Hoover's reactions to the report made in January 1931 by the National Commission on Law Observance and Enforcement. This entity was appointed by Hoover in 1929 with U.S. Attorney General George Wickersham leading a special panel tasked with studying Prohibition

⁵⁸ Lerner, 289.

⁵⁹ Kennedy, David M., *Freedom from Fear: The American People in Depression and War, 1929-1945* (New York: Oxford University Press, 1999) 58.

to generate recommendations for its improvement. This panel determined, in 1931 that, “since the passage of the Volstead Act, drinking in the United States had increased, bootlegging and corruption had become more serious national problems, and public trust in law enforcement had eroded significantly.” All that having been acknowledged, five out of eleven of the panel members still recommended that Prohibition continue on without significant changes while the rest declared it enforceable -- two of those six people vied for immediate repeal while the other four suggested legalization of only beer and wine in a modificatory appeal.⁶⁰ The report for which it took two years to assemble and assess data and observations concluded in a manner that was almost entirely inconclusive, and gave President Hoover no reason to move toward repeal of the Eighteenth Amendment as the summary statement claimed that Prohibition had created an atmosphere in which the country was declining but that it was best to continue the enforcement of dry laws.⁶¹ Soon after the release of the report, a humorist submitted a poem to the *New York World* newspaper that satirized the commission’s findings which read:

Prohibition is an awful flop.
We like it.
It can't stop what it's meant to stop.
We like it.
It's left a trail of graft and slime
It don't prohibit worth a dime
It's filled our land with vice and crime,
*Nevertheless, we're for it.*⁶²

⁶⁰ Lerner, 274.

⁶¹ *Official Records of the National Commission on Law Observance and Enforcement*. Washington, D.C.: United States Government Printing Office, 1931.

⁶² Kyvig, David E., ed., *Law, Alcohol, and Order: Perspectives on National Prohibition* (Westport, CT: Greenwood Press, 1985) 11.

Hoover had been relying on this committee to produce a report that would help him, one way or the other, determine the best possible course of action for the United States -- instead he was provided with ambiguous and self-contradictory information which allowed a laissez-faire attitude to win out over the prospect of modifying or terminate Prohibition. The report and the panel's commission as a whole were deemed a waste of time and resources by wets and dries for its inconclusive findings and as, in the end, it had only deduced something that was widely dubbed common knowledge: that the Prohibition law was impossible to enforce. Even without the support of a definitive commission report, Hoover's subjection of the nation to the continually failing dry experiment and the decision to let the economic crisis continue without governmental aid caused a large decrease in voter support of the incumbent president as it seemed he was wildly out of touch with the needs of the American people. The severe conditions of the early 1930s with the mix of indignation over Prohibition and despondency over the Great Depression created a climate that finally made a realistic possibility of repealing the Eighteenth Amendment. The dry lobby's demand for the continuation of Prohibition against all the factors that begged action in the opposite direction was comical as the nation was so clearly crumbling that even some of the more devoted dries had to admit that the dry law could not be taken seriously amidst the crippling economic crisis.⁶³ It seemed that Hoover was hung up on two things that would not allow him to, in good conscience, move in any direction contrary to Prohibition law: one being that he did not want to disgrace all of the dry lobby support he had garnered in the 1928 election, and the other being that he felt, as President of the United States, a strong obligation to stick by the American Constitution and its amendments. The nation's wets

⁶³ Fausold, Martin L., *The Presidency of Herbert C. Hoover* (Lawrence, Kansas: University Press of Kansas, 1985) 127-129.

needed a leader who could do what many were unable to do and propel the wet movement into a position where they could finally rid themselves of the failed noble experiment.

The Campaign

This leader came in the form of a woman named Pauline Sabin who created the Women's Organization for National Prohibition Reform (or WONPR) after leaving the Republican National Committee in an act of what may have been foresight considering the status of the Republican Party in the following years leading up to the 1932 presidential election. By 1930 the WONPR had gained momentum that crossed the borders of New York and boasted a national infrastructure of support that surpassed that of all other repeal movements including the Association Against the Prohibition Amendment. Al Smith, who had served as Governor of New York from 1923 to 1928 and was a strong advocate for repeal, fell from political fashion in 1928 after losing the presidential election to Herbert Hoover and the wet hopes for the end of Prohibition fell with him. No one was able to obtain support on the scale that had backed Al Smith until Sabin came to prominence and gained a national base of supporters, which invigorated the masses of America who desired to see the repeal come as swiftly as possible. Sabin used the mistakes made by Smith in the preceding years to her advantage and broadened her scope of outreach and appeal, seeing the power that women would have in challenging the dry lobby. She also steered away from taking the time to appeal to the group of upper class elites, who had been previously used as a tone-setter for other repeal organizations momentum, accumulating support from the middle and working-classes by acknowledging the disproportionate and classist application of Prohibition laws that were examined in Chapter 3.

Sabin's strategy differed greatly from anyone who had taken up this task before her in that she appealed as nonpartisan by declaring that the WONPR would cast their support and votes in the direction of "any and all political candidates who favored repeal, regardless of party" -- a move that contradicted Al Smith's message that repeal fell on the shoulders of the Democratic Party.⁶⁴ Sabin's campaign for supporters of the repeal movement was given further validation with the publication of two polls by the National Economic League in 1930 and 1931 which both collected that the top three concerns of American citizens -- even during the devastation of the Great Depression -- were Prohibition, Administration of Justice, and Lawlessness/Disrespect for the Law.⁶⁵ These polls are exemplary of the way that Americans and New Yorkers and other big city inhabitants were feeling in the early 1930s as they show just how much organized crime syndicates and their offspring had negatively impacted the nation, and highlight the fact that Americans blamed the unchecked surge of crime on the conditions created by Prohibition. Dry opposition to the WONPR insulted Sabin and began to associate the organization with the culture of New York City; aiming to hinder support by claiming that if the WONPR succeeded in its pursuit then the nation would become tainted with the same lawlessness and corruption that plagued the nation's wettest city. The association of New York City with the wet movement was dangerous for the repeal movement while there was no secret in what went on in the city with all of the problems that resided there as a result of it being the wet capitol of the nation. Because New York City was widely understood as holding the roots of the repeal movement, the equation of permissive and crime-riddled culture and the wet lobby for repeal was unavoidable. The dry

⁶⁴ Rose, Kenneth D., *American Women and the Repeal of Prohibition*, pp. 91-92. New York: New York University Press, 1996.; Lerner, *Dry Manhattan*, 277.

⁶⁵ Allen, Frederick Lewis, *Since Yesterday: The Nineteen-Thirties in America*, 31. New York: Harper and Brothers, 1940.

lobby used this to their advantage in every way, creating a narrative to strike fear into the hearts of rural constituents that resulted in strong anti-New York sentiment to be used in the harassment and complication of the growing wet repeal movement. This strategy seemed to work as some wets across the country were having a hard time getting behind New York as the lead role in the repeal movement, and many more believed that they may not be able to seal the deal because of the controversy surrounding New Yorkers as the foremost advocates of repeal. In a letter to the editor of the *New York Times*, a pro-repeal California man commented on the pictures of rich women in New York City collecting small change to help the repeal campaign, stating that those antics would push the small-town and country folks to the dry side of the debate and that these images of the repeal leaders would be the downfall of the movement.⁶⁶ Sabin proved to be far more adept at leading the repeal campaign than Al Smith as her even-keeled responses to both dry and wet critics shut down routes of displacing the movement, and her proactive approach mitigated problems surrounding the image of the WONPR as an organization of urban elite-class socialite women who wanted to be free of Prohibition so they could enjoy their cocktail parties. Through Sabin's cross-country effort to enlist support for repeal, she was able to establish an irrefutable foundation of women against Prohibition from all walks of life as the WONPR membership was made up of 37 percent housewives, 15 percent industrial workers, 19 percent office workers, 15 percent businesswomen, with the rest of unknown vocation.⁶⁷

⁶⁶ Rogers, Will. "Mr. Rogers Appears a Bit Cool To the Clamor of the Wets". (1932, May 20). *New York Times*.

⁶⁷ "200,000 Women Join Wet Drive in Month: Membership of Organization Rises to 900,000 With Branches Active in 42 States". (1932, May 29). *New York Times*

What could be regarded as the fatal blow in the war of wet versus dry came in 1932 as the repeal movement was peaking and dry organizations seemed to be at their weakest point in over a decade. This blow came in the form of Sabin and the WONPR claiming that they were the true advocates of temperance in the United States with the argument that legal and regulated supply and sale of alcohol would lead to more temperance than had been seen since Prohibition began over a decade ago. This claim was supported by Sabin's insistence of the WONPR being a reform organization whose only agenda was "the need to protect American families and children from the most dangerous consequences of the failed Prohibition experiment, namely excessive drinking, violence, organized crime, declining respect for the law, and hypocrisy."⁶⁸ With such a strong public message, the WONPR was able to be both a wet movement and temperance organization, campaigning for a safe and healthy America while not entertaining the assertion that any part of the motive was to win back the right to drink, and traversing the divide between urban and rural social settings to prove that the Prohibition repeal movement was indiscriminately strong across the country.

In order to disseminate its message across the country the WONPR utilized the press and publicity stunts as they broadcasted over the radio twice a day using male and female speakers to appeal to men and women, staged political rallies and demonstrations throughout the country and in New York City in Times Square, Union Square, and Columbus Circle, even organizing parades and a biplane flyby. At a repeal movement meeting outside the New York Public Library on May 18, 1932, the president of the Fifth Avenue Association, William J. Pedrick declared that "the Prohibition experiment had cost the United States nearly eleven billion dollars in revenue

⁶⁸ Lerner, 281.

since 1920... Prohibition has set up an oligarchy of organized crime that has taken and is taking millions of dollars out of business in racketeering, corruption of government, bribery, arson, kidnapping and destructive violence to property.” At this same meeting Sabin proclaimed that the dries of yesterday were joining the cause to repeal Prohibition law, but warned against complacency by reiterating the need to settle the issue in the upcoming election or face major backslide.⁶⁹

Dry Defection

Aside from the publicity stunts and declarations of having the upper hand in the battle of wet and dry, the WONPR vied for support through door-to-door canvassing in well known dry areas to coax out any possible converts and also appealed to politicians and government officials to devote themselves to the movement for repeal. The fight began to look extremely bleak for proponents of the noble experiment as even some of the most loyal dries began to defect in light of the WONPR’s frequent victories and the fact that Prohibition had failed for over a decade while causing more damage than it ever repaired. The WONPR was the crucial piece in the repeal puzzle that put everything in order for the successful repeal of the Eighteenth Amendment and end of Prohibition. The dominance established by the organization gave people the confidence to speak up against Prohibition, and granted politicians the courage to pit themselves against the once all-powerful dry lobbyists who would have removed them from office for such deviation. Pauline Sabin built off the foundation that Al Smith layed out and raised the cause for repeal to new heights that had seemed an unattainable impossibility for over a decade. The stage

⁶⁹ “Dry Law Is Scored By Women Leaders”. *New York Times* (May 19, 1932).

was set for a pro-repeal presidential candidate to harness the power of the repeal coalition with the opportunity to right all the wrongs of an afflicted America.

By the early 1930s the repeal movement had gained enough support to put up a fight, and even overpower the dry lobby in the political arena. The repeal campaign did not only win support from neutral Americans, but also appealed to the once most dedicated dries whose eyes had been opened to the negative effects of Prohibition through the late twenties and into the years leading up to the 1932 presidential election. The rise of the WONPR and the decline of the dry lobby were not independent events, and the dry foundation of power eroded as some of the movements most prominent supporters began to defect in light of the futility and effects of Prohibition.⁷⁰ In arguably the wettest city in the United States, the New York dries, who had the strongest constitution in terms of holding to their belief in the noble experiment, were forced to lay down their arms and join up with the enemy wets because they too understood that Prohibition conditions could no longer be tolerated. The observations and testimonies of these dry defectors are champion examples of the terrible effects of Prohibition that could no longer be overlooked by the late twenties and into the early thirties. Adding even further to the significance of dry defections was the fact that many were social workers, law enforcers, and government officials who had been the most invested in Prohibition for its hopeful promise of a bettered American society, but instead came to see the Eighteenth Amendment as a failure that had actually poisoned (sometimes literally) that same society. An early example of displeasure with Prohibition from onetime dry supporter came from Edwin Cosley, the chief probation of New York City, who was cited in a wet publication as having said that he began the 1920s as a

⁷⁰ Lerner, 284.

believer in the noble experiment, but he could no longer support the law or even defend the law because of his personal observation of an uptick in drinking and drinking amongst children.⁷¹

Alcohol to this day has been an issue that contributes to problems in the household and can even break up families. This negative effect of alcohol was supposed to disappear with the inception of Prohibition law, yet those who hoped to see family issues decline with the illegalization of alcohol had noticed a trend to the contrary since 1920. Franklin Chase Hoyt, a New York City Children's Court justice proclaimed his support for the WONPR in the early 1930s in an act of conversion after having reached a point where he could no longer condone Prohibition because of its apparent contribution to an increase in child neglect and crime amongst the youth.

Jeannette Brill, a Brooklyn Family Court judge, held the same feelings and opined that change was necessary, at the very least in the form of modifications to the Volstead Act if not total termination of the law.⁷² Churches and religious ministries had been among the most loyal of groups to the dry movement and Prohibition, but reported a trend of opposition to the dry law in 1928 in a poll conducted by the Church Temperance Society. This poll disclosed that 1,400 of 2,000 religious leaders who responded to the poll were now wet converts in favor of modification to the Volstead Act, while some of the respondents felt strongly enough to condemn Prohibition entirely.⁷³ In the same category of church members, whose defections were significant of the national perception of Prohibition, were administrators and agents in the Bureau of Prohibition who harbored a distaste and even animosity towards the dry law. Even as early as 1926, General Lincoln C. Andrews, the assistant secretary of the Treasury (which was

⁷¹ Ibid.

⁷² Committee of Fourteen Papers, Box 83, Folder "Prohibition."

⁷³ Lerner, 285.

charged with supervision of Prohibition enforcement) testified in front of Congress that he was of the opinion that modification to the Volstead Act to legalize beer was necessary because it was impossible to enforce Prohibition law with a zero tolerance policy. In a laughable turn of events in 1931, despite all of his antics and constant harassment of New York City wets, the infamous Major Maurice Campbell quit the Bureau and became a devoted member of the wet movement for repeal, even admonishing the Anti-Saloon League for having manipulated the American people to achieve their own goals.⁷⁴ The WONPR declared by 1932 that it had gained support from some of the leading individuals in New York City's health care system, who had previously been extreme supporters of Prohibition. The reason for this transfer of loyalty was likely the same one that drove government officials and social workers to favor repeal:

Prohibition had not mended the cracks in American society, but rather had created new and even worse problems. According to WONPR officials, the directors of social services in two of New York's largest hospitals had abandoned their pro-Prohibition position to join the movement for repeal in the face of reprehensible conditions caused by the dry law. Included on this list of dry defectors from the public health sector was the director of nursing services for the New York City Department of Health, the executive director of the Children's Welfare Federation, the director of the New York Tuberculosis and Health Association, and the director of the New York State Reformatory for Women who had been a dry advocate for decades before Prohibition.⁷⁵

One could argue that the proverbial rug was pulled out from under the dry lobby while they tried to keep up with the repeal movement in 1932 as John D. Rockefeller Jr. announced that he was

⁷⁴ "Campbell Attacks Drys". *New York Times* (Nov 02, 1931).

⁷⁵ Robinson, Grace. "Women Wets: A New Voice Is Heard in American Politics" (*Liberty*, November 1, 1930) 34.

withdrawing his support of the Eighteenth Amendment after having donated almost 350,000 dollars to the Anti-Saloon League since the start of Prohibition in 1920. Taking away with him one possibility of revitalizing the dry lobby's budget, Rockefeller publicly addressed his observations of Prohibition that ““drinking has generally increased... the speakeasy has generally replaced the saloon, not only unit for unit, but probably two-fold if not three-fold... [and] a vast array of lawbreakers has been recruited and financed on a colossal scale.””⁷⁶ Rockefeller's reasons for abandoning the dry lobby reflect what so many of the onetime dries were feeling as they switched their allegiance in support of repeal, which by 1932 seemed to convey the more convincing argument for increased sobriety and decreased lawlessness. In other words, the repeal campaign in 1932 was taking on the objective for a bettered American society that had been the selling point for Prohibition over a decade earlier; as the goal was now to restore and repair the damages of crime and lawlessness that had prevailed and proliferated under Prohibition conditions.

1932 Election

There was no denying that the Great Depression was the issue of foremost importance in early 1930s New York City and America, but it was a far more elusive and intangible concept in comparison to the crisis caused by the Eighteenth Amendment and Prohibition. The Depression therefore felt like it was out of the hands of the people and was best left to experts, while Prohibition was a comprehensible problem that could be discussed and did not exceed the cognitive levels of laymen. Thus, commitment to repeal became the most immediately impactful

⁷⁶ Lerner, 286.

factor in the 1932 presidential election. As was previously noted, the lack of progress made by President Hoover in addressing and fixing the issues of both the Great Depression and Prohibition, encouraged a view of him which highlighted an unwillingness to acknowledge the needs of the American people during a critical period. The Democratic Party needed to nominate a candidate for the presidency who could harness the voting power accumulated by the repeal movement to outdo the Republican candidate and gain the White House for the first time in twelve years. In the months leading up to the election, the Republican Party decided against a wet repeal plank and posed a compromise of modification as their course of action. This effort to avoid taking a solid stance either for or against repeal put the Republican Party at a disadvantage as they were labeled as supporters of Prohibition by default because of the Democratic Party's outright opposition to the dry law. Democrats believed that if they could find a candidate who was the antithesis of Hoover in with his hands-off leadership, then the White House would be occupied by a Democratic president.⁷⁷ As is common knowledge to any scholar of twentieth century American history, Franklin Delano Roosevelt became that chosen Democratic candidate and was victorious in the election of 1932, emerging as the 32nd President of the United States with the reformative New Deal in tow.

It is important to note that it was not immediately obvious that Roosevelt would be the one to lead the nation out of Prohibition and other crises. Although he was popular enough within the Democratic Party, attaining the two-thirds majority vote to receive the party's nomination proved to be an extremely difficult, but helpful challenge that changed the perception of Roosevelt for the better. Despite considerable popularity, Roosevelt received sobering

⁷⁷ Lerner, 292-293.

criticism from Democratic peers within the party, and was not infrequently a target of mockery by newspaper and journal editorials for his indecisiveness.⁷⁸ In all of the political positions which Roosevelt had previously occupied throughout the 1920s, he had consistently been able to dance around a definitive proclamation of whether or not he personally supported Prohibition. Across multiple sources such as *The Crisis*, *Harper's*, and *The Nation*, editors took to their pages in the months before the election to make their readership aware of Roosevelt's general attitude of ambivalence, even to the effect of calling him two-faced and unreliable. Voters looking in on this issue saw no clear distinction of who would make a better president between an indifferent Hoover and a kaleidoscopic Roosevelt who seemed to change his stance on issues with regards to whoever was present to hear his outlook.⁷⁹ The ability and desire to sidestep the polarizing issue of Prohibition seemed to have been beneficial to Roosevelt's political career to this point and had even served in his run for Governor of New York to succeed the wet titan himself in Al Smith. The usefulness of this maneuver seemed to have run its course if the 1932 election was to hold Franklin Delano Roosevelt on the ballots, as the line between wet and dry was no longer able to be blurred and the presidential nominee was forced to pick a side. Out of the leading candidates for the Democratic nomination in 1932, Roosevelt was the only one who had not yet publicly committed himself to repeal. Although Roosevelt was known to oscillate on important issues, his ambivalence about supporting the continuation of Prohibition or the push for repeal

⁷⁸ Lerner, 294.

⁷⁹ *The Nation* (June 1, 1932) 612; *Harper's* (November 1932) 719; *The Crisis* (March 1932) 80 quoted in Lerner 294.

was of extreme concern to the party and affiliated voters as it was polled that seventy-three percent of the country favored repeal in just a few months prior to the 1932 election.⁸⁰

Al Smith seemed to particularly distrust Roosevelt after the former governor had essentially wagered his political career on the Prohibition issue, only to lose and have his office occupied by Roosevelt who presented himself in a more moderate, widely likeable manner. Smith even instigated a small campaign to inhibit the selection of Roosevelt as the Democratic nominee. The plot ultimately failed when Roosevelt, out of options if he wished to win the nomination, pledged himself fully to the Democratic Party's repeal objective.⁸¹ From this point the path was less difficult, and Roosevelt won the nomination over Al Smith in what Democratic delegates considered a battle of lesser evil, which ended in no amount of enthusiasm for Roosevelt's victory. Thus, to many wets across the country, Roosevelt became the figurehead of repeal for whom to vote, rather than voting for what the man himself represented. There were doubters throughout the country who viewed Roosevelt strictly as the candidate for repeal, who held deep concerns for the economic future of the country and wanted to see some evidence of a Democratic platform intended to fix the Great Depression. From first appearances, having declared himself for repeal, Roosevelt appeared a far more attractive candidate than Hoover by way of the simple perception that he was willing to listen to the people and would take action to solve their problems -- something that Hoover was greatly criticized for rarely doing. While the economic provisions of what would become the New Deal were but vague concepts at this point

⁸⁰ Kyvig, David E., *Repealing National Prohibition* (Chicago, IL: University of Chicago Press, 1979) 151.

⁸¹ From *Literary Digest* (July 9, 1932) 4 quoted in Lerner; "Smith, Departing, Scoffs At Farley." *New York Times* (Jun 22, 1932).

in 1932, Roosevelt's stance for repeal enabled voters to infer that his reformatory attitude would carry over to the Great Depression issue as well. In his acceptance speech for the nomination by the Democratic Party, all of which was published in the *New York Times*, Roosevelt proclaimed: "This convention wants repeal. Your candidate wants repeal. And I am confident that the United States of America wants repeal." In this section of the speech he spoke about the bravery of the Democratic Party in staking so much to write the direct desire of the people into their platform. In another section of the speech, Roosevelt turned to economic issues facing America in the Great Depression and spoke about the financial impact of legalizing alcohol saying, "My friends, you and I as common sense citizens know that it would help to protect the savings of the country from a dishonesty of crooks and from the lack of honor of some men in high financial places."⁸² This may be the most important sentence in the entirety of Roosevelt's nomination acceptance speech, as he addressed not only the financial crisis but had overtly opined that legalization of alcohol through repeal of the Eighteenth Amendment would lead to a decline in lawlessness throughout the country and in his state of New York. With that single sentence Roosevelt confronted the existence of the crookedness of America over the past decade, and appeared to blame crime and corruption on the circumstances of Prohibition. This indictment of Prohibition from Roosevelt rang true for Americans, and his words were a conviction that came most earnestly from the New York Governor who presided over arguably the wettest, most lawless city in the United States.

Franklin Delano Roosevelt won a decisive victory in the 1932 presidential election, sweeping Hoover in popular votes by seven million and in electoral votes by four hundred thirteen. With

⁸² "Text of Governor Roosevelt's Speech at the Convention Accepting the Nomination." *New York Times*. (Jul 03, 1932).

Roosevelt's victory, conversations of continuing Prohibition finally ceased as reality sank in for the once all-powerful dry lobby. In his inaugural address on March 4, 1933, Roosevelt left out Prohibition to go more in depth with the economic crisis and degradation of the country, a move which evoked excited responses from New Yorkers who urged President Roosevelt to move with haste towards repeal and the end of more than a decade of lawlessness.⁸³ On March 22, Roosevelt signed into law the Beer and Wine Revenue Act to legalize beer and wine and make back millions of dollars that for years had been flowing into the pockets of organized criminals. In order to fully terminate the Eighteenth Amendment, Congress needed to draft a different amendment which had already been in the works since February.⁸⁴ By early afternoon on April 7, 1933 an entire day's worth of beer from local breweries had been shipped across the city and consumed almost immediately. Despite all of the excitement and commotion of being able to drink legal beer again, there was not a single report of disorderly drunkenness or driving while drunk in the whole city -- a statistic representative of the positive effects of repeal that were already apparent in New York City and across the nation. With a huge demand for legalized beer and wine, thousands of jobs opened up in New York City as breweries were working around the clock to produce, truck drivers were needed to transport the alcohol, and bartenders and restaurant workers were being hired back to aid the influx of customers that had come out of the woodwork since March 22.⁸⁵ Roosevelt was regarded as the hero of repeal and was heralded in New York City and throughout the country for having restored the government and the American

⁸³ Black, Conrad, *Franklin Delano Roosevelt: Champion of Freedom* (New York, NY: PublicAffairs, 2003) 292.

⁸⁴ Leuchtenburg, William E., *Franklin D. Roosevelt and the New Deal* (New York, NY: Harper and Row, 1963) 46.

⁸⁵ Lerner, 304.

people to good standings with the New Deal and his movements to end Prohibition. Prohibition finally came to an end on December 5, 1933 when Secretary of State William Phillips announced over the radio the addition of the Twenty-first Amendment to the United States Constitution, which held the sole purpose of rendering the Eighteenth Amendment null and void. Speakeasies and bars that had unabashedly sold alcohol throughout the Prohibition era became law-abiding establishments and followed the law closely so as not to lose their newly restored liquor licenses. The raucous nightlife of the Roaring Twenties had become tame amidst the Great Depression sorrows and the newly enforceable regulations to alcohol consumption. The major department stores of New York began to sell and manufacture wine and liquor, replacing organized crime operations centered in bootlegging, with Bloomingdale's making the first legal liquor sale in the city since 1919. Nefarious scenes of alcohol sale and consumption and associated crime began to melt away or become legitimate as a long-awaited restoration to normalcy settled over New York City.⁸⁶

⁸⁶ "City Toasts New Era." *New York Times*, Dec 6, 1933.

The induction of the National Prohibition Law on January 17, 1920 catalyzed a pre-existing rift between the wets and dries of the country. Many of the wets were urban cityfolk while most of the dries lived in rural areas or were made up of people whose careers necessitated the bettering of people. New York City, as arguably the center of wet culture in America, was riddled with criminals that took advantage of the provisions of Prohibition to exploit the law and make tremendous amounts of money by way of smuggling, manufacturing, and selling illegal alcohol. Although organized crime had a presence in New York City prior to Prohibition, the dry law allowed many new faces to make a name for themselves in the new and lucrative illicit alcohol enterprise or syndicate operations. Unfortunately for New Yorkers the intricacies of organized crime were not negligible as children were being killed in collateral damage of gang hits, battles between police and gangsters were spilling into the streets, and the drinkers of the city were forced to confront the reality that their alcohol was coming at the cost of innocent lives. The fires of public displeasure spread across the city and began to burn in the hearts of New Yorkers with more and more vigor as the 1920s wore on, growing out of distrust and anger towards the government and law enforcement institutions that continued to prosecute Prohibition. By the early 1930s, the WONPR and New York wets had managed to harness an incredible amount of support for the repeal movement, while at the same time weakening the power of the dry lobby and Anti-Saloon League. Finally, in 1932, the Democratic Party and Franklin Delano Roosevelt were able to take the White House and ultimately instituted the

Twenty-first Amendment to effectively terminate the Eighteenth Amendment, legalizing the production, import, transport, sale, and consumption of all alcohol.

After having read dozens of sources on Prohibition and organized crime in New York City, some themes or areas of common content had come up across different books. Although it initially seemed to be unnecessary in supporting the main thesis, it would have been interesting and possibly of great benefit to include a chapter to explore how different classes and races throughout New York City handled the social constraints of Prohibition law. While it would not have lent itself to supporting the thesis directly, it would have been interesting to analyze how the experience of Prohibition differed for people of all economic classes as well as how the situation played out for Italian, Jewish, and Irish immigrants and for white and African Americans. Another idea that could have been granted its own chapter or might have fit into the previously mentioned chapter concept is the notion of corruption throughout New York City. One of the main reasons that organized crime was allowed to gain so much power in the city, aside from an endless demand for their illegal alcohol, was the corruption that tempted so many politicians, lawyers, magistrates, law enforcement officers, and even Prohibition agents. Gaining some sort of influence with these types of people was an integral piece to the puzzle that allowed criminal syndicates to prosper and carry on illegal activities with near impunity. Some of the corruption that took place in New York City was not well hidden, and it was nearly common knowledge that purveyors of justice were bankrolled by crookedness. Along with an exploration of corruption, it would have been valuable to inquire into how the misconduct of the prosecutors of law carried into the lives of New Yorkers from all walks of life. The National Prohibition Law was the most intrusive attempt by the federal government to date to regulate the personal lives of

Americans in the quest to achieve a morally acceptable and pure society. The actual outcome of the experiment to regulate the lives of Americans for their benefit was the emergence of a slew of issues that led to a decline of societal morals, especially in the city of New York. One of the key concerns of the 1920s and early 1930s was the proliferation of crime and the outbreak of organized criminal enterprises that grew in power and influence under the circumstances of Prohibition. The prominence of crime and all of the negative effects that followed in its wake seemed to serve as a wake-up-call that spurred New Yorkers to seek the repeal of the Eighteenth Amendment, laying down the foundation for a repeal coalition that would gain enough strength to overpower the dry lobby, finally leading to the election of President Franklin D. Roosevelt and the institution of the Twenty-first Amendment to nullify the Eighteenth Amendment and terminate Prohibition.

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