

FROM THE 18TH TO THE 21ST:
RECORDS OF
PROHIBITION



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Overview: The 18th amendment took effect in January 1920 and ushered in more than a decade of Prohibition until repealed by the 21st amendment in December 1933. In those few years, so many records were created of juice joints and bootleggers, revenuers and Untouchables—and a gold mine for researchers.

The History of Prohibition—the 18th Amendment

The road to prohibition in the United States began long before the clamor of post-World War I America. As early as 1813, anti-drinking movements were formalized in New England, followed by the formation of the American Temperance Society in 1826. By 1831, that group had 2200 local chapters and more than 170,000 members. Individual states began various schemes to control liquor, including local option in Arkansas in 1836 and an outright ban of sales in quantities less than 15 gallons in Massachusetts in 1838 (repealed and replaced by local option in 1840), and prohibition in Maine in 1845, with 13 of the then-40 states following by 1855. Western territories barred sales to Native Americans starting as early as 1802. The National Prohibition Party was founded in 1869, the Women's Christian Temperance Union in 1874 and the Anti-Saloon League in 1893-95 (sources vary on the exact date).

The first proposal for a constitutional amendment against alcohol sales was made in 1914 by the Anti-Saloon League. It passed the United States Senate on 1 August 1917 by a vote of 65-20. The House of Representatives passed it by a vote of 282-128 on 17 December 1917, with a concurring vote by the Senate (47-8) the next day. Mississippi became the first state to ratify on 7 January 1918; it reached the required two-thirds of the states when Nebraska voted to ratify on 16 January 1919. Ultimately 46 of 48 states ratified; Connecticut and Rhode Island rejected the amendment. The amendment was to take effect one year from ratification and merely banned "intoxicating liquors" without defining the term and without providing for enforcement. Those elements were added by the National Prohibition Act, 41 Stat. 305 (1919) (known as the Volstead Act after its sponsor), which defined intoxicating liquors as anything with more than five percent alcohol and provided enforcement means. The act was vetoed by President Wilson and passed over his veto in less than 48 hours.

Prohibition—Between the Amendments

From the start of national prohibition, on 17 January 1920, three federal agencies had the primary role in enforcing the Volstead Act: the Coast Guard; the Customs Service; and the Bureau of Prohibition, initially part of the Treasury Department's Bureau of Internal Revenue and then in 1927 its own entity within that Department before being transferred to the Justice Department in 1930. Initially, some 1500 federal Prohibition Agents were involved; that number was closer to 20,000 by Prohibition's end. Some 7,000-plus cases were opened in the first six months of 1920 and nearly 30,000 cases in 1921. During the decade from 1920-1930, more than 575,000 suspects were arrested for liquor violations with convictions in roughly two-thirds of the cases. Seizures included 1.6 million stills, nine million gallons of hard liquor, one billion gallons of malt liquor, a billion gallons of wine, hard cider and mash, 45,000 cars and 1,300 boats. During that same time period, however, more than 1,580 federal employees involved in enforcement had been fired for a variety of crimes including perjury, bribery, and contempt of court. The law provided for simultaneous state enforcement of Prohibition, and an equal amount of liquor was reportedly seized by state and local officials. State prosecutions depended on local attitudes. Maryland never enacted an enforcement law; New York repealed its statute in 1923. Both federal and state courts overburdened with liquor offenses often accepted guilty pleas to lesser offenses in exchange for shorter prison terms or fines.

The Repeal—The 21st Amendment

The extremely low limit on alcoholic content imposed by the Volstead Act had surprised even prohibition supporters, and the effective date of the 18th amendment was also the date of the first criminal act in violation. Over the years that followed, a combination of a perceived rise in crime—and particularly organized crime—to evade prohibition and the effects of the Depression created persistent pressures to repeal the 18th amendment. By the early 1930s, public sentiment in opposition to Prohibition was overwhelming. When the 72nd Congress met in December 1931, more than two dozen bills were introduced to amend the Volstead Act or even repeal the 18th amendment. In the 1932 election, polls showed support for repeal had reached the 80 percent level. Dozens of “dry” candidates lost their seats in the Congressional elections, and a resolution to repeal the 18th amendment finally passed the United States Senate on 16 February 1933. The House concurred on 20 February, and the measure was sent to the states for action in special ratification conventions. Michigan was the first to ratify, on 10 April 1933, and Utah's ratification on 5 December 1933 was enough to approve the 21st amendment. Only South Carolina rejected the amendment; North Carolina refused to hold a convention, and eight states took no action at all. The 21st amendment became effective officially on 15 December 1933.

The Records of Prohibition

Different types of records exist for those who actively worked for or against Prohibition amendments, those who violated the law during the years of Prohibition, and those who were tasked with enforcing it.

The lawmakers—prohibition advocates:

No central repository for records of the **American Temperance Society** is known to exist. Various of its published reports have been digitized and are available online at

Google Books, Internet Archive, and HathiTrust, and in digital collections such as the Brown University Library Alcohol, Temperance & Prohibition collection.

Records of the **Women's Christian Temperance Union** are generally available at the Francis Willard House Library and Archives in Evanston, Illinois. However, records of local chapters may only be held locally or may be held locally in addition to the national archives (see, for example, Online Archives of California for San Diego records; see Iowa Digital Library for Iowa state records).

Many documents and artifacts of the **Anti-Saloon League of American** were donated to the Westerville (Ohio) Public Library and are available through its website, Anti-Saloon League Museum (<https://www.westervillelibrary.org/AntiSaloon/>). Other materials particularly from local chapters of the league are available locally (see e.g. Kansas State Historical Society holdings of the Kansas Department of the league).

The lawmakers—repeal advocates:

A collection of papers from the founder of the Association Against the Prohibition Amendment is available at the Library of Congress. A smaller collection of papers relating to efforts by the Women's Organization for National Prohibition Reform is at the Library of Congress, while local records may be held locally (see e.g., the Hagley Museum and Library in Delaware for Pennsylvania Division records).

The lawbreakers:

Those charged with Prohibition offenses may have been prosecuted in federal or state courts. Federal case files are held by the National Archives, in Record Group 21 (U.S. District Courts). Prison records resulting from such prosecutions will be in Record Group 129 (Bureau of Prisons). There is no central repository for state liquor-related prosecutions. Local and state court records and local and state jail and prison records will need to be consulted. There is often a wide variation in what may be available state to state; historical records are often held by the relevant state archives.

The law enforcers:

Federal prohibition records are held by the National Archives, but are widely scattered among the record groups. Records of the Bureau of Prohibition are held primarily in Record Group 56 (Department of the Treasury), but general correspondence and information about those employed in enforcement before 1927 are held in Record Group 58 (Internal Revenue Service [IRS]). Some additional records, of ship seizures in prohibition cases and letters sent to members of Congress, are in Record Group 60 (Department of Justice). Reports of prohibition cases are generally in Record Group 118 (U.S. Attorneys), while court records are generally in Record Group 21 (U.S. District Courts). Customs Service records relating to Prohibition are in Record Group 36 (U.S. Customs Service). Relevant Coast Guard records are in Record Group 26 (U.S. Coast Guard). Some records are also in Record Group 10 (National Commission on Law Observance and Enforcement).

Other resources: As always one of the best resources for genealogical research in any time period are the newspapers of the day. In researching Prohibition-era matters, don't forget to look for newspapers published by pro- and anti-Prohibition organizations as well as commercial newspapers.

Resources for Further Research

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Website URLs verified as of 29 November 2020.

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