Trouble Brewing:
Brewers’ Resistance to Prohibition and Anti-German Sentiment

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**Introduction**

“The Volstead Act is certain to be modified. The Eighteenth Amendment, in the minds of the majority of the American people, was never intended to apply to wine, beer and cider.”

—John Phillip Hill, Congressman from Maryland (1925)

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

United States Constitution Amendment XVIII Section 1

**Why Beer?**

The vague language of the Eighteenth Amendment granted Congress the power to define what constituted an “intoxicating liquor” worthy of Prohibition by the Federal government. Congress exercised its right in the Volstead Act (1919) and defined “intoxicating liquor” as “alcohol, brandy, whisky, rum, gin, beer, ale, porter, and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids, and compounds…by whatever name called containing one-half of 1 per centum or more of alcohol by volume.”

Although the Volstead Act included exceptions for prescriptions, sacramental wines, and commercial applications, Congress’ exhaustive list could be summarized most succinctly as any beverage containing more than 0.5 percent alcohol—effectively a total Prohibition on alcohol. The Volstead Act passed with overwhelming support in both the House and Senate. Within three hours Congress overrode Wilson’s veto. Beyond the question of whether or not a Prohibition amendment ought to have been passed, the question remains: Why did Prohibition include beer?

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2 H.R. 6810, 66th Cong. (1919). The act is officially titled the National Prohibition Act, but known far more commonly as the Volstead Act, so named for the Chairman of the House Judiciary Committee, who was instrumental in advancing the bill.
Just as John Philip Hill, a vocal proponent of repeal, predicted, the Volstead Act would be modified in 1933, shortly before repeal, to allow the manufacture and sale of beer and light wine. The question remains why beer was included in Prohibition in the first place. The inclusion of beer was not natural or inevitable. Beer and wine were exempted from many contemporary liquor prohibition laws in Europe. Beer also had a distinct cultural and political legacy in the United States that far predated notions of total Prohibition.

**Prohibition in Europe**

The total prohibition adopted under the Volstead Act extended far beyond most other Western temperance or Prohibition measures, which were primarily limited to Scandinavia. Norway banned liquor in 1917, but permitted the sale of beer and light wine.³ Finland and Iceland adopted total prohibition, but in both cases quickly amended or abandoned their prohibition statutes. Sweden opted for a rationing system, but classified beer and wine as distinct from liquor. Bolsheviks inherited prohibition from Imperial Russia, but Leon Trotsky declared it was “one of the iron assets of the revolution.”⁴ Even the ideologically driven Bolshevik prohibition gradually caved, legalizing light wine in 1921, beer in 1922, and all drinks containing less than twenty percent alcohol by 1923.⁵ In every case, beer was at some point treated and legislated as qualitatively different from wine and distilled liquors.

Sweden offers a particularly compelling case study. Sweden came close to total prohibition in 1922, when a national referendum calling for it narrowly failed with forty-nine percent in favor and fifty-one percent opposed.⁶ Although Sweden nearly adopted full

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⁵ Schrad, 217.
prohibition, the development of alcohol control in Sweden demonstrated a thoughtful and considered evolution of policy. In 1905, the Swedish government established a state monopoly over *brannvin* (distilled liquors).\(^7\) In 1913, Dr. Ivan Bratt, as the director of the Stockholm Alcohol Monopoly, introduced a *motbok* system whereby individual rations of liquor were marked in personal *motboks* (ration passbooks).\(^8\) In 1917, the government monopoly was expanded to include wine and, in 1919, Bratts’ *motbok* system was adopted nationwide and remained in effect until 1955.\(^9\) Beer was the last alcoholic beverage to be regulated. In 1923, the government classified beer into categories based on alcoholic content percentages. Class I beer, containing less than 1.8 percent alcohol, was not legally considered alcoholic; class II beer, containing between 1.8 and 3.2 percent alcohol, was legal but regulated; and class III beer, known as “heavy beers” containing more than 3.2 percent alcohol, was prohibited except for prescriptions and other special uses.\(^10\)

Although Finland and Iceland also experimented with total prohibition, both were far more ethnically, culturally, and religiously homogeneous than the United States and had a combined population that was less than that of Massachusetts. Despite Finland’s homogenous population and initial widespread support for total prohibition in 1919, prohibition in Finland bore out parallel results to American Prohibition. Prohibition proved difficult to enforce and an overwhelming majority of Finns voted to repeal it in a national referendum in 1932.\(^11\)

Iceland is a particularly interesting case as the prohibition of beer far outlasted the prohibition of wine and spirits. The Icelandic Parliament voted to ban the importation of all

\(^7\) Tomasson, 504.  
\(^8\) Tomasson, 504.  
\(^9\) Tomasson, 504-505.  
alcoholic beverages in 1909 and instituted a ban on sales in 1915.\textsuperscript{12} Total prohibition remained in effect for seven years, during which time the Parliament openly acknowledged that alcohol consumption continued relatively unabated despite the law. In 1922, Iceland, under economic and diplomatic pressure from Spain, allowed the importation and consumption of wine to resume.\textsuperscript{13} In 1932 and 1933, the lower house of Parliament debated proposed amendments which would have allowed the manufacture and sale of beer with less than four percent alcohol.\textsuperscript{14} Supporters argued that beer would offer a legal alternative to far more dangerous illegal alcohols. The proposals failed largely due to the opposition of Iceland’s chief physician and the Prime Minister. The chief physician argued that "many workers and even children would tend to abuse beer because it's a relatively cheap substance."\textsuperscript{15} Instead, parliament legislated to permit the importation and sale of all alcoholic beverages, except beer containing more than 2.25 percent alcohol—a Prohibition which would remain in effect until 1989.\textsuperscript{16}

**Early Temperance and State Prohibition in the United States**

Beer has been a major part of American culture since the earliest days of colonial America. Pilgrims carried beer in the holds of the *Mayflower* on their journey to the New World. Pilgrim leader and later governor, Edward Winslow, in describing the decision to stay in Plymouth after landing at Plymouth Rock in 1620 noted, “We could not now take time for further search or consideration, our victuals being much spent, especially our Beere.”\textsuperscript{17} By 1637,

\textsuperscript{13} Gunnlaugsson and Galliher, 339. Spain threatened to ban the importation of fish, a major Icelandic export, unless Iceland allowed for the importation of Spanish wines.
\textsuperscript{14} Gunnlaugsson and Galliher, 339.
\textsuperscript{15} Gunnlaugsson and Galliher, 339.
\textsuperscript{16} Gunnlaugsson and Galliher, 340.
Captain Sedgewick opened the first brewery in the Massachusetts Bay Colony.\textsuperscript{18} By 1641, colonists began to cultivate hops in Massachusetts to augment and replace imported hops from Europe.\textsuperscript{19}

Beer had a long history of social, legal, and legislative distinctions from liquor and wine in the United States prior to Prohibition. Early colonial and state laws encouraged the production and sale of beer. In 1649, the Massachusetts Colony decreed that “Every victualler, ordinary keeper or taverner should always keep provided with good and wholesome beer for the entertainment of strangers who, for want thereof, are necessitated too much needless expense in wine.”\textsuperscript{20} In the early days of the republic, Massachusetts passed “An Act to Encourage the Manufacture and Consumption of Strong Beer, Ale and Other Malt Liquors,” in order to “promote the purposes of husbandry and commerce.”\textsuperscript{21} The law mandated that all brewhouses must produce at least a hundred barrels of beer for sale each year.\textsuperscript{22}

Throughout colonial history beer was a necessary alternative to unsafe drinking water and remained so well into the nineteenth century. Moreover, beer was at one time thought to be the only cure for scurvy, which accounted for more deaths than battle in the British Navy during the eighteenth century.\textsuperscript{23} It was also commonly used as a remedy for headaches and sore muscles.\textsuperscript{24}


\textsuperscript{19} Cherrington, 19.

\textsuperscript{20} Cherrington, 22.

\textsuperscript{21} Baron, 351.

\textsuperscript{22} Baron, 351.


\textsuperscript{24} Burns, 31.
Beer was often imported from England, but by its nature beer at the time did not travel well and some brewers included instructions with their shipments about how to preserve beer in transport. Small beer or table beer was used as a safe alternative to drinking water, while strong beer, porter, and ale were drunk for pleasure and taste. George Washington, who supplied rations of small beer to workers at Mount Vernon, wrote down a recipe for small beer, which survived, in a notebook he kept while serving as a British Colonel in 1737. The necessity of beer and the difficulty of importing it from Europe led to a widespread culture of home brewing and the development of the colonial brewing industry, particularly in Philadelphia, whence beer was shipped to many of the southern colonies. The brewing industry continued to grow in the early years of the American Republic, but remained relatively modest until the Civil War before growing rapidly in the latter half of the nineteenth century.

Although beer dates to the earliest days of colonial America, and so too do advocacy of temperance and attempts to police drunkenness and alcohol sales, but such laws treated beer as categorically different from other forms of alcohol. Early attempts to control drinking in colonial America consisted of laws prohibiting drunkenness, requiring licenses to sell ardent spirits (hard liquor), placing an excise tax on alcohol, and prohibiting or limiting the sale of intoxicating beverages to Native Americans, slaves, and known drunkards. While early temperance efforts targeted so-called ardent spirits (i.e. hard liquor), beer eventually found itself in the crosshairs of temperance advocates and prohibitionist alike as the brewing industry grew and took on a distinctly German identity.

Not only did early American laws distinguish beer from liquor, wine, and cider, so too did early temperance advocates. Benjamin Rush, one such early temperance advocate, was a

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25 Baron, 59.
26 Baron, 96.
doctor and scholar who signed the Declaration of Independence, served as surgeon general in the Continental Army, and taught at the University of Pennsylvania. Rush’s pamphlet “An Inquiry into the Effects of Spirituous Liquors on the Human Body” constituted one of the earliest attempts to understand temperance from a medical and physiological perspective. Rush asserted that “Beer is a wholesome liquor compared with spirits,” and noted that it “abounds with nourishment.”

He advocated beer, cider, and wine as alternatives to hard liquor. His pamphlet ended with a “Moral and Physical Thermometer,” designed to show the relative benefits and ills of different drinks. Rush placed small beer, porter, and strong beer on the side of temperance and credited them with “cheerfulness, strength, and nourishment.”

Once ignored or even promoted by temperance advocates, beer first became a target of temperance in the 1830’s along with the first notions of total prohibition, and prohibitionists focused far more on beer as it grew after the lager revolution. In many ways, the brewing

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28 Rush, 12.
industry became a victim of its own success. Waves of German immigration and the industrialization of brewing caused a sustained rapid growth in the brewing industry that reshaped American alcohol consumption, and with it public perceptions of drinking and drunkenness in America. In 1865, Americans consumed five times as much alcohol from hard liquor than from beer.²⁹ By 1915, Americans consumed nearly twice as much alcohol from beer than from hard liquor.³⁰ In contrast to both beer and liquor, wine never became as prominent in popular consumption. While beer consumption peaked at nearly twenty-two gallons per capita in 1912, wine consumption remained fairly stagnant at about half a gallon per capita from the Civil War until Prohibition.³¹ Moreover, wine was largely imported, whereas beer and liquor were overwhelmingly domestic. The evolution of consumption patterns caught prohibitionists’ attention and forced the brewing industry to retreat. The change in Budweiser advertisements reflected its retreat: advertisements boasting their impressive sales numbers and crowning itself the “King of Bottled Beers” greatly undermined later attempts to brand beer as a drink of moderation and claim that “Budweiser Means Moderation.”

Despite a long history of temperance rhetoric and often ineffective laws aimed at policing public drunkenness and the distribution of alcohol, Temperance and prohibition did not truly gain steam until the years following the Civil War, which happened to coincide with the lager beer revolution in America. Temperance societies existed earlier but were often ineffective. Temperance movements in the 1840’s such as the “Society of Reformed Drunkards,” the Washingtonians, Martha Washington Temperance Society and the Daughters of Temperance enjoyed moderate successes, but failed to affect lasting change. Thousands of “reformed

²⁹ Baron, 183.
³⁰ Baron, 183.
drunkards” and school children signed pledges never to drink alcohol and the State of Maine instituted the first state Prohibition law in 1851 which was wildly ineffective and ultimately repealed five years later.\footnote{Cherrington, 200.}

Temperance advocates won some victories in the 1800’s, but at the turn of the twentieth century only Maine, Kansas, and North Dakota, which were collectively home to less than 1.5 percent of the US population, had state prohibition laws.\footnote{K. Austin Kerr, “The American Brewing Industry, 1865-1920,” in The Dynamics of the International Brewing Industry Since 1800, ed. R.G. Wilson and T.R. Gourvish (New York: Routledge, 1998), 188.} Moreover, while states could ban the production and sale of alcohol, the interstate commerce clause prevented states from prohibiting the transport of alcohol, thereby greatly undermining prohibition laws. By 1914, the interstate commerce protection was lifted, giving state Prohibition laws more weight.\footnote{Kerr, “The American Brewing Industry, 1865-1920,” 188.}

By 1917, the national landscape looked incredibly bleak for brewers and their position was dire. That year, the Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church published \textit{The Cyclopedia of Temperance Prohibition and Public Morals}. More a creative polemic against the liquor industry than a formal encyclopedia, the book is nonetheless a thoroughly researched piece that offers insight into the state of the Prohibition movement in 1917. By 1917, only three states, Pennsylvania, Nevada, and New Jersey, allowed alcohol to flow freely, unimpeded by local option or state prohibition.\footnote{Deets Pickett, Clarence True Wilson, and Ernest Dailey Smith, \textit{The Cyclopedia of Temperance, Prohibition and Public Morals} (New York: Methodist Book Concern, 1917), map on inside cover.} In contrast, twenty-six states had enacted state-level prohibition, and the remaining nineteen states enacted local options which allowed communities to decide if and how sale, production, and consumption of alcohol ought to be permitted or prohibited (see appendix 1.1 for a map of state prohibition laws and
appendix 1.2 for a table of state prohibition laws). Three years earlier only nine states had statewide prohibition. Momentum was on the side of Prohibition and victories in state legislatures and plebiscites across the country whet prohibitionists’ appetite for a dry America.

Moreover, The Cyclopedia of Temperance Prohibition and Public Morals claimed that, by 1917, 8,367 newspapers—roughly one-third of all newspapers in the country—had made policies refusing to publish advertisements for alcohol. The authors failed to mention that 4733 newspapers—more than 56.6 percent—were in states that already had statewide prohibition. As such there would be little sense in such papers advertising alcohol where it cannot be sold, and refusing to do so afforded them an opportunity to pander to prohibitionists with moral grandstanding. Many notable newspapers adopted such policies, including: The New York Tribune, The Chicago Register, The Kansas City Star, The Times-Picayune, The Des Moines Register, and the Christian Science Monitor. Additionally, the closure of many breweries directly contributed to the decline of German-language newspapers across the country which had relied on breweries for advertising revenue. Beer began to disappear from America’s newspapers, just as saloons disappeared from many of its cities and towns.

Temperance victories with state and local option laws were far more symbolic than effective. They were flouted in many of the same ways that national Prohibition later would be. Moreover, one study revealed that the enactment of a state prohibition created a resource flow toward and decreased competitive pressure on breweries in neighboring wet states. As states

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36 Pickett, Wilson and Smith, map on inside cover.
37 Pickett, Wilson and Smith, 9.
38 Pickett, Wilson, and Smith, 15-16.
39 Pickett, Wilson, and Smith, 10.
went dry, demand in neighboring wet states increased. In response, more breweries opened to meet demand with many brewers and brewery workers seeking employment or business opportunities in those wet states. As a result, wet states that neighbored states with prohibition laws saw an increase in the number of new breweries and a decrease in the mortality rate of breweries (the rate at which breweries closed).\textsuperscript{41} The same process and logic could be applied on a smaller scale to demonstrate the ineffectiveness of local option laws in combatting saloons, brewhouses, and distilleries. Nonetheless, legislative victories created the appearance of a national mandate for Prohibition, which Prohibition advocates used as leverage against candidates for Congress. As such, prohibitionist victories in state legislatures and local option plebiscites helped create a national political climate that would constrain many politicians and, ultimately, lead to the Eighteenth Amendment and the Volstead Act.

One particularly poignant reflection of this trend was the reaction of the Seattle Brewing and Malting Company which was the largest brewer on the West Coast. In 1911, Seattle Brewing and Malting claimed that their famous Rainier Beer accounted for seventy-five percent of beer consumption “in the Entire West.”\textsuperscript{42} A 1914 measure banned the manufacture and sale of liquor (including beer) beginning on January 1, 1916, but explicitly allowed the importation of alcohol for personal use.\textsuperscript{43} A state which had previously exported five million dollars’ worth of beer annually ($2,400,000 of which was produced by the Seattle Brewing and Malting Company), began to import beer from other states and British Columbia.\textsuperscript{44} In response to the new Law, the Seattle Brewing and Malting Company built a new brewery in San Francisco and

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\textsuperscript{41} Wade, Swaminathan, and Saxon, 931-932. \\
\textsuperscript{42} “This is the Reason Why 75 Per Cent of the Beer Drank in the Entire West is Rainier Pale Beer,” The Leavenworth Echo (Leavenworth, WA), December 15, 1911. \\
\textsuperscript{43} Norman Clark, “The ‘Hell-Soaked Institution’ and the Washington Prohibition Initiative of 1914,” The Pacific Northwest Quarterly 56 (January 1965), 6. \\
\textsuperscript{44} Henry Broderick et al., “In A Spirit of Fairness,” The Seattle Star (Seattle, Wa), October 23, 1916.
\end{flushright}
continued to brew Rainier Beer under the direction of its subsidiary the Rainier Brewing Company. The company also spent $250,000 to repurpose its existing breweries to produce dealcoholized cereal beverages, soft drinks, and commercial products.

Temperance and lager beer had concurrent successes from the eve of the World War I, setting the stage for a series of confrontations between the two forces in state legislatures, newspapers across the country, and on the floor of the United States Congress. The successful organization of the Women’s Christian Temperance Union, the Anti-Saloon League, and other grassroots organizations allowed the temperance movement to win a series of State and local option prohibition laws en route to national Prohibition. Momentum and circumstance favored the temperance movement and brewing interests faced a steep uphill battle for survival.

Even as the prohibition gained steam, the inclusion of beer in the Volstead Act was far from inevitable. Only half of the twenty-six “dry” states in 1917 had gone “bone dry,” while many allowed for the continued sale of beer and wine. Moreover, in 1917, the Lever Food Act (the Food and Fuel Control Act), which governed wartime rationing, explicitly defined beer containing less than 2.75 percent alcohol as nonintoxicating. A national prohibition of beer only became realistic as the Anti-Saloon League capitalized on the anti-German sentiment during and in the wake of the First World War.

The final nail in the coffin of the brewing and distilling industries was the passage of the Eighteenth Amendment and the Volstead Act, in 1919, which prohibited the manufacture, sale, or transport of alcohol in the United States. The repeal of Prohibition in 1933, resuscitated

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47 Kyvig, 7.
American brewing and vindicated brewers, but little has been written about brewer’s resistance to Prohibition in the first two decades of the twentieth century. While the rapid expansion of the brewing industry in the latter half of the nineteenth century and the effects of Prohibition in the 1920’s have been documented extensively, the activities of brewers in the intervening twenty years rarely receive more than a cursory mention in cultural and industrial histories. Scant mentions of the Prohibition struggle often adopt a fatalistic characterization of Prohibition as inevitable and inescapable.

Prohibitionists garnered significant momentum in the twentieth century, but national Prohibition was not an inevitability or an unstoppable force, nor did brewers simply bow to the will of Prohibitionists. Numerous factors shaped how brewers responded to the emergent threat of national prohibition. Brewers did not present a cohesive or consistent argument against Prohibition; instead, their arguments and actions adapted in response to social and legal challenges and varied from brewery to brewery. Regional brewers, national brewers, and brewers’ associations all behaved differently because of their different situations. Within each of these groups, responses also varied greatly, with some brewers preferring industry cooperation and others competitive marketing geared toward increasing market share. Despite differences among brewers, they faced many of the same challenges.

German-Americans dominated the brewing industry, and had, since the lager beer revolution of the mid-nineteenth century, sought to present a carefully crafted public image of lager beer. Lager brewers sought to promote the health benefits of the drink they lovingly called “liquid bread,” and often characterized beer as a drink of moderation. Brewers also contended with the inescapable German identity of beer. While brewers took pride in their German heritage, they were also eager to prove their allegiance to America. While many breweries had
German names, sold beers named for German cities, advertised in the German ethnic press, and employed a predominantly German-American workforce, brewers nevertheless sought to brand beer as American. Advertisements often invoked the founding fathers and revolutionary rhetoric of liberty in the face of the tyranny of Prohibition.

Many brewers adopted a remarkably conciliatory and non-confrontational tone in the face of growing anti-German and anti-immigrant sentiment. In many ways, nativist and anti-German sentiments fanned the flames of Prohibition, but the brewing industry also became a victim of its own success. Many brewers argued that beer was a drink of moderation and temperance, but they also argued that the brewing industry, the sixth largest industry in the nation, was economically vital. Beer had long since outstripped hard liquor as America’s preferred alcoholic beverage and sales grew rapidly and steadily for decades. An industry that once boasted of its size and industrial success, found itself in retreat trying to rebrand itself as a drink of moderation. Ultimately, brewer’s failed to persuade legislators with arguments of liberty, economic necessity, or moderation as an alternative to abstinence. Nonetheless, brewers’ resistance to Prohibition provides valuable insights into the brewing industry, the German-American experience during World War I, and the policing of vice in America.

**Historical Narratives of Temperance and Prohibition**

Prohibition and the rise of the temperance movement have been the subject of public curiosity and extensive academic study. The rise of temperance and passage of the Eighteenth Amendment are often cited as one of the first major political successes of women acting as an interest group and a prelude to the Nineteenth Amendment, which granted women’s suffrage. Daniel Okrent’s *Last Call: The Rise and Fall of Prohibition*, followed the successes of the Women’s Christian Temperance Movement and dynamic figures of the temperance movement
like Carrie Nation. Okrent concluded, as many other historians have, that “both suffrage and Prohibition would enter the Constitution virtually as Brothers. Or, it might have been said, Sisters.”

Another common explanation of Prohibition views Prohibition as the product of ethnoreligious tensions between orchestrated as an Anglo-Saxon Protestant movement originating in church and spreading into the political sphere. Such interpretations focus on the Women’s Christian Temperance Movement and Anti-Saloon League and figures like Billy Sunday and Lyman Beecher. In this context, Prohibition is seen as a means of social control exerted on the drinking cultures of immigrants, many of whom were Catholic. The movement reached beyond simply Catholic immigrants but also sought to control African-Americans and protestant immigrants who often had their own churches, like the German Lutherans. The greatest flaw in the traditional ethnoreligious is its focus on drinkers and saloon keepers and inability to see the ethnocultural implications of prohibitionist attacks on brewers.

Despite the extensive historical literature on the temperance movement, brewers have been lost in the mix. Even many corporate histories of breweries have glossed over or ignored the importance of brewers’ resistance to Prohibition. Some like Thomas Cochran’s history of the Pabst Brewing Company, explicitly characterize brewers as apathetic or as passive actors. Cochran’s chapter on the rise of Prohibition in The Pabst Brewing Company: The History of an American Business includes a section titled “The Apathy of Brewers.” Cochran argued that “The brewers foolishly trusted in their passive friends and general public inertia.”

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Cochran, Pabst was more complacent than other brewers—still the dominant flaw was not apathy, but hubris.

Some histories of the brewing industry begin after repeal and hardly acknowledge the history of beer before Prohibition. William Knoedelseder’s Bitter Brew: The Rise and Fall of Anheuser-Busch and America’s Kings of Beer begins with a chapter simply titled, “‘Beer is Back!’” When Knoedelseder published his book in 2012, more of Anheuser-Busch’s history lay before 1933 than after it. Moreover, Anheuser-Busch—now ABInBev—remains the largest brewing company in the world. It would seem that “The Rise and Fall of Anheuser-Busch” would be a more apt title for the pre-Prohibition history of the company rather than its post-repeal success. In contrast, Ronald Plavchan’s dissertation “A History of Anheuser-Busch, 1852-1933” acknowledged and examined responses by the firm and local citizens in St. Louis. Plavchan’s examination was cursory amid a much broader corporate history and oversimplified as largely a movement of economic self-interest.

The existing historical literature also focuses heavily on the movement towards the Eighteenth Amendment and the reality of Prohibition, but often overlooks the importance of crafting of the Volstead Act. Many pages have been dedicated to analyzing the ineffectiveness of the Volstead Act in practice, very little has been written about why the Volstead Act took the form that it did. Similarly, the Cullen-Harrison Act is often overlooked or written off as a mere prelude to repeal. Even David Kyvig’s in-depth study of repeal does not even mention the Cullen-Harrison Act by name. Taken together the Volstead Act and Cullen-Harrison Act demonstrate Congress’ discretion in defining “intoxicating liquors,” as it pertained to the enforcement of the Eighteenth Amendment. The juxtaposition of the Volstead and Cullen-Harrison Acts raises the often overlooked question, why did Congress vote overwhelmingly to
override President Wilson’s veto of total Prohibition? K. Austin Kerr is one of the few historians who has examined the development of the Volstead Act and the related debate about the inclusion of beer, but even he viewed the debate from the perspective of the Anti-Saloon League in Organized for Prohibition: A New History of the Anti-Saloon League.

On the opposite side of the movement, David Kyvig’s Repealing National Prohibition, viewed Prohibition as a “fait accompli,” and viewed resistance to the Eighteenth Amendment and Volstead Act as a mere prologue to the later struggle for Repeal. He provided a cursory examination of the struggle to provide context for the origin of the Association Against the Prohibition Amendment, which was the focus of his study. He made brief mention of the Organization Against National Prohibition, which has been ignored by historians and written off as insignificant, when it has even been deemed worthy of mention.

The only deliberate and detailed examination of resistance to the Prohibition movement is Nuala McGann Drescher’s doctoral dissertation “Opposition to Prohibition, 1900-1919: A Social and Institutional Study.” Drescher focused heavily on the USBA and organized labor. Although she provided exhaustive studies of the USBA’s and Samuel Gompers’ actions to challenge prohibition, Drescher’s analysis does not capture the diversity of the brewing industry and the varied responses of different brewers to the crisis. McGann lamented a lack of source material as one cause of the dearth of scholarship on the topic of brewers’ resistance to prohibition. Many sources have been lost as many breweries and brewers’ associations shuttered during Prohibition, and yet others have undergone a series of mergers in which many early records were lost or discarded. Other breweries treat even their pre-Prohibition records as proprietary and shield their records from public knowledge and scrutiny.
Despite the dearth of formal records, the extensive digitization of pre-Prohibition newspapers and the development of Optical Character Recognition (OCR) software has opened up a new primary source base: newspaper advertisements. Prior to digitization and OCR, any examination of newspaper advertisement would have required scrolling through miles of microfilm and search aimlessly through old newspapers, but OCR databases allow for precise searches for advertisements of specific products.51 This paper will make extensive use of newspaper advertisements, which have been largely ignored in histories of the brewing industry prior to Prohibition. Newspaper advertisements provide a compelling medium for understanding brewers’ resistance to Prohibition. In addition to other primary sources, these advertisements provide great insight into the public image that brewers sought to construct and the arguments that they levied against prohibition. The breadth of the source base also illustrates differences in advertisements among firms and demonstrates how brewers’ public image and resistance evolved over time in response to the mounting threat of national Prohibition. Later advertisements demonstrated the crippling and muting effect that wartime anti-German sentiment had on brewers, who sought to preserve their livelihood and their way of life.

**Brewers’ Muted Resistance**

To ask why beer was included in Prohibition is in many ways a more complex question than to ask why Prohibition happened in the first place. Beer and liquor have also historically been subject to different legislation in the United States, with beer often promoted as an alternative to beer. For over two centuries, temperance advocates targeted liquor and viewed beer, at worst, as a lesser evil. However the rapid expansion of the brewing industry and cultural

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51 Despite their prominence in their own time and their importance to understanding brewers resistance to Prohibition and the development of early advertising campaigns, Anheuser-Busch’s National Heroes, Framers of the Constitution, and Moderation series had not been compiled or studied, before I compiled them, while working at the Library of Congress in 2014.
shift in alcohol consumption brought beer into the crosshairs of Prohibition. Pre-prohibition beer production peaked at 66,189,473 barrels—nearly a twentyfold increase from 1865.\footnote{Kerr, “The American Brewing Industry, 1865-1920,” 176.}

Furthermore, the lager revolution and the strong German identity of beer further incensed many temperance advocates who often harbored nativist and anti-German sentiments.

Despite historical narratives to the contrary, Brewers did resist the rise of Prohibition. Brewers, many of whom overestimated the importance of the federal income tax, were slow to respond to the threat of national Prohibition. Nonetheless, brewers’ ineffectiveness in combating Prohibition stemmed, not from apathy or inaction, but from the silencing effects of vitriolic anti-German sentiment, and wartime prohibition. Moreover, the inclusion of beer in Prohibition was a means to strip the German-American population of its economic power. The brewing industry was dominated by German-Americans and German immigrants and employed tens of thousands of German-Americans. Prohibition, as the death of the brewing industry, stripped large brewers like Anheuser-Busch of much of their prominence and deprived many in the working-class of their employment.

This paper will examine three case studies: The United States Brewers Association (USBA), The Pennsylvania State Brewers Association (PSBA), and Anheuser-Busch, the largest brewer in the world prior to Prohibition. These case studies offer a diverse cross section of the brewing industry and its responses to prohibition. The early years of the twentieth century witnessed a revolution in print advertising, namely the transition from advertisements as a statement of goods for sale to an argument for why consumers ought to purchase the goods being advertised. At the forefront of marketing innovations was Albert Lasker, whose clients included Anheuser-Busch.
This paper begins with an examination of development of the brewing industry and its uniquely German identity. The second chapter, “When Beer is Bier Its Hard to Bear,” examines the importance of waves of German immigration throughout the nineteenth century and the emergence of German lager beer in the United States. The chapter focuses on the lager revolution and the importance of the Civil War, immigration, and technological developments to the growth of the American beer industry. In the latter half of the nineteenth century, lager surpassed traditional ale, beer—spurred on by the lager revolution—surpassed liquor as the national drink, and prohibitionists fixed their crosshairs on beer, brewers, and saloons. The chapter concludes with an examination of wartime anti-German sentiment, which is central to the case studies of later chapters.

The third chapter, “Band of Brewers,” examines collective action of brewers’ association industry through two case studies. The United States Brewers’ Association (USBA) has often been regarded as the primary form of brewers’ resistance, though its import in historical literature owes largely to its national profile and the wealth of primary source material. The early history of the USBA provides insight into the origins of collective action in the brewing industry, while the story of its struggle against Prohibition illustrates and typifies the silencing of brewers by anti-German sentiment, and anti-brewer sentiment. The Washington Times controversy helps to demonstrate how A. Mitchell Palmer and the press turned anti-Sentiment and wartime fervor against brewers. The chapter also discusses A. Mitchell Palmer’s actions as the Custodian of Alien Property during World War I. In his official capacity, Palmer launched a crusade against German-American business interests and took aim at some of the most prominent brewers in the country—casting them as traitors and depriving them of their property.
“Band of Brewers,” continues with an examination of the brewing industry in Pennsylvania and two brewers’ associations the Philadelphia Lager Beer Brewers’ Association and the Pennsylvania State Brewers’ Association. Special attention is given to the development of the brewing and German culture in Philadelphia and Pennsylvania. The case study of brewing in Pennsylvania, which consisted of many local and regional breweries provides a stark contrast to the examination of brewing in St. Louis in the following chapter which is dominated by national shipping brewers like Anheuser-Busch. No formal history has been written about either of the two brewers’ associations, but they both contributed to the Fact Versus Fallacies campaign, which was the most extensive and detailed advertising campaign conducted by brewers in response to the rising threat of Prohibition. The series demonstrates not only the concerted effort of brewers to shape public opinion, but provides insight into the arguments advanced by both brewers and prohibitionists. The chapter concludes with an examination of hasty attempts by organized labor and private citizens to protest the Eighteenth Amendment, which reflected the extent to which brewers had been discredited and rendered irrelevant in public discourse.

“King without a Throne,” follows the rise of Anheuser-Busch and its opposition to Prohibition. The study begins with an examination of how St. Louis evolved from a French trading post to a German-American brewing hub. The contrast of brewing in Pennsylvania and St. Louis shows the diversity of the industry and its impact on how brewers and communities resisted Prohibition. Pennsylvania had a long history of German immigration and settlement dating to the seventeenth century, whereas St. Louis emerges as a hub of German immigration in the 1830’s. Although the lager revolution has a major impact on both cities, they develop very differently. In order to achieve economies of scale, St. Louis brewers have to become shipping
brewers and seek demand outside their own market, whereas demand in Pennsylvania supports a massive brewing industry ranging from small local brewhouses to massive regional breweries.

Each brewer responds to their own market and Anheuser-Busch as a national shipping brewer advertises nationally. Although national marketing was initially important as a means to win and maintain market share in markets from coast to coast, Anheuser-Busch employed its national marketing reach to campaign against Prohibition. Moreover, Anheuser-Busch innovated creating new ways to advertise, launching advertising campaigns, and adapting their message to the social and political climate of the time. As such, the wealth of primary source advertising for Anheuser-Busch’s premier brand Budweiser offers insight into how and why brewers changed their arguments and their tone, as their campaign against Prohibition progressed and evolved.

“Drought to Draught,” examines the consequences of the silencing and discrediting of brewers. The chapter begins the often overlooked Cullen-Harrison Act, which amended the Volstead Act and allowed for the sale of beer and light wine. The Cullen-Harrison brought beer back to America, but brewers struggled to survive—and many did not. The chapter examines how the Volstead Act, how it reshaped American alcohol consumption, and how its selective enforcement reaffirmed its classist and bigoted origins. Special attention is also given to brewers’ attempts to campaign against Volstead, brewers’ creative and diverse business ventures, the evisceration of the domestic brewing industry, and dissension within the brewery. The impact and enforcement of Prohibition, the passage of the Cullen-Harrison Act, and the public discourse from World War I through Prohibition demonstrate that the inclusion of beer in Prohibition, rather than an afterthought, was essential to the fundamentally bigoted and classist institution of Prohibition.
When Beer is *Bier* it’s Hard to Bear: How America’s Beer Became German

Waves of German immigration beginning in the 1830’s and continuing throughout the remainder of the nineteenth century ushered in a lager beer revolution that fundamentally changed and rapidly expanded the American Brewing industry. German immigration brought nearly six-hundred thousand German immigrants to the US in the 1830’s and 1840’s, and German immigration grew immensely in the second half of the nineteenth century.53 In a major wave of immigration, almost one million Germans immigrated to the United States in the 1850’s.54 In a second wave of major immigration, another brought nearly one-and-a-half million German immigrants to the United States in the 1880’s.55 All told, over five million Germans immigrated to the United States from 1830 to 1900.56 Germans brought with them German lager brewing techniques and technologies that would entirely reshape the American brewing industry.

Estimating the total size of the German-American population presents both definitional and statistical challenges. The first challenge in measuring the size of the ethnic German lies in the definition of German. Germany did not exist as a unified state when German immigrants began coming to North America, nor did it exist in 1790, when the first American Census measured the number of German-Americans. Even the German Confederation which lasted from 1815 to 1866, would not be an accurate measure as it included a variety of other ethnic groups, namely Czechs, Poles, and Austrians. Additionally, estimations of the German-American population suffer from a dearth of relevant records and statistics. Many immigration records reflect the nation from which they emigrated, not their ethnic identity, as such it is

54 Wandel, 3.
55 Wandel, 3.
56 Wandel, 2-3.
difficult to identify from these records Germans who immigrated to the US from a neighboring European country. Finally, census data from the nineteenth century only tracked the number of foreign-born and their children. There are no records of the ancestry of those whose families lived in the United States for more than two generations.

Albert Faust, a German Professor at Cornell, was the first serious academic who attempted to estimate the size of the ethnically German population in the United States in his seminal German-American ethnography, *The German Element in the United States*. Since census data offered immigration data and data on the children of foreign-born parents, Faust’s analysis relies heavily on data from the first census in 1790, the eleventh census in 1900 and immigration data from the intervening 110 years. The 1790 census revealed that 375,000 German immigrants and descendants living in the US, including 160,000 living in Pennsylvania. In 1790, Germans comprised nearly ten percent of the United States and almost thirty-seven percent of Pennsylvania. Faust’s exhaustive study of population trends culminated in his estimate that Americans “of German blood” (German immigrants and their descendants) comprised the second largest ethnic group in the United States trailing only the English. He estimated that the German population of America in 1900 was 18.4 million—nearly a quarter of the nation's population. For reference, he also compared his estimate to that of a noted German statistician, Richard Boch, who estimated in 1903 that the German population of the United States was eighteen million. By 1983, official estimates suggested that seven million Germans had

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58 Faust, 16.
59 Faust, 27.
60 Faust, 27.
61 Faust, 5.
immigrated to the United States in the nation’s history and that sixty million Americans, a quarter of the population, could trace their heritage to German ancestry.\textsuperscript{62}

While beer had arrived on the \textit{Mayflower} and been a part of American and colonial culture for well over two centuries, prior to the 1850’s Americans consumed hard liquor—often called ardent spirits—far more than beer, and produced ale far more than lager. Definitionally, the difference between ales and lagers is in the fermentation process, but each has strong cultural associations. Traditional ales use a yeast that ferments at the top of the vat, whereas lager beer uses a bottom fermenting yeast.\textsuperscript{63} Lager beers are also brewed at a lower temperature than ales. Differences in the brewing process give the beers different properties. More importantly, lagers have a strong cultural association with Germany and German-Americans. German immigration brought not only brewers, but an ever-increasing market for lager beer in the United States.

The first major wave of German immigration in the 1840’s and 1850’s caused a rapid expansion of lager breweries in the United States in the decades that followed. By 1900, the three largest breweries in the world, Anheuser-Busch, Pabst, and Schlitz, were founded by German immigrants to the United States in the 1840’s and 1850’s. Although German immigrants founded breweries across the country, particularly in the German triangle—St. Louis, Milwaukee, and Cincinnati—the lager revolution truly took hold in the 1860’s and 1870’s as technological innovations allowed brewers to increase their scale and productivity well selling to a national market. Moreover, many existing ale brewers found brewing lager beer far more profitable. By 1867, only one brewery, M. W. Powell & Co., brewed ale in Milwaukee.\textsuperscript{64}

\textsuperscript{62} 101 Stat. 2210 Proclamation 5719 (October 2, 1983).
\textsuperscript{63} Baron, 175.
\textsuperscript{64} Baron, 187.
The center of gravity in the American Brewing industry shifted west from New York and Pennsylvania to Milwaukee and St. Louis.

The German immigrant brewers who would come to dominate the industry adopted new technologies quickly and created vertically integrated firms. Many brewers brought technological innovations with them from Germany while others returned to Germany periodically to refine their craft and observe new innovations. German immigrant brewers formed the Lager-Beer Brewers Association in 1862 as both a trade association and lobbying arm. The organization quickly expanded to include ale brewers and changed its name to the United States Brewers’ Association (USBA). In addition to the USBA, brewers also founded numerous trade journals, professional societies, and scientific brewing training institutes in the US.  

Beer production grew rapidly due to technological advances following the wartime boom. By the twilight of the war annual beer production reached more than 3.6 million barrels in 1865. Production would continue to grow rapidly, increasing tenfold by the turn of the century before reaching a peak of more than sixty-six million barrels by 1914. In 1810, the fledgling American brewing industry had consisted of approximately 140 breweries that produced 182,690 barrels of beer—almost all of which was British style ale. In contrast, Pabst brewing alone produced more than a million barrels a year by 1892, and Schlitz and Anheuser-Busch passed the million barrel mark in the early years of the twentieth century.

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69 One Hundred Years of Brewing, 224,258.
In 1864, French chemist, Louis Pasteur, discovered that by heating wine and then quickly cooling it he could kill most bacteria that caused wine to spoil. American brewers, especially Anheuser-Busch realized the commercial application and potential of Pasteur’s process, which became known as pasteurization. Because pasteurization helped prevent beer from spoiling, brewers were able to ship beer farther and increase their market. Other inventions including mechanized refrigeration by ammonia compression and refrigerated train cars also enabled brewers to ship their products farther, allowing for the emergence of national brands. Refrigeration also allowed major brewers to develop networks of regional depots where saloons could purchase beer on demand.\(^{70}\)

Additionally, the development of bottled beer also revolutionized the way Americans consumed beer. Bottled beers allowed brands to develop national identities and recognition. Moreover, it brought beer beyond saloon taps and into home ice boxes, rail cars, hotels, ships, and restaurants. After the discovery of pasteurization bottled beer no longer had to be refrigerated which made shipping much easier; however the process of corking bottles was labor and cost intensive. The invention of the crown bottle cap in 1892 greatly improved productivity by replacing hand corking with a mechanized process.\(^{71}\)

Firms that adopted these technologies early and devised vertically integrated networks of breweries, cooperages, bottling factories, freight shipping, sales agents, and regional distribution depot achieved economies of scale and produced beer incredibly efficiently. Pabst, Schlitz, and Anheuser-Busch all owe much of their success to these innovations and their ability to develop vertically integrated processes to minimize costs. Many smaller brewers, particularly in Pennsylvania and New York, which had previously been the largest beer producers, attempted to

engage in cartel-like cooperation but failed. Most price fixing schemes ended quickly as brewers could not resist the lure of a larger market share. One of the most successful cartels was the Cincinnati Brewers’ Protective Association which controlled and stabilized prices for thirteen years before it was broken up by court order.\textsuperscript{72}

**Lager Beer’s Inescapable German Identity**

“We have German enemies in this country, too. And the worst of all our German enemies, the most treacherous, the most menacing, are Pabst, Schlitz, Blatz and Miller. They are the worst Germans who ever afflicted themselves on a long-suffering people. No Germans in the war are conspiring against the peace and happiness of the United States more than Pabst, Schlitz, Blatz, and Miller,”\textsuperscript{73}

—John Strange, Former Lt. Governor of Wisconsin (1918)

Although anti-German and anti-brewer sentiment became vitriolic during the First World War, both had a far longer history in America. From the lager revolution and even earlier, beer and Germans were persecuted together. Long the subject of ridicule and marginalization, Germans and beer became the target of national hatred during the War. Many German immigrants had been able to subsist in entirely German communities, where the German communities provided their own social and business institutions from schools and lawyers to beer gardens and brewhouses, but as soon as Germans tried to sell their lager beyond their own community they were labeled as inherently un-American.

“Lager Beer is a kindly liquid, and a moral agent; it is pleasant to the taste and withal, it is not intoxicating; so people say.”\textsuperscript{74} Nationally syndicated comic Mortimer Thomson captures the image of lager beer that brewers sought to project. Thomson, under the pseudonym Q.K. Philander Doesticks, took aim at lager beer in a clever satire that ran on front pages across the country in 1858. Thomson crafted “Doesticks’ Lager Beer Experience” as an open letter from

\textsuperscript{72} Kerr, “The American Brewing Industry, 1865-1920,” 184.
\textsuperscript{74} Mortimer Thomson, “Doestick’s Lager Beer Experience, Bellevue Gazette. (Bellevue City, NE) July 22, 1858.
the clueless Doesticks singing the praises of lager beer. Doesticks blindly accepted the above claims and repeatedly reiterated that lager beer is not intoxicating, even as his narrative proved otherwise. He even asserts “I never drink inebriating compounds,” and “there is no more danger of a man getting drunk upon Lager than sweet cream.”

Doesticks crafted his letter in defense of lager beer and described his experience drinking lager beer and becoming intoxicated, but he contended “it couldn’t have been the lager for that obnoxious beverage does not intoxicate the partaker thereof.” Finally, he concluded, “I laid it to the cheese, and made a strong resolve to eat no more without taking plenty of lager beer… to correct its ill effects.”

His letter ended with a succinct and sardonic post scriptum: “Lager does not intoxicate.”

Thomson pulled no punches in his cutting satire of lager beer and took aim at brewers’ attempts to Americanize lager beer. He wrote, “Lager has taken out his papers and become naturalized, and is now as thoroughly American as he was before peculiarly German.” At the time ales, which had a strong Anglo-Saxon association and had been present in America for over two centuries, remained more popular than lagers and would until after the Civil War. Nonetheless, even in the 1850’s lager brewers saw the importance of assimilating and weaving lager beer into the cultural fabric of America—and effort that Thomson and others made light of.

The German immigrant identity of the brewing industry became increasingly problematic as World War I and Bolshevism stoked the flames of nativism, anti-German sentiment, nativism, and militant opposition to socialism. Anti-German sentiment grew increasingly acerbic following the sinking of the RMS Lusitania in 1915 and the American declaration of war on Germany in

75 Mortimer Thomson, “Doestick’s Lager Beer Experience,” Bellevue gazette. (Bellevue City, NE) July 22, 1858.
76 Thomson, “Doestick’s Lager Beer Experience.”
77 Thomson, “Doestick’s Lager Beer Experience.”
78 Thomson, “Doestick’s Lager Beer Experience”
1917. Anti-German sentiment swept the nation. To be German was to be anti-American. The US had waged a war against the “hyphenated American” long before World War I, but never with such vitriol as against German-Americans during World War I. In a speech about the League of Nations, after the war, President Wilson declared, “And I want to say—and I can't say it too often—any man who carries a hyphen about with him carries a dagger that he is ready to plunge into the vitals of this Republic whenever he gets ready.”

Beyond harsh words and unending suspicion, German-Americans were also subjected to mob violence and widespread detention. Mobs forced many German-Americans to buy bonds to prove their loyalty. Mobs also forced ethnic Germans to kiss the American flag, recite the pledge of allegiance, or sing the national anthem. In one such instance a mob in Collinsville, Illinois forced German-born socialist, Robert Prager, to kiss the American flag. He escaped, but the mob pulled him from his boarding house and forced him to march through the street draped in an American flag. Police, fearing for his life, took him and placed him in jail for his protection. The mob returned later that night stormed the jailhouse, took Prager out, and lynched him.

No case offers a greater example of the absurdity, extent, and pernicious effects of the marriage of anti-German sentiment and wartime restrictions on expression than the case of Robert Goldstein and his ill-fated film, The Spirit of ’76. Goldstein had become very wealthy from his work on D.W. Griffith’s epic film The Birth of a Nation for which he was compensated with a share of the profits from the film. With his share, Goldstein founded the Continental Producing Company and endeavored to create an epic film of his own. Although the film was

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82 Hickey, 118.
83 Hickey, 118.
fictional it included numerous historical events including: Paul Revere’s midnight ride, the Battle
of Lexington and Concord, the signing of the Declaration of Independence, and the Cherry
Valley Massacre of 1778.\textsuperscript{84} Goldstein completed his film in 1917, and planned a premiere in
Chicago on May 7, but was refused a permit on the grounds “that it might serve to arouse
bitterness and sectional feeling against England, now one of the United States’ Allies in the
present war” and that the film’s “battlefield horrors… might militate against recruiting.”\textsuperscript{85} After
making significant cuts to the film, Goldstein successfully premiered the film on May 28.

Having seemingly won a major victory over the Chicago Censorship Board, Goldstein
shifted his focus to a west coast premiere in Los Angeles. Goldstein’s film was confiscated at the
premiere and he was arrested the next day. A Federal grand jury indicted him under both the
Espionage Act and the Selective Service Act, alleging that he “willfully and unlawfully sought to
cause insubordination, disloyalty, mutiny and refusal of duty on the part of the military and naval
forces of the United States.”\textsuperscript{86} The indictment alleged that the Spirit of ’76 was “designed and
intended to arouse antagonism, hatred, and enmity between the American people and the people
of Great Britain, at a time when the defendant knew well the government of Great Britain… was
an ally of the United States in a prosecution of a war against the imperial government of
Germany.”\textsuperscript{87}

Goldstein’s legal case had the incredibly ironic title, \textit{The United States v. The Spirit of
’76}. The government’s case focused heavily on depictions of atrocities committed by British
soldiers. One particularly gruesome scene showed a British soldier at the Cherry Valley

\textsuperscript{85} Quoted in Stokes, 12
\textsuperscript{86} Quoted in Stokes, 13.
\textsuperscript{87} Quoted in Stokes, 13.
Massacre bayoneting a baby and waving the baby’s impaled body above his head.\textsuperscript{88} Ironically, another scene which garnered much hostility depicted a Hessian mercenary murdering a Quaker. Critics claimed the scene depicted the British in a negative light and failed to acknowledge that Hessian’s were ethnically German.

Ultimately, Goldstein lost everything. He was sentenced to ten years in prison and fined $5,000, his wife left him, and he was forced to declare bankruptcy.\textsuperscript{89} One headline read, “Goldstein, Pro-German, Party to Many Lawsuits,” and ran directly above another story about a German Lutheran minister in Kansas who was tarred and feathered for allegedly “making disloyal utterances from the pulpit.”\textsuperscript{90} Although Woodrow Wilson later commuted Goldstein’s sentence, his reputation and financial well-being lay in ruins.

Ironically, when the film was later screened in 1922, the tagline in advertisements read: “An American Picture for American Patriots. Don’t Miss It.”\textsuperscript{91} A review of the film claimed that the film was “calculated to stir the patriotism and enthusiasm of Americans who are proud of the deeds of Washington, Franklin, Patrick Henry, John Hancock, and other revolutionaries.”\textsuperscript{92} Goldstein later suggested that if he had adopted “a stage name like Reginald Scarborough” he would not have suffered the same misfortune. As the son of a Jewish German immigrant, he had the dual misfortune of facing both anti-Semitism and potent anti-German sentiment.\textsuperscript{93}

Anti-German sentiment resulted in a cultural purge as well. German inspired street names in American cities were replaced with English names. Ironically, Berlin Avenue in St. Louis became Pershing Avenue to honor Five Star General John J. Pershing—whose surname

\textsuperscript{88} Stokes, 14.
\textsuperscript{89} “Goldstein, Pro-German, Party to Many Lawsuits,” \textit{Daily Capital Journal} (Salem, OR), May 9, 1918.
\textsuperscript{90} “Goldstein, Pro-German, Party to Many Lawsuits.”
\textsuperscript{91} “Strand—Spirit of ’76,” \textit{The Washington Times} (Washington, DC), June 5, 1922.
\textsuperscript{92} “The Spirit of ’76,” \textit{Evening Star} (Washington, DC), March 31, 1922.
\textsuperscript{93} Stokes, 14.
was an Americanized version of his German ancestral last name Persching.\textsuperscript{94} Orchestras stopped playing Wagner and other German composers.\textsuperscript{95} Sauerkraut and hamburgers disappeared from menus, replaced with “liberty cabbage” and “liberty steaks.”\textsuperscript{96} Schools stopped teaching German and libraries discarded German books. Many German-American companies changed their names to distance themselves from their German heritage. There was, however, no greater purely German-American cultural contribution than lager beer. Unlike streets, hospitals, and insurance companies, brewers could not simply anglicize their names. German identity was so central to the public image of individual brewers and the industry as a whole that the reality of it was inescapable.

If not for the political opportunism of wartime anti-German sentiment, German-style lager beer would have been a strange target for prohibitionists. Not only did beer have far less alcohol content than distilled liquors and most wines, but German-style lagers had far less alcohol content than most other beers at the time. One early prohibitionist, Henry Rueter, published a pamphlet titled, “Argument in Favor of Discriminating Legislation Regarding the Sale of Fermented and Distilled Liquors—Addressed to the Joint Special Committee of the Massachusetts Legislature on the Sale of Intoxicating Liquors,” in which he created a list of beers and their respective alcohol contents.\textsuperscript{97} The values Rueter associated with different beers are shown in table 1.

\textsuperscript{94} Olson, 205.
\textsuperscript{95} Olson, 204.
\textsuperscript{96} Katherine T. Cassell, “Wartime German at Junior High,” \textit{The German Quarterly} 18 (November 1945), 169.
\textsuperscript{97} Eddy, 56. The alcohol content of pre-Prohibition beer is not easily defined as it varied both by brand and style. Moreover, practices for measuring alcohol content had not been standardized and alcohol content by volume (ABV) and alcohol content by weight (ABW) were both commonly used and both commonly listed simply as the percentage of alcohol in a drink even though the values differed. Nonetheless, the two values are directly proportional (ABV is twenty-five percent greater than ABW), so any list of drinks that reflect alcohol content show the relative content of different drinks even if the source does not specify which measurement they used—assuming of course that they used the same measurement for each value.
Rueter lists Ottawa beer as the only “beer” having a lower alcohol content than German style lager beer. Ottawa beer was originally sold as a non-intoxicating temperance drink in the same class as sarsaparilla, root beer, ginger ale, and seltzer water. Later “Ottawa beer” was used as a label for so-called “near beer,” which was probably a marketing ploy drawing on the temperance history of the name. Its inclusion on his list is odd as at the time “Ottawa beer” generally referred to a nonalcoholic drink “made with sugar, snakeroot, and aromatics.” One article on temperance drinks that was syndicated in papers across the country noted, “Fresh Ottawa beer is rather a nice drink and kept freshly on tap at the drug stores is very popular in summer time.” Even as late as 1925, Ottawa beer was classified as a type of root beer—a class of non-alcoholic drinks. The quotation marks around Ottawa in Rueter’s works suggest perhaps that he was measuring an early attempt at near-beer, rather than the soft drink. German lagers had the lowest alcohol content of any alcoholic beverage that had not been actively dealcoholized.

<table>
<thead>
<tr>
<th>Type of Beer</th>
<th>Alcohol Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Ottawa&quot; Beer</td>
<td>2.0%</td>
</tr>
<tr>
<td>Average German Lager-Beer</td>
<td>3.8%</td>
</tr>
<tr>
<td>Common Massachusetts Lager-Beer</td>
<td>4.0%</td>
</tr>
<tr>
<td>Common Massachusetts Ale</td>
<td>4.1%</td>
</tr>
<tr>
<td>Average Massachusetts Ale</td>
<td>5.2%</td>
</tr>
<tr>
<td>Home-brewed &quot;Hop-beer&quot;</td>
<td>5.5%</td>
</tr>
<tr>
<td>Strong Massachusetts Lager-Beer</td>
<td>5.8%</td>
</tr>
<tr>
<td>Common Cider</td>
<td>6.1%</td>
</tr>
<tr>
<td>London Porter (imported)</td>
<td>6.1%</td>
</tr>
<tr>
<td>Strong &quot;Stock&quot; Ale</td>
<td>6.3%</td>
</tr>
<tr>
<td>London Ale (imported)</td>
<td>6.8%</td>
</tr>
<tr>
<td>Dublin Porter (imported)</td>
<td>7.0%</td>
</tr>
<tr>
<td>Edinburgh Ale (imported)</td>
<td>7.5%</td>
</tr>
</tbody>
</table>

99 Eddy, 56.
100 “Temperance Drinks,” The Wheeling Daily Intelligencer, March 14, 1876.
Not only did German-style lager beers, especially pilsners, have significantly lower alcohol content than other pre-Prohibition beers, they also had far less than contemporary wines and liquors. In 1917, as the threat of Prohibition loomed, *The Cyclopedia of Temperance Prohibition and Public Morals*, published another list of the alcohol (see appendix 1.4 for full list) contents of common drinks and again beer was the lowest. The table listed “beer,” which given the inclusion of porter and ale as separate items likely represented a generalization of all lager beers, as four percent alcohol. In contrast, porter was listed as four-and-a-half percent and ale was listed as seven percent. In contrast, wines ranged from Moselle at ten percent to fortified wines like Madeira and Port at twenty-one and twenty-three percent respectively. Liquors ranged from Chartreuse with forty-three percent alcohol to rum and whisky with fifty-four percent each.\(^\text{105}\)

Despite attempts to rebrand lager beer as both a temperance drink and an American beverage, brewers and lager beer came under fire for their German identity, especially after the United States entered World War I. Brewer’s would continue to attempt to cultivate and project an American image. At the same time, many forces of nativism and anti-German sentiment also fought on behalf of Prohibition. For instance, the Ku Klux Klan, known for racial hatred, espoused vitriolic anti-German sentiment during World War I, but also strongly advocated in favor of Prohibition and the vigilante enforcement thereof.\(^\text{106}\) While many Americans did not adopt the violence of the KKK or the Prager lynch mob, anti-German became pervasive and targeted German goods and culture as much as German immigrants.

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\(^{105}\) All figures in this paragraph from Cherrington, 22. See appendix 1.4.

\(^{106}\) McGirr, 130.
Band of Brewers:
Collective Action of the USBA and State Brewers’ Associations

In 1916, a federal grand jury indicted one hundred brewers in Pennsylvania and the United States Brewers’ Association (USBA) for conspiracy and unlawful expenditure of money in federal elections.\textsuperscript{107} Although the surprising indictments damaged the public image of the brewing industry, they also illustrated a remarkable level of industrial organization and cooperation in opposition to the rising threat of national Prohibition. The indictments came against fifty-eight members of the Pennsylvania State Brewers’ Association (PSBA) and forty-two members of the United States Brewers’ Association.\textsuperscript{108} The Pennsylvania State Brewers’ Association escaped indictment, because unlike the USBA, it was not legally a corporation.\textsuperscript{109}

Thirty-three brewers plead \textit{nolo contendere} (no contest) to charges of misuse of funds in federal elections and received fines ranging from five-hundred to three-thousand dollars and totaling fifty thousand dollars.\textsuperscript{110} Although the brewers did not admit guilt, their plea was treated as such in the press. In a similar case in Texas a year earlier, seven brewers paid $281,000 in fines, stemming from charges that the brewers had used nineteen million dollars from the USBA to manipulate political elections.\textsuperscript{111} The Pennsylvania and Texas scandals were only the beginning of a propaganda war waged in courtrooms, Senate hearings, and the front pages of America’s newspapers. By 1918, the USBA and the brewing industry had been thoroughly discredited and vilified as criminal and disloyal.

\textsuperscript{111} Associated Press, “Brewers Fined $50,000,” \textit{Harrisburg Telegraph}, (Harrisburg, PA), April 30, 1917.
The membership rolls of the Pennsylvania State Brewers’ Association and the United States Brewers Association included some of the same companies such as the American Brewing Company, Anchor Brewing Company, and Keystone Brewing Company, but also had distinct and different membership and goals.\textsuperscript{113} The Pennsylvania State Brewers’ Association emerged as the earlier Philadelphia Lager Beer Brewers’ grew and changed its name to reflect its expanded membership and mission. As a result of its origins in Philadelphia, the PSBA membership was heavily concentrated in Philadelphia and western Pennsylvania, whereas the USBA had a strong foothold in Pittsburgh and eastern Pennsylvania.

<table>
<thead>
<tr>
<th>Five Largest Brewers’ Associations in 1912 by Size\textsuperscript{112}</th>
<th>Name</th>
<th>Year Founded</th>
<th>Members in 1914</th>
</tr>
</thead>
<tbody>
<tr>
<td>The United States Brewmasters’ Association</td>
<td>1887</td>
<td>850</td>
<td></td>
</tr>
<tr>
<td>The United States Brewers' Association</td>
<td>1862</td>
<td>696</td>
<td></td>
</tr>
<tr>
<td>Pennsylvania State Brewers' Association</td>
<td>1902</td>
<td>160</td>
<td></td>
</tr>
<tr>
<td>New York State Brewers' Association</td>
<td>1880</td>
<td>105</td>
<td></td>
</tr>
<tr>
<td>Brewers' and Wholesale Liquor Dealers' Association of Colorado</td>
<td>1908</td>
<td>76</td>
<td></td>
</tr>
</tbody>
</table>

Brewers’ had organized as early as 1830 when early brewers’ formed The Ale Brewers’ Association of The States of New York and New Jersey.\textsuperscript{114} The USBA and the Philadelphia Lager Beer Brewers’ Association formed in 1862 in response to the Revenue Act of 1862 that imposed barrel taxes on beer. Several other Brewers’ associations formed in the second half of the nineteenth century, but the number of brewers’ associations began to grow rapidly in the late 1890’s and into the early 1910’s. At least thirty-nine of the fifty-one brewers’ associations in the

\textsuperscript{112} United States Brewers’ Association: The Year Book and Proceedings of the Fifty-Second Annual Convention Held in Chicago, Ill. Thursday and Friday September 19 and 20, 1912, 263-277. For a full list of brewers’ associations in 1914 see appendix 2.1.

\textsuperscript{113} “101 Indictments Against Brewers for Slush Fund,” Harrisburg Telegraph, March 4, 1916.

United States did not exist fifteen years earlier. Nonetheless, the brewing industry had a massive network of brewers’ associations organized nationally, regionally, by state, by city, and even by county. Some organized all brewers in a given area, while others focused on ale or lager brewers. Some included wholesalers, distributors, or malsters, while others consisted exclusively. They ranged in size from state associations in New Hampshire and Virginia with only four members to the massive The United States Brewmasters’ Association with 850 members.

The brewing industry has one of the longest histories of industrial cooperation between competing non-monopolistic firms in American history. From the USBA and state-level brewers’ associations to trade journals and cartel behavior, the brewing industry saw cooperation as essential to progress and often to survival. The threat of state and national prohibition laws provoked even greater cooperation among brewers, and led to the creation of new institutions, and bolstered existing institutions. The actions of brewers’ associations directly undermine historiographical narratives of passivity and defeatism among brewers in the 1910’s. The USBA and brewers generally dramatically underestimated the threat of national Prohibition, but when faced with a growing and obvious threat their responses were numerous and varied. With 160 members, the Pennsylvania State Brewers’ Association was by far the largest subnational brewers’ Association. The New York State Brewers’ was the only other state brewers’ association that had even half that number. As such the USBA and the PSBA provide compelling case studies of cooperation in the brewing industry in response to the threat of Prohibition.

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Despite their active campaign brewers’ associations and the brewing industry as a whole struggled to cope with the rising Prohibition movement, the decline in their importance for federal revenue, and the vitriolic anti-German sentiment. The rise of the income tax severely undermined the greatest political defense of the brewers: the tax revenue they produced. At the same time, wartime anti-German sentiment and nativism targeted and silenced brewers and beer drinkers. At the same time, the Anti-Saloon League and other Prohibitionist groups capitalized on the anti-German sentiment to advance their own agenda. Business men and organized labor tried to fill the void left by disgraced brewers, but their efforts were hasty, reactionary, and ineffective.

United States Brewers’ Association and the Origins of Brewer Cooperation and Lobbying

The USBA began in response—but not in opposition—to the imposition of a federal excise tax on beer in 1862. Faced with major fiscal concerns during the early days of the Civil War, Congress created the Bureau of Internal Revenue, imposed a temporary income tax, and passed the Revenue Act of 1862 which placed an excise tax on many goods including beer, liquor, tobacco, pool tables, and playing cards. 117 After the Civil War, Congress allowed the temporary income tax to expire and repealed excise taxes on most goods but taxes on alcohol and tobacco remained. 118 Brewers embraced the imposition of excise taxes on beer as a patriotic and civic duty. German-immigrant lager brewers, in particular, saw the tax as an opportunity to prove their allegiance and loyalty. Moreover, many brewers expected that federal government growing reliance on their taxes would protect brewing interests and the brewing industry as a whole. Excise taxes on beer, liquor, and tobacco accounted for ninety percent of all federal

revenue between 1868 and 1913.\textsuperscript{119} From 1880 to 1890, when the annual federal budget was roughly $300 million, brewers paid more than $25 million on average annually.\textsuperscript{120} By 1900, brewers paid over $73 million in federal taxes—equivalent to over 11.5 percent of the federal budget.\textsuperscript{121}

While brewers did not resist or oppose the Revenue Act of 1862, lager brewers did organize to pursue a tax refund and ensure that the tax on beer did not increase further. The Revenue Act stipulated that brewers would be taxed on any beer in stock when the law became effective on September 1, 1862.\textsuperscript{122} Lager brewers organized an appeal based on the “spirit of the law,” though they conceded that the letter of the law called for the taxation of their stocks.\textsuperscript{123}

Lager brewers’ objections derived from the unique brewing process of lager beer. While many distinguish lager beer from other beers by the use of a bottom fermenting yeast as opposed to the top fermentation yeast used in ales, stouts, and porters, lager brewers also stored their beer in casks in cold underground storage for several weeks or months. Lager derives both its name (Lager means storehouse in German) and its taste from this aging process. The controversy centered on beer which had been brewed and placed in cold storage for aging prior to the passage of the Revenue Act on July 1, 1862, but which would not be removed until after September 1, 1862 of that year. The nascent USBA, under the leadership of Frederick Lauer, a prominent Philadelphia lager brewer, contended, “It might have been possible, at some risk and expense to remove ale and porter brewed prior to September 1, 1862, yet it was utterly Impossible to remove lager beer prior to that date without destroying the article.”\textsuperscript{124}

\textsuperscript{119} “Historical Highlights of the IRS.” Internal Revenue Service. December 15, 2015.
\textsuperscript{120} Mittelman, 37.
\textsuperscript{121} Mittelman, 68.
\textsuperscript{122} Mittelman, 30-31. The law had passed two months earlier on July 1, 1862.
\textsuperscript{123} Mittelman. 31.
\textsuperscript{124} Mittleman, 31.
Lauer and the USBA failed to convince the newly formed Bureau of Internal Revenue of the merits of their case; in December 1862, the bureau held that the taxes collected on stocks of lager were lawful and appropriate. After his setback with the Bureau of Internal Revenue, Lauer and the USBA set their sights on legislative recourse. In February 1863, the House Ways and Means Committee assured Lauer that a bill which called for the refund was forthcoming; however, no such bill ever reached a vote or even debate on the floor. The members of the USBA eventually granted Lauer power of attorney to sue the government for a refund, which he won in the Court of Claims and lager brewers received their refund in 1869. Seven years after the USBA formed and brewers paid taxes on their stocks, the USBA won its first major victory.

Although the formation of the USBA and its success in winning tax refunds for lager brewers demonstrated early industrial cooperation, Lauer lamented a dearth of collective action. Lauer, believing the brewers would be unable to win their refunds, complained, “instead of a speedy and satisfactory refunding of all such erroneously paid taxes, the delay caused by want of united action has brought all these claims within the provision of limitation and they must prove a total loss and the innocent have to suffer with those upon whom rests the blame and guilt in this matter.” The USBA grew rapidly and presented a powerful unified front for the brewing industry, but the USBA fell far short of including all brewers, and free riders benefitted from the USBA’s extensive lobbying efforts. The Revenue Act of 1862 galvanized lager brewers to form the USBA in response to the tax on existing stocks of lager beer, the USBA quickly expanded its ranks and mission to include ale brewers. The USBA also spread across the country from its roots in the traditional brewing centers of New York and Pennsylvania.

125 Mittleman, 32.
126 Mittleman, 32.
127 Mittleman, 32-33.
128 Quoted in Mittleman, 32-33.
Brewers’ cooperation with the Bureau of Internal Revenue and the USBA’s effective lobbying activities prevented an increase in the tax on beer for over thirty years until the Spanish-American War. The USBA also succeeded in having the wartime tax lifted within three years after it was enacted. The federal government adopted a strikingly different tax policy in regard to hard liquor. On either side of the issue, naïve views of the issue led legislators to repeatedly increase the excise tax on liquor. Some temperance advocates hoped that a prohibitively high excise would discourage consumption of hard liquor, while other legislators believed the demand for liquor was highly inelastic and, as such, consumers would be willing to pay the higher tax, thereby increasing government revenue. Neither faction foresaw the rampant tax evasion and illegal liquor traffic that would result from such exorbitant taxes. As hard liquor became more vilified in public discourse, which often condemned the so-called whisky traffic. High taxes on liquor and the expansion of bootlegging and black market liquor paired with technological innovations in and the rapid expansion of the brewing industry reshaped consumption habits.

The USBA’s hubris and a crucial change in the tax structure of the United States led brewers to respond slowly and inadequately to the threat of national Prohibition. The focus of the USBA had long been spent on opposing state Prohibition and local option laws. The Year Book of the United States Brewers’ Association in 1911 seemed to declare victory over Prohibition, noting, “The defeat of prohibition during the past year in Alabama, Florida, Missouri, Oregon, and Texas, indicates that the prohibition movement has spent its force.”129 Brewers described this insight as “the lesson of the year” and further asserted that people in cities

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and towns were “in revolt against the policy of prohibition,” and that they would “not allow the people in the rural districts to impose repressive measures upon them against their own will.”

Brewers failed to grasp the importance of the Sixteenth Amendment and the immediate impact of the federal income tax. By 1913, forty-two states had ratified the Sixteenth Amendment allowing for a federal income tax. Brewers had long relied on the importance of excise taxes on beer in shaping their interactions with the federal government, and believed such taxes made national Prohibition impractical and incomprehensible. Brewers did not immediately realize the implications of the federal income tax in reshaping the tax structure and the importance of the brewing industry.

Brewers still saw evidence that the industry was an essential source of revenue for the government. The Emergency Revenue Act of 1914 increased the barrel tax on beer from $1.00 to a $1.50, and the War Revenue Act of 1917 increased the barrel tax again to $3.00. Anheuser-Busch, by its own estimate, paid over three million dollars in federal, state, and municipal taxes annually. Even prohibitionists lamented America’s reliance on revenue from beer and liquor interests as one of the greatest obstacles to their agenda.

A political cartoon by prohibition advocate Frank Beard in a magazine called the Ram’s Horn illustrates the prohibitionist lament. The cartoon showed Uncle Sam leaning against a vending machine labeled “United States Treasury” as a line of liquor dealers put coins in the machine which dispensed license to sell liquor. In the background were a factory, a prison,

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131 Mittleman, 79; 81.
132 Frank Beard, “Uncle Sam Makes Grist for his own Mill,” Blasts from the Ram’s Horn (Chicago, The Ram’s Horn Co., 1902), 41.
and two saloons with one long line of people from the factory to the saloons and another line of people from the saloons to the prison. Beyond the classist undertones of the background scene, the foreground condemned the government as being complicit and reliant on the liquor trade without regard for consequence.

In 1914, the USBA’s *Year Book* concluded that the enactment of Prohibition would force the Federal Government to confront “the serious matter of finding new sources” and posed the question: “How could this burden be met?” Their analysis even acknowledged the new income tax, but failed to see its long-term importance. Brewers noted, “The Federal Government would have to impose new taxes to meet the deficits which would be nearly three times greater than the amount now derived from the income tax.” By 1920, the income tax had grown to account for 58.6 percent of federal revenue. The roaring twenties ushered in a period of financial growth and prosperity that signaled just how unimportant excise taxes had become to the federal tax structure and the economy as a whole.

**The USBA, Arthur Brisbane, and the Washington Times**

On June 26, 1917, the owner of the *Washington Times*, Frank A. Munsey, announced in an open letter to readers on the front page of his paper, “I have sold the Washington Times to Mr. Arthur Brisbane. I didn’t sell it because I wished to part with it. I sold it because Mr. Brisbane was keenly anxious to own it and paid me a bigger price for it than it was worth to

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133 Beard, 41.
134 Mittleman, 81.
Brisbane agreed to pay $500,000 for the paper. He paid $250,000 up front and Munsey retained “the entire stock of the Washington Times as security for the payment of the balance of purchase money due to him. Brisbane had established himself as one of the most prolific editors of his time working under William Randolph Hearst at the *New York Journal* and then the *Evening Journal*. In November 1919, Brisbane sold both the *Washington Times* and the *Wisconsin News* to Hearst. Ostensibly, Brisbane bought both papers with the intention of using his editorial experience to revive the struggling papers and then resell them for a profit; nonetheless, Brisbane found himself embroiled in controversy shortly after acquiring the papers.

Brisbane’s acquisition of the *Washington Times* became the focus of hearings before a subcommittee of the Senate Committee on the Judiciary investigating “Brewing and Liquor Interests and German Propaganda.” On September 14, 1918, Mitchell Palmer, Custodian of Alien Property, alleged that “twelve or fifteen German Brewers of America in association with the United States Brewers’ Association furnished the money amounting to buy a great newspaper in one of the chief cities of the Nation; and its publisher, without disclosing whose money had bought that organ of public opinion, in the very Capital of the Nation, in the shadow of the Capitol itself, has been fighting the liquor battle. He alleged that brewers had perverted America’s free press. He claimed that brewers had “heavily subsidized the public press and stipulated when contracting for advertising space with the newspapers that a certain amount of

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138 Palmer had previously served three terms in Congress before serving as the Custodian of Alien Property. Palmer assumed the role of Attorney General six months after the Senate Judiciary hearings on “Brewing and Liquor Interests and German Propaganda,” and established his legacy through his feverish pursuit of anarchists, Bolshevists, communists, and radicals during the eponymous Palmer raids. Palmer was in many ways the Joseph McCarthy of the First Red Scare. As Custodian of Alien Property, Palmer persecuted German-Americans and sought to abolish their economic clout by destroying their business interests.
editorial space, the literary material for the space being provided from the brewers’ central office in New York.”139 He used that premise to then discredit the ethnic presses, whose readership consisted primarily of working-class immigrants and the children or grandchildren of immigrants. Given the ethnic and socioeconomic composition of the ethnic presses, foreign language papers disproportionately supported brewing interests. Moreover, these ethnic presses, particularly the German language papers, relied on ad revenue from brewers to remain financially solvent and many such papers ultimately folded within a few years of the enactment of Prohibition. Palmer, who condemned “hyphenated Americans” and espoused strong nativist sentiments, would benefit doubly from stripping the foreign language press of its credibility and weakening an ally of the brewing industry. He alleged that the USBA were “attempting to build up in the country through control of such organizations as the United States societies and by the manipulation of the foreign language press, a political influence which can be turned to one or the other party.”140 He concluded his charges with an attempt not only to characterize the brewing industry as unpatriotic, but to cast the industry as the greatest supporter of pro-German propaganda in the United States. He claimed:

The organized liquor traffic of the country is a vicious interest because it has been unpatriotic, because it has been pro-German in its sympathies and its conduct. Around these great brewery organizations owned by rich men, almost all of them are of German birth and sympathy, at least before we entered the war, has grown up the societies, all the organizations of this country intended to keep young German immigrants from becoming real American citizens.141

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139 Brewing and Liquor Interests and German Propaganda: Hearings Before a Subcommittee of the Committee on the Judiciary, United States Senate, 65th Cong. 4 (1919) (Excerpts of Statement of A. Mitchell Palmer, Custodian of Alien Property).
140 Brewing and Liquor Interests and German Propaganda: Hearings Before a Subcommittee of the Committee on the Judiciary, United States Senate, 4.
141 Brewing and Liquor Interests and German Propaganda: Hearings Before a Subcommittee of the Committee on the Judiciary, United States Senate, 3.
At the senate hearings, Palmer’s accusations did not hold water. Brisbane had relied on loans from brewers to purchase the *Washington Times* and had not disclosed such publicly. Palmer’s charges rested on two major assumptions: that Brisbane had forfeited editorial independence to secure loans from brewing interests, and that the brewers who allegedly exerted editorial influence over the *Times* used that influence to spread pro-German propaganda. Brisbane noted in his testimony “I wrote as vigorously, as savagely and as earnestly… against the German side and in favor of America as I have ever done on any subject in my life.”\textsuperscript{142} He also supplied articles from the *Times* to the committee as evidence of his claim. Brisbane pointed out that the only brewers he knew were “men who were born in America.”\textsuperscript{143}

The Senate hearings proved to be little more than a farce and Brisbane and the USBA successfully defended themselves against Palmer’s charges; nonetheless, the controversy dealt a major blow to the USBA and brewers’ credibility as they lost the press battle and were publicly condemned. Although they were vindicated in the Senate hearings, the American public did not attend the hearings; they read the headlines that condemned Brisbane, brewers, and the USBA.

The *New York Times* ran a headline that declared “Enemy Propaganda Backed by Brewers.”\textsuperscript{144} Similarly, The *New York Tribune* ran nine articles and a follow-up on the Brisbane scandal under the headline: “Menace of the Reptile Beer Fund.” The articles alleged that the USBA and brewing interests “financed disloyalty, anti-Americanism and activities in violation of the corrupt practices act.”\textsuperscript{145} Papers across the country, seemingly ignorant of the conclusions of the committee, condemned the USBA, brewers, and the *Washington Times*. Newspapers including those who benefited from advertising revenue from brewers had an implicit bias to

\textsuperscript{142} Quoted in Ogle, 179
\textsuperscript{143} Quoted in Ogle, 179
\textsuperscript{144} “Enemy Propaganda Backed By Brewers,” *New York Times*, Nov. 21, 1918.
distance themselves from the perceived influence of brewers and their alleged German affiliations. Foreign language presses had to submit English copies of their reports and editorials.\textsuperscript{146} Many newspapers added American flags to their mastheads during the war to project patriotism.\textsuperscript{147} In a climate of government censorship and public suspicion, the notion of a free press became increasingly illusory. More important than the truth, papers needed to prove themselves as loyal and patriotic, just as brewers sought too.

Brisbane defended himself and his paper in an editorial on the back page of the \textit{Washington Times} on September 18, 1918.\textsuperscript{148} Brisbane stated plainly, “The Washington Times is one hundred per cent my property.” But even as he sought to distance himself from accusations that his paper was under the thumb of the brewing interests who bankrolled him, he touted the party line of the brewing industry, noting, “I have for more than twenty years advocated as a temperance measure the suppression of the whiskey traffic and the encouragement of light wine and light beer.”\textsuperscript{149}

The USBA took out a full-page advertisement in the \textit{Washington Times} on September 23, 1918 in response to the controversy. Titled “An Appeal By American Brewers To the American People,” the letter concluded with an emphatic statement in all capital letters, “We are not making this appeal in behalf of our property or our product, but as American citizens appealing to you to help protect the good names of ourselves and our families.”\textsuperscript{150} The tone and title of the open letter illustrated the earnest desire to eschew the traitorous and unpatriotic labels that had repeatedly been laid on brewers and other German businessmen. Public discourse had strayed

\textsuperscript{146} Olson, 203.
\textsuperscript{147} Olson, 203, 204.
\textsuperscript{150} United States Brewers’ Association, “An Appeal By American Brewers to the American People” \textit{The Washington Times} (Washington, DC), Sept. 23, 1918.
from discussing whether or not Brisbane or the brewers had committed any improprieties to a discussion of the perceived disloyalty of American brewers.

The controversy, which greatly damaged the public credibility of the brewing industry, stemmed from Mitchell Palmer’s attempt to eliminate German influence in American society, especially at the highest echelons of business. The office of Alien Property Custodian was charged with seizing any property that might jeopardize or hinder the war effort. Palmer succeeded in expanding his mission to allow for the selling of seized property, even after World War I had ended. His seizure, liquidation, and Americanizing of German metal interests demonstrated the fervor of his anti-German crusade. Palmer spread fear of German influence, asserting, “The German metal octopus spread his tentacles across the ocean and over the United States into Mexico and South America, but for the present, surely, and, for all time, it is to be hoped he has been driven back, and a wall of Americanism erected which, it is hoped, he will never again be able to scale.”151 Clearly there was no room for German-Americans within Palmer’s “wall of Americanism,” and he attempted and often succeeded in rooting out German-American business interests and dispossessing German-Americans of their businesses and property. In concluding his remarks, Palmer expressed a clear state interest in “eliminating German influence” from the US economy even after the war. He concluded:

It may be said that finding those interests and influences centered in three well-defined corporations, American in name, but all controlled by the German metal triumvirate, he has succeeded in thoroughly Americanizing two and liquidating the third, thereby eliminating German influence in our metal markets.152

Ignoring Palmer’s mixed metaphors of a German metal triumvirate and octopus, he continued to stoke the flames of nativism and anti-German sentiment as a pretext to restructure major

components of the US economy and strip prominent German-Americans of their wealth and influence.

Palmer also took aim at individual brewers because of their German heritage and ties to Germany. In 1918, Palmer compelled George Ehret Jr. to forfeit $40 million worth of property to the federal government because his father had been deemed “of enemy character.” Ehret’s father, who had founded what was once the largest brewery in the United States, had been a naturalized American citizen for over forty years. George Ehret Sr., then a frail man of eighty-three years, was vacationing in Germany when the war broke out in 1914 and was unable to leave. To Palmer, Ehret’s heritage and residency in Germany were sufficient evidence of his “enemy character,” even though Ehret had broken no laws. Palmer scoffed, “If Mr. Ehret Sr. should return to America and thus lose his enemy character, the Justice Department would be happy to entertain any claim he might make… to have his property returned.” Palmer’s treatment of the Ehrets did not differ greatly from the treatment of other brewers by the federal government.

Adolphus Busch’s widow, Lily, the daughter of Eberhard Anheuser, returned to Germany to serve as a nurse after the outbreak of the war. Although she was born in Germany, she had lived in the United States for all but six months of her life and became a citizen as the child of naturalized parents. Much like Ehret, Lily Busch had been on vacation in Germany when the war broke out and at the age of seventy-four had difficulty leaving the country and feared for her daughters, both of whom had married Germans and emigrated there. Lily Busch had

153 Mittleman, 84.
154 Ogle, 175.
155 Quoted in Ogle, 175.
156 Ogle, 175.
157 Ogle, 174-175.
purchased German war bonds in 1915, when the US was still officially neutral.\textsuperscript{158} Although the purchase of such bonds was legal and common at the time, nativist elements in the US used her purchase to condemn Lily and her son August, who was the president of Anheuser-Busch during the war.

Palmer set his sights on the Busch family and focused on Lily. Initially, Palmer had investigated her daughters who lived in Germany, but found that the Busch family had invested the daughters’ shares of the family estate in Liberty Bonds.\textsuperscript{159} When Lily Busch was finally able to return to the United States in 1918, government agents boarded her ship, while her son waited at the docks unaware. Palmer seized her entire estate and she was arrested, questioned extensively, and subjected to an invasive cavity search, before she was ultimately cleared and released.\textsuperscript{160} Although Busch was cleared, rumors swirled and unscrupulous newspapermen printed lies and speculation about her. Palmer even obstinately refused to return her property until explicitly ordered to by President Wilson. One particularly pernicious lie was that Kaiser Wilhelm and his son were frequent guests at Busch’s “Castle on the Rhine.” In reality, the German government seized her extensive land holdings and property in Germany because she was an American citizen, prompting one newspaper to declare her “a woman without a country.”\textsuperscript{161}

In his official capacity as Alien Property Custodian, A. Mitchell Palmer, embodied the climate in which brewers were discredited and silence. Palmer did not uniquely target brewers—nor did newspaper coverage or public sentiment—but he sought to target wealthy, prominent,
and influential German businessmen. Given the prominence, size, and German-American culture of the brewing industry. He targeted the USBA as a figurehead of the industry. He attacked the Busch and Ehret families for their prominence. At first glance, it may seem that he simply targeted them because they were in Germany during the war, but the systematic investigation and harassment Palmer and his men inflicted on the Busch family demonstrated a desire to root out German-American business influence. Palmer even extended his own authority beyond its original intent to prevent the use of alien property against the US during the war. Palmer, convinced that the threat of German subversion remained, extended his control over so-called alien property well after the War and even won the power to sell alien property during and after the war. His efforts were indicative of a climate of vitriolic anti-German sentiment—often directed at brewers—that persisted well beyond Armistice Day, ratification of the Eighteenth Amendment, and passage of the Volstead Act.

**Brotherly Brewing: A Brief History of Brewing in Philadelphia and Pennsylvania**

Despite its prominence as the national face of the brewing industry, the USBA never represented half of all brewers. Moreover, their large membership roll was in part a farce. Often less than a third of all brewers had fully paid their dues. The USBA had little power to collect dues because it was caught in a two-level game. Much of their power came from the appearance of representing the industry, so they needed an extensive membership list even more so than they needed dues from small brewers. The USBA chose an outward image of unity and strength, but the lack of internal strength demonstrated an important reality. Prior to Prohibition, brewing, with the exception of a handful of national shipping brewers, was a local business and as such brewers’ actions and cooperation were directly tied to local realities. Unless brewers

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were directly threatened in their locality, the USBA struggled to get them to contribute to national campaigns. The local reality of the brewing industry gave rise to brewers’ associations including the Philadelphia Lager Beer Brewers’ Association and the Pennsylvania State Brewers Association, which actively fought against Prohibition.

Pennsylvania had a long history of brewing and German settlement dating to the earliest years of its colonial history. Though Swedish and Dutch immigrants had settled the same lands earlier, Pennsylvania’s founding dates to a land grant from Charles II to the colony’s namesake, William Penn, in 1680 to settle a debt owed to Penn’s father. As many anti-prohibition advertisements and publication highlighted, William Penn erected a brewhouse on his estate at Pennsbury, upstream from Philadelphia. Although brewers, in seeking to create an American narrative of beer, often invoked Penn’s brewhouse as a historical example, Penn’s sale of land to Dutch and German immigrants was far more consequential for the later development of Philadelphia’s brewing culture.\(^{164}\)

In August 1683, Penn sold six thousand acres to a group of Dutch and German immigrants led by Dr. Francis Daniel Pastorius to establish a Dutch-German settlement called Germantown near Philadelphia.\(^{165}\) The first settlers arrived on October 6, 1683, and in 1983 proclaimed the tricentennial of their arrival as German-American Heritage Day.\(^{166}\) Germantown was the first German settlement in North America and made Pennsylvania the center of German America and made Philadelphia the primary port of entry for German-American. In 1690, one Germantown immigrant, William Rittenhouse, founded the first paper mill in the British

\(^{164}\) See appendix 4.16.
\(^{166}\) 101 Stat. 2210 Proclamation 5719 (October 2, 1983).
colonies, laying the foundation for the robust German language press in the United States. In 1854, the Philadelphia Consolidation Act incorporated Germantown and the surrounding German Township into Philadelphia.\textsuperscript{167}

Germans brought a brewing tradition with them and colonial Philadelphia supplied beer to much of the southern colonies. By 1760, Germans comprised over half of Pennsylvania’s population.\textsuperscript{168} Germans also were far more likely to immigrate as whole families than were other immigrants, particularly English who often came as single men. By emigrating as families, the German population grew more quickly, given a more even gender distribution. While the German population brought its beer culture to Pennsylvania, home brewing was common and much of the beer was sent to the southern colonies or sold to ships at the port. In recognition of its early brewing industry, colonial Philadelphia had a street called Brewers’ Alley for its many brewers including the Geddes Brewery (the street was renamed Wood Street).\textsuperscript{169} George Washington even made a point of ordering porter from Robert Hare’s brewery to his home at Mount Vernon.\textsuperscript{170} Although Pennsylvania had a long brewing history, production remained relatively modest until the middle of the nineteenth century.

The lager revolution and wartime lager boom were as important in Pennsylvania as anywhere else in the country. By 1885, Pennsylvania produced nearly eleven times more beer than the entire country had only seventy-five years earlier.\textsuperscript{171} As such the scale of the brewing industry in colonial and antebellum Pennsylvania was far less important to the industry’s development than was the existence of a German culture and a brewing culture. Pennsylvania

\textsuperscript{167} P.L. 21, No. 16, Sec. 6 (February 2, 1854).
\textsuperscript{168} Grubb, 417.
\textsuperscript{170} Baron, 114, 116.
\textsuperscript{171} Martin Stack, “Local and Regional Breweries in America’s Brewing Industry, 1865 to 1920,” \textit{The Business History Review} 74 (Autumn, 2000), 463.
had extant beer and German cultures long before the lager revolution and the explosion of the brewing industry. Whereas market constraints compelled brewers in St. Louis and Milwaukee to adopt a national shipping model in order to achieve economies of scale, Pennsylvania had sufficient demand to support a number of large and medium-sized regional brewers as well as much smaller breweries and brewhouses.

The rise of Anheuser-Busch, Pabst, Schlitz, and other national brands drew attention to the Midwest, but New York and Pennsylvania consistently produced far more beer than any other states. Prior to the advent of national shipping breweries, the nation's largest brewer George Ehret Sr. sold his beer exclusively in New York.\textsuperscript{172} In 1877, Ehret produced and sold 138,449 barrels of beer, constituting about one percent of national production.\textsuperscript{173} Within fifteen years, Pabst had emerged as the largest brewing company in the US and produced more than a million barrels in 1892, constituting more than three percent of national production.\textsuperscript{174}

From the Civil War until national Prohibition, Pennsylvania trailed only New York as the nation’s second largest beer producing state. In 1880, Pennsylvania accounted for approximately ten percent of national beer production.\textsuperscript{175} By 1915, Pennsylvania’s share of national beer production had grown to twelve percent. New York and Pennsylvania produced more beer than any other states, and they also maintained the largest and second largest populations respectively throughout this period. In addition to their large populations New York and Pennsylvania both had large ethnic and immigrant beer-drinking communities that could support a large number of local and regional breweries.

\textsuperscript{172} Mittleman, 39. \\
\textsuperscript{173} Mittleman, 39. This is the same George Ehret, mentioned earlier, who became a target of A. Mitchell Palmer forty years later during the First World War. \\
\textsuperscript{174} Stack, 463. \\
\textsuperscript{175} Stack, 463.
The large shipping breweries achieved significant market penetration even in brewing hubs like New York City and Philadelphia, but the advantage of scale was lost to marketing outlays and capital-intensive transportation. As such, shipping brewers had to distinguish themselves through marketing. Pabst Brewing Company of Milwaukee annual profits grew from expanded its distribution to thirty-five states by the late 1880’s, but its expansion brought increased transportation costs and marketing expenses.\textsuperscript{176} From the late 1870’s to the early 1890’s, Pabst’s annual marketing expenses increased from $10,000 annually to as much as $160,000, as Pabst fought to break into new markets and retain its existing markets.\textsuperscript{177}

Although New York produced nearly twice as much beer as any other state, its production did not saturate the market. National shipping breweries, such as Pabst which sold ten percent of its beer in New York, augmented the local supply and won a market share.\textsuperscript{178} National shipping brewers did not, however, displace existing local or regional breweries, but instead competed alongside them. National brands captured their market shares through innovative advertising and marketing campaigns that sought to establish a national reputation and stand apart on the basis of prestige.

<table>
<thead>
<tr>
<th>Production and Brewery Figures by State, 1905\textsuperscript{179}</th>
<th>NY</th>
<th>PA</th>
<th>IL</th>
<th>WI</th>
<th>OH</th>
<th>MO</th>
<th>NJ</th>
<th>US</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Breweries</td>
<td>209</td>
<td>225</td>
<td>116</td>
<td>139</td>
<td>114</td>
<td>50</td>
<td>37</td>
<td>1531</td>
</tr>
<tr>
<td>Average Brewery Production</td>
<td>53,110</td>
<td>27,111</td>
<td>41,379</td>
<td>29,496</td>
<td>34,210</td>
<td>70,000</td>
<td>59,459</td>
<td>32,266</td>
</tr>
<tr>
<td>Total Production (million barrels)</td>
<td>11.1</td>
<td>6.1</td>
<td>4.8</td>
<td>4.1</td>
<td>3.9</td>
<td>3.5</td>
<td>2.2</td>
<td>49.4</td>
</tr>
<tr>
<td>Share of National Production</td>
<td>22.5%</td>
<td>12.3%</td>
<td>9.7%</td>
<td>8.3%</td>
<td>7.9%</td>
<td>7.1%</td>
<td>4.5%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

\textsuperscript{176} Stack, 442.
\textsuperscript{177} Cochran, 136.
\textsuperscript{178} Stack, 451.
\textsuperscript{179} Calculated from figures from Stack, 156.
New York and Pennsylvania also had large local breweries like Ehret and Ruppert, but over seventy percent of beer production in those states came from breweries that produced between 15,000 and 170,000 barrels.\textsuperscript{180} In 1905, only three brewers in Pennsylvania produced more than 170,000 barrels of beer.\textsuperscript{181} Pennsylvania’s three largest brewers only represented eleven percent of production, whereas large brewers, whose annual production exceed 170,000 barrels constituted twenty-eight percent.\textsuperscript{182} Pennsylvania’s brewing industry was structured differently than the national industry or even neighboring states like New York, New Jersey, and Ohio where large breweries represented twenty-four percent, forty-six percent, and twenty-four percent of total output. Moreover, Pennsylvania was home to more than one-fifth of all American breweries producing between 3,000 and 15,000 barrels and nearly one-sixth of all breweries producing between 15,000 and 170,000 barrels.\textsuperscript{183} The large number of local and regional breweries in Pennsylvania naturally led to industrial organization and cooperation among brewers.

<table>
<thead>
<tr>
<th>Year</th>
<th>Pennsylvania Production</th>
<th>United States Production</th>
<th>PA Share of US Production</th>
</tr>
</thead>
<tbody>
<tr>
<td>1880</td>
<td>1,343,000</td>
<td>13,347,000</td>
<td>10.1%</td>
</tr>
<tr>
<td>1885</td>
<td>1,983,000</td>
<td>19,185,000</td>
<td>10.3%</td>
</tr>
<tr>
<td>1890</td>
<td>2,762,000</td>
<td>27,561,000</td>
<td>10.0%</td>
</tr>
<tr>
<td>1895</td>
<td>3,591,000</td>
<td>33,589,000</td>
<td>10.7%</td>
</tr>
<tr>
<td>1900</td>
<td>4,683,000</td>
<td>39,472,000</td>
<td>11.9%</td>
</tr>
<tr>
<td>1905</td>
<td>6,114,000</td>
<td>49,459,000</td>
<td>10.3%</td>
</tr>
<tr>
<td>1910</td>
<td>7,664,000</td>
<td>59,485,000</td>
<td>12.9%</td>
</tr>
<tr>
<td>1915</td>
<td>7,166,000</td>
<td>59,808,000</td>
<td>12.0%</td>
</tr>
</tbody>
</table>

\textsuperscript{180} Stack, 456.  
\textsuperscript{181} Stack, 456.  
\textsuperscript{182} Stack, 456.  
\textsuperscript{183} Stack, 456.  
\textsuperscript{184} Figures from Stack 463.
By the start of the twentieth century, Pennsylvania was home to more breweries than any other state and had a long history of brewer organization. The Philadelphia Lager Beer Brewers’ Association was one of the oldest brewery associations in the country, dating to 1862. The Philadelphia Lager Beer Brewers’ Association included thirty-eight members by 1911 and grew to include more in the years that followed. Pennsylvania was also home to the Pennsylvania State Brewers’ Association, which was by far the largest state-level brewers’ organization. In 1911, twenty-one brewers formed the Brewers’ Association of Western Pennsylvania in Pittsburgh, building on existing brewer cooperation and responding to the rising threat of Prohibition. Pennsylvania brewers also had a long legacy, beginning with Frederick Lauer, of involvement and leadership in the USBA.

Despite the rapid growth of beer production between the Civil War and the outbreak of World War I, the number of active breweries in the United States fell by nearly sixty percent. In 1865, there were 2,252 active breweries in the United States, by 1915 there were only 1,345. Even as the number of breweries fell by more than forty percent, total sales increased from 3.7 million barrels to nearly sixty million barrels and per capita beer consumption increased from 3.4 gallons per person to 18.7 gallons in the same time span. Competition and consolidation changed the market even as production and consumption grew rapidly. Initially the lager beer revolution and postwar boom caused rapid growth in the number of breweries in the country, but as national brewers emerged and achieved economies of scale, competition forced many brewers

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185 In 1905, Pennsylvania’s 225 breweries constituted nearly fifteen percent of the nation’s 1,531 total breweries.
189 Stack, 449.
to shut their doors. Nonetheless, production grew steadily even as the number of firms in the market decreased. Consolidation took place in Pennsylvania as well, where many urban firms sought to achieve economies of scale, but the large demand for lager beer in Pennsylvania sustained many smaller local brewers and brewhouses.

An early advertisement for the Pennsylvania Central Brewing Company advertised all the breweries that had been consolidated and praised the temperance value of beer. The newly consolidated company included E. Robinson’s and Sons, a prominent Scranton Pilsner brewery as well as three more breweries in Scranton, two in Pittston, and one each from Carbondale, Wilkes-Barre, Hazelton, and Honesdale. Even as early 1905, the newly formed Pennsylvania Central Brewing Company touted the moderation value of beer declaring, “The Best Temperance Drink is Beer,” and “Used Moderately Beer is Not an Intoxicant.” The advertisement under the slogan: “A Barrel of Health for You—Makes the Weak Strong and Keeps the Strong Well.”

“Facts Versus Fallacies”: Brewers Set the Record Straight

The “Facts Versus Fallacies” campaign, published first by the Philadelphia Lager Beer Brewers’ Association and then by the Pennsylvania State Brewers’ Association, was the most exhaustive and diverse campaign of its kind. Over 100 advertisements were included in the series which was published every Wednesday and Saturday from 1915 until shortly after America's entrance into World War I in 1917.

The campaign alleged to offer counterpoints to dissect and refute common prohibitionist arguments, but, in practice, it largely acted as an editorial wing of local brewing interests which often departed from such a model. The advertisement often

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192 The Facts versus Fallacies campaign was published by the Philadelphia Lager Beer Brewers’ Association in 1915 and continued by the Pennsylvania State Brewers’ Association in 1916 and 1917.
resembled an editorial column in its format and each advertisement concluded with a notice stating when the next “article” would appear. Each advertisement began with the following statement: “FACT is a real state of things. FALLACY is an apparently genuine but really illogical statement or argument.” Brewers’ asserted that the facts fell on the side of brewers and they set out to “prove the FALLACY of Prohibition.”193 The campaign demonstrates brewers’ active resistance to Prohibition and illustrates the great number and variety of arguments advanced by both brewers and prohibitionists.

Advertisements ranged from statistics and comparative analyses of wet and dry states to absurd analogies and self-aggrandizing pontification. One particularly absurd advertisement drew an analogy between drunkards and a Philadelphia police officer who had fatally shot a fleeing man earlier that week. The advertisement followed the obvious statement that, “The act showed a reckless use of firearms,” with a rhetorical question: “Would it not be a FALLACY to prohibit all policemen from carrying revolvers merely because a member of the force did not display good judgment when he had a pistol in his hand?”194 Brewers used the analogy and others like it not in spite of their ridiculousness but because of it. Brewers suggested that a misuse of something by one person should not preclude the responsible use of the same by another or even by an entire nation.

An early advertisement in the campaign adopts a climate analogy similar to those used by other brewers who sought to advocate beer as a drink of moderation and temperance. The standard analogy suggested that just as the weather has harsh extremes of both hot and cold with mild weather in between, moderate consumption of beer is preferable to total abstinence or the

drunkenness of excess. The advertisement divided the world into three zones “the Frigid, the Torrid and the Temperate,” and asserted, “Ninety-nine one-hundredths of all the big, worth-while things in this world have been done by the man who lived in the Temperate Zone.” The argument which set its sights on Prohibition made a case against blaming brewers for excessive drunkenness and misuse, but the argument failed to underscore the detrimental effects of abstinence and instead the connection seemed tenuous at best and an illogical non sequitur equating intemperate weather with Prohibition. The advertisement concludes by declaring, “It is a FALLACY to think that Prohibition makes for Progress. It is a FACT that the most progressive nations are those that are Temperate!” but fails to form a logical connection between the two.

Ironically the authors of “Facts Versus Fallacies” relied heavily on logical fallacies to form their own arguments. In a single advertisement, brewers commit the following fallacies: argumentum ad populum, argumentum ad verecundiam, and false dilemma. Many others in the series are guilty of other logical fallacies including: argumentum ad hominem, argumentum ad hominem tu quoque, and argumentum ad antiquitatem. The advertisement in question attempted to discredit Prohibitionist arguments by examining the failures of Prohibition in the neighboring state of Ohio.

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195 Philadelphia Lager Beer Brewers’ Association, “Facts Versus Fallacies: The Frigid, The Torrid, and the Temperate,” Evening Public Ledger (Philadelphia, PA), March 24, 1915. This is one of the earliest advertisements in the Facts Versus Fallacies Campaign and, as such, is unnumbered. See appendix 3.2 for full advertisement.

The advertisement asked two questions in bold letters in the margins, “Why make a law that cannot be enforced?” and “Is it just that a good man should suffer for the crime a bad man commits?”\textsuperscript{197} The first question raises a valid question of the feasibility of implementing prohibition legislation, but leans heavily on the implicit crutch of \textit{argumentum ad populum}. Invoking the notion of popular sovereignty, the advertisement quoted former President William Taft as having declared “Nothing is more foolish, nothing more at variance with sound policy, than to enact at variance with sound policy, than to enact a law which, by reason of conditions surrounding a community is incapable of enforcement.”\textsuperscript{198} The second question rests on the shoulders of liberty, suggesting as brewers often did that the institution of Prohibition would limit freedom and punish law-abiding citizens for the actions of others.

The argument consists almost entirely of quotations from former President William Taft, a judge, a surgeon, and Washington Gladden, a pastor who is cited instead as a “noted pulpit orator and philosopher.”\textsuperscript{199} As such the argument rests on \textit{argumenta ad verecundiam}—appeals to authority—which suggests the legitimacy of the argument is derived from the cited author rather than the inherent logic of the statements made. The advertisement concluded by exclaiming, “The quotations above, from men of affairs, make this FACT the more convincing!”\textsuperscript{200} The advertisements closing exclamation demonstrated a willing and deliberate reliance on \textit{argumenta ad verecundiam}.

Although brewers’ reliance on appeals to authority undermines their attempts to juxtapose facts and fallacies, it is, nonetheless, understandable. Brewers had been vilified and

\textsuperscript{198} Pennsylvania State Brewers’ Association, “Facts Versus Fallacies: No. 47.”
\textsuperscript{199} Pennsylvania State Brewers’ Association, “Facts Versus Fallacies: No. 47.”
\textsuperscript{200} Pennsylvania State Brewers’ Association, “Facts Versus Fallacies: No. 47.”
their loyalty, patriotism, and reputation had been repeatedly and publicly impugned and assailed. As such, their detractors often framed the actions, arguments, and even existence of brewers as pro-German and selfishly unpatriotic. In such a climate, brewers were understandably compelled to filter their own arguments through the quotations of reputable figures. Prohibitionists were far more likely to launch *ad hominem* attacks against and to impugn the integrity of brewers than they would have been to do the same to William Taft, Abraham Lincoln, or any of the numerous public and patriotic figures cited in brewers’ advertisements.

Shortly after the US entered World War I, the Pennsylvania State Brewers’ Association announced, “‘Facts Versus Fallacies’ Advertising Will Cease Until After The War!” The “proclamation” by brewers attempted to characterize their actions as patriotic, declaring, “In these times when the country wants every man to do his share, each one of us must shoulder some burden—and do it gladly. On the shoulders of the Brewery interests of the country will fall added taxation. The PENNSYLVANIA STATE BREWERS’ ASSOCIATION feel it their duty, no less than their privilege, to aid the country in the proper carrying on of the war.”

Brewers again praised the simple patriotism of the law-abiding, tax-paying brewer. “In discontinuing the Facts versus Fallacies campaign until after the war so that the money that would have been expended in advertising can serve this country in a bigger and broader field, we help to prove to the President of the United States and to our fellow citizens, that this country has no more loyal supporters than the Pennsylvania State Brewers’ Association.”

Far from a genuine attempt to distinguish fact and fiction, the “Facts Versus Fallacies” series was a transparent attempt by brewing interests to shape public discourse and sentiment. In

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202 Pennsylvania State Brewers’ Association, “Proclamation!”
203 Pennsylvania State Brewers’ Association, “Proclamation!”
the final advertisement, brewers offered an obituary for the campaign, praising its articles as
“sane, logical, temperate essays on the Fallacy of Prohibition—that Prohibition never did
prohibit and never would—and stood for the Fact that Regulation and Temperance were the real
solution of the liquor question!” Such a description explains how the brewers hoped the
campaign had been received, but the campaign was an earnest attempt to survive by beating back
the waves of prohibitionist rhetoric.

**Popular Response After the War**

No development signaled the demise and silencing of German-Americans and brewers
than the rise of groups opposed to the Prohibition that deliberately excluded brewers from their
ranks in the wake of the First World War. Chief among such groups were the Association
Opposed to National Prohibition (AONP), which formed in January 1919 and the Association
Against the Prohibition Amendment (AAPA), which formed immediately after the First World
War and would later lead the repeal movement during Prohibition. The ONAP, AAPA and
other similar groups gathered support of businessmen and private citizens to oppose total
prohibition.

The hoteliers and other businessmen in New York formed the Association Opposed to
National Prohibition in the hopes of arousing a national movement in the hotel industry which
profited from sales of alcohol. The nascent and hastily organized AONP attempted to influence
state ratification votes, but their efforts proved to be far too little far too late. They launched a
national campaign in January 1919 hoping to influence state ratification votes. On January 14th
and 15th, 1919, the Association Opposed to National Prohibition placed lengthy advertisements
in papers across the country from New York to New Mexico and North Dakota.

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204 Pennsylvania State Brewers’ Association, “Proclamation!”
The advertisements asked rhetorically, “Will America Violate A Promise to Her Defenders?” and “Will America Violate the Law[?]” The AONP focused the debate, like many brewers before them, on patriotism. “Our army was brave enough, moral enough and dependable enough to stop the German hordes on the way to Paris, but the national prohibitionists say they cannot be trusted to drink a glass of beer or wine.” The advertisements claimed that ninety percent of returning soldiers were opposed to national prohibition and framed Prohibition as a betrayal of the soldiers who had fought to defend the nation.

The AONP recognized the urgency of the matter. Their advertisements urged readers, “Interest your legislator today! Tomorrow may be too late!” Indeed, tomorrow was too late, as Nebraska became the thirty-sixth state to ratify the Eighteenth Amendment on January 16th, 1919. Fifteen states had already ratified the amendment in 1918, an additional nine passed before the first AONP advertisements ran on January 14, 1919, and a staggering sixteen states ratified the amendment in just four days from January 14 to January 17. National Prohibition had arrived, but the fight had only just begun.

Undeterred by the passage of the Eighteenth Amendment, the Association Opposed to National Prohibition sought to shape the enforcement legislation and seek nullification of the Eighteenth Amendment. By March 1919, they had offices in twenty-nine states and had planned protest parades in forty-three cities. In keeping with the organization’s desire for patriotic opposition to Prohibition, the protests were planned for April 19, 1919 to commemorate the

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207 Association Opposed to National Prohibition, “Will America Violate a Promise to Her Defenders?”
208 Association Opposed to National Prohibition, “Will America Violate a Promise to Her Defenders?”
209 Association Opposed to National Prohibition, “Will America Violate a Promise to Her Defenders?”
210 “U.S. is Voted Bone Dry; No Liquor After July 1; 38 States Now in Line,” *The Sun*, (New York, NY), Jan. 17, 1919.
firing the of the first shot of the American Revolution.\textsuperscript{211} The parades were postponed until May 12 due to objections that April 19th coincided with Holy Saturday.\textsuperscript{212} Moreover, they adopted the slogan, “One million members by January 16, 1920,” that date being the first anniversary of the ratification of the Eighteenth Amendment.\textsuperscript{213}

The Association Opposed to National Prohibition also actively campaigned to shape state and Federal elections in 1919. They sent out questionnaires to candidates across the country and did not allow them to avoid taking a stance on the prohibition question, threatening that “refusal to answer will be regarded as placing the candidate so refusing in the constitutional prohibition column.”\textsuperscript{214} Among other questions, the AONP asked candidates if they had voted in favor of ratification and whether or not they would support passing enforcement legislation in their state legislation.\textsuperscript{215} The AONP sought nullification of the Volstead Act, by preventing states from adopting enforcement legislation in regard to their concurrent jurisdiction. The AONP’s position made their policy clear and known: “The association will oppose all gubernatorial and legislative candidates who declare themselves in favor of constitutional prohibition.”\textsuperscript{216}

Brewer’s fall from grace and the need for public opposition to national Prohibition, also inspired the On November 12, 1918, a day after Armistice Day, William Stayton gathered a group of friends and businessmen to form the AAPA.\textsuperscript{217} Stayton was a lawyer and former naval officer, who had no financial stake in preventing Prohibition and had no personal political aspirations. Stayton and his organization opposed the Eighteenth Amendment on constitutional

\begin{itemize}
\item \textsuperscript{211} “Date for Opening Anti-Prohibition Drive Now May 12,” \textit{New York Tribune} (New York, NY), Mar. 30, 1919.
\item \textsuperscript{212} “Date for Opening Anti-Prohibition Drive Now May 12.”
\item \textsuperscript{214} “Wet Campaign Opens Against Dry Candidates,” \textit{New York Tribune} (New York, NY), Sept. 8, 1919.
\item \textsuperscript{215} “Wet Campaign Opens Against Dry Candidates.”
\item \textsuperscript{216} “Wet Campaign Opens Against Dry Candidates.”
\item \textsuperscript{217} Kyvig, 43.
\end{itemize}
and philosophic grounds. Stayton and his colleagues wrote letters to state legislators and traveled to states that had yet to vote on ratification. At every stop, Stayton beat the drums of state’s rights and personal liberty, but to no avail. Stayton had no delusions about the
effectiveness of the fledgling AAPA. He admitted, “I do not think that we had the least influence in persuading any single legislator in the United States to vote against… ratification.”218 Despite the failure of his hasty and ineffective campaign against ratification, Stayton would grow the AAPA into one of the most powerful and prominent organizations in the repeal movement.

The frantic and futile attempts of the AONP and the AAPA to oppose ratification reflected the desperate attempts of consumers, private citizens, and other business interests to fill the void left by the disgraced, discredited, and allegedly disloyal brewers in the campaign against national Prohibition. In The Old-Time Saloon: Not Wet—Not Dry, Just History (1931), George Ade’s nostalgic eulogy of American saloon culture, he quipped, “The Non-Drinkers had been organizing for fifty years and the Drinkers had no organization whatever. They had been too busy drinking.”219 Ade’s flippant commentary identified the problem but oversimplified its cause. Consumers are always difficult to organize, as they often succumb to their free-rider instinct, even as legislation they oppose moves forward. The case of Prohibition differs greatly, as many consumers assumed that the deep pockets and extensive lobbying efforts of brewing and liquor interest would keep national prohibition at bay, but as brewers lost their credibility drinkers and brewers alike were defenseless against the extensive political momentum of the prohibitionist movement. Moreover, many drinkers were working-class immigrants or ethnic minorities who lacked political capital or were themselves the target of nativist vitriol and ethnic

218 Quoted in Kyvig, 44.
219 Quoted in Daniel Okrent, Last Call: The Rise and Fall of Prohibition (New York: Scribner, 2010),83.
bigotry. The result of such a political and social climate was hastily organized and woefully ineffective organizations that would later inspire the repeal movement.

**Brewers and Labor: A Marriage of Necessity**

“There is no analogy in the history of any labor organization, or any nation, in which hundreds of thousands of men were deliberately deprived by the state and the nation of their employment and business without a semblance of consideration of the wishes of the people.”

—Brewery, Flour, Cereal and Soft Drink Workers’ Journal (1920)

Numerous brewers made appeals to labor and to economic necessity, but labor and brewing interests were strange bedfellows. Many brewers, particularly region brewer’s and regional brewers’ associations cited the scale of the industry and the number of workers employed by breweries and related industries. Nonetheless, breweries had been successfully targeted by labor unions in the late nineteenth century. Prior to successful union intervention, workers worked long hours under dangerous conditions. Fred Pabst later wondered, “why these men going home at night after six didn’t meet themselves coming back at four in the morning.”

Despite the harsh working conditions and history of strife between brewers and brewery workers, workers and the larger labor movement allied themselves with brewing interest out of a sense of self-interest and self-preservation.

Prior to unionization, brewery workers worked six day weeks with fourteen hour days or longer being far from the exception. Moreover, each part of the factory offered a distinct and perilous hazard to workers. Steam and fire used to heat wort (a liquid extracted from malted barley and then fermented to make beer) caused extreme heat, especially during hot summers. In the summer of 1888, ten brewery workers died of heat stroke in St. Louis alone. A series of

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220 *Brewery, Flour, Cereal and Soft Drink Workers’ Journal*, XXXV. No.22 (September 18, 1920), 1.


dangerous machines processed, ground, shredded, and moved malt and barley through the factory. Finally, the bottle shop, home to older workers who could no longer perform demanding manual labor, was possibly most dangerous and unpredictable of all. One observer noted, “The bottle shop was a particularly dangerous place where men lost eyes when overpressurized flasks exploded.” One of the few alleged benefits of working in breweries afforded “sternwith,” access to an abundance of free beer. Despite the supposed good intention behind the policy, many brewery workers became alcoholics, and many union leaders alleged that brewers deliberately sought to promote chronic drunkenness so that they could continue to exploit workers.

Although brewery workers often received housing in company dorms and better compensation than other factory workers, unionization swept the in the 1870’s and 1880’s. Unionization of the brewing industry led to the formation of the National Union of United Brewery Workmen in 1886 and headquartered in St. Louis. The union printed its own periodical, Brauer-Zeitung (Brewer’s Journal), in both German and English and affiliated with the American Federation of Labor (AFL) in 1887. In response to unionization, many brewers formed brewers’ protective associations to counter local unions’ collective bargaining powers and protect the interests of brewers. Nonetheless, the unions enjoyed many early successes in

228 “Local Labor: Events of the Week Among Workingmen of St. Paul,” The Saint Paul Globe, (St. Paul, Minn.), May 31, 1896. The union underwent three name changes in the opening two decades of the twentieth century. It became the International Union of United Brewery Workmen of America in 1903. Then, in 1917, it became the International Union of United Brewery and Soft Drink Workers of America. Finally, in 1920, the union adopted the name Internation Union of United Brewery, Flour, Cereal and Soft Drink Workers of America, reflecting a shift in the industry and its labor after the enactment and enforcement of Prohibition.
shortening the workday and workweek, while increasing compensation. In Milwaukee, workers won increased compensation, while seeing their workweek drop from a seventy-six hour work week over six days (fourteen-hour workdays during the week and six hours on Sunday), to a five-day workweek with ten-hour workdays.230

After its initial successes, Brewery workers’ unions suffered numerous setbacks in the late 1880’s, namely concurrent failed strikes in Milwaukee and New York in 1888. In Milwaukee, brewers, then subject to a collective bargaining contract, demanded lower wages and an end to closed shop policies which prevented brewers from hiring non-union labor. Meanwhile, in New York, brewery owners agreed not to hire union labor. In both cases, the unions struck and brewers had no trouble finding replacement labor.231

In the wake of its failed strikes, brewers unions changed tactics—favoring targeted boycotts to strikes. With the weight and support of the AFL behind them, brewery workers planned targeted boycotts of individual brewers, asking workers not to purchase a particular brand, while leveraging the boycott with the brewery owners for labor concessions. The union could then use concessions won at one brewery and the success of prior boycotts as leverage in its negotiations with other brewers. If their leverage failed, they could employ another targeted boycott. In 1891, the union successfully wielded the targeted boycott to win concessions from the nation’s two largest breweries, Anheuser-Busch and Pabst, in successive boycotts.232 In 1896, the National Union of United Brewery Workmen developed a label that would be placed on all union-made beers.233 This policy had a similar but broader aim than the boycotts. The label, by identifying beers brewed by union labor, implicitly identified and targeted brewers who

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231 Ogle, 137.
232 Ogle, 138.
did not employ union labor. By the early 1900’s, unions successfully negotiated contracts with all of America’s major national and regional brewing companies.\textsuperscript{234}

Despite a history of strife between brewing companies and their unions, many anti-Prohibition advertisements in the first decade of the twentieth century appealed to the labor movement. Ultimately, brewery owners and workers alike were almost exclusively German immigrants or descendants thereof. German labor so dominated the industry that German was often the language used in breweries, and prior to 1903, the National Union of United Brewery Workmen published their convention minutes and many other publications exclusively in German. Although unions leveraged breweries for concessions, labor relations in the brewing industry were far less tumultuous than in other industries in which labor disputes often resulted in violence and intimidation from both sides. The brewing industry differed greatly from many of other industries in the cultural likeness of owners and laborers. The major breweries in the United States were owned by German immigrants or their descendants, many of whom had once worked in breweries themselves, either in Germany or the US. These brewers, in turn, employed an almost exclusively German-American and German immigrant workforce. Other industries which experienced violent labor tumult often consisted of firms owned by white Anglo-Saxon Protestant elite who employed an immigrant workforce whose cultures and life experiences bore no semblance to their own. In many ways, brewing’s appeal to labor is an appeal to the predominantly working-class German ethnic community in the United States.

The drinking habits and ethnic composition of American laborers were reflected in the chorus of the song “No Beer, No Work!” written in 1919. The song sings of Jim Callahan, an honest, hard-working, and moral labor-man, who sang in his sleep:

You can take away the cocktail,

\textsuperscript{234} Kerr, “The American Brewing Industry, 1865-1920,” 182.
And the kick that’s in it too.
You can take away all brandies,
And I’d never murmur boo;
You can take away Gin Fizzes,
And rye in shadow’s lurk,
But when you talk about the brew;
No beer, No work! 235

The song and others like it set beer aside as the drink of the honest, temperate working man. The song made no mention of wine, but the message was clear: laborers did not care for liquor, but loved and would defend beer. The choice of the name Jim Callahan is an interesting one as it cast the average working-class drinker as Irish and avoided the troublesome German association with beer.

Samuel Gompers, President of the American Federation of Labor, long maintained a public neutrality on the issue of Prohibition, fearing such a divisive issue could undermine the unity of the AFL. Gompers broke his silence on the issue in 1916, but the AFL would not officially take a position on Prohibition until 1919. 236 When Congress considered the question of prohibition in the District of Columbia, Gompers—fearing the loss of 100,000 jobs—wrote to Congressman Ben Johnson, Chairman of the House Committee on the District of Columbia.

After making an economic appeal, Gompers wrote:

My travels, observations, and experience show beyond a measure of doubt that prohibition by law is an iniquitous proposition that carries within its wake not only denial of freedom, fails to accomplish the purpose of curing the drink evil… and that it is violative of the fundamental principles of human freedom. 237

Gompers failed to prevent prohibition in the district, but organized labor did win other victories on behalf of the brewing industry.

236 Derscher, 284.
237 Quoted in Derscher, 285.
In 1917, The United Brewery Workers, which belonged to the AFL sent 160,000 copies of petitions against wartime prohibition to labor organizations across the country. Some historians have credited the UBW petition campaign and the public image of labor as opposed to prohibition with leading to the defeat of legislative prohibition of beer and wine during the war. The efforts of the UBW and Gompers demonstrated the power of labor’s opposition to prohibition legislation.

Later, in a letter to President Wilson, Gompers wrote that prohibitionists were “eaten up with egotism and fanaticism” and that “Their project is not calculated to unite our people.” Gompers also asserted that “Beer is the general beverage of the people of our country,” and protested that neither the Senate nor the House of Representatives had “given one moment of time for the purpose of hearing those who are vitally interested in this question.” Despite his many appeals and the exchange of polemics with William Jennings Bryan, Gompers could not win a hearing with Congress. Gompers and labor organizations across the country continued to oppose the Eighteenth Amendment throughout the ratification process, but were largely unsuccessful.

Gompers believed that the prohibition of beer and wine would create disunity and exacerbate existing cultural divisions in American society. Gompers believed instead in the power of temperance and labor. He declared that the labor movement “brings improvement in the mental and physical status of our people and reduces to a minimum the desire, the taste, of the habit of intemperance.” Much like the OANP and the AAPA, Gompers and the AFL were

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238 Derscher, 285.
239 Derscher, 285.
241 Quoted in Derscher, 255.
too late to save brewers, and—much like the brewers themselves—organized labor was actively undermined and discredited by nativism and ethnic bigotry, as well as rumors of bolshevists, radicals, and anarchists among its ranks.

Beyond workers concern for their own drinking habits, Prohibition ultimately became an issue of self-interest for workers and a constituent issue for labor leaders and organizations like Samuel Gompers and the American Federation of Labor. The brewing industry, as brewers often reminded the public, was the sixth largest industry in the United States and directly or indirectly employed nearly 750,000 Americans near the turn of the century. The industry was also heavily unionized and had a long history of unionization. Brewery workers sought to preserve their livelihood and in many cases their culture, while unions fought to preserve a vital industry and retain members who would lose their jobs under Prohibition. The labor movement, like the brewing industry, was under siege—a target of government policies and public furor. Labor leaders and brewers may have been strange bedfellows, but theirs was a marriage of necessity.

**Conclusions on Competition and Collective Action**

The looming external threat of local option, state, and national Prohibition laws necessitated greater cooperation within the brewing industry, but each individual firm still had to weigh self-interest and competition against self-preservation and cooperation. While the industry did not overcome the free rider problem, brewing interests had a long history of industrial organization and cooperation. Many firms consolidated to compete more effectively with the national shipping breweries that emerged in the latter half of the nineteenth century, while many of local and regional breweries were able to survive in competition with or in market isolation from the national brands.

For most of its history, the USBA was an active, powerful, and effective lobbying organization that became a victim of its own hubris and anti-German sentiment. The influence of the USBA waned in the wake of Palmer’s crusade against the brewing interests and other prominent German-American business interests. The USBA failed to respond quickly and sufficiently and was silenced by anti-German and anti-brewer sentiment of the press. Stripped of their credibility in the public sphere, the USBA was helpless to combat the passage of the Eighteenth Amendment. Furthermore, the USBA’s dogmatic insistence on the fiscal importance of the brewing industry and their inability to foresee the importance of the federal income tax greatly hindered their response and attempts to shape elections and manage the press backfired in the court of public opinion.

The Pennsylvania State Brewers’ Association and its Facts Versus Fallacies series provide a powerful example of a state-level campaign. Like many other brewery organizations, the PSBA began with a collection of local German-American lager brewers and expanded to include a larger network of brewers. The PSBA through the Facts Versus Fallacies campaign attempted to shape the narrative and refute the arguments of Prohibition advocates. Early advertisements marveled at how the “fallacies” of “fanatic” minority had quickly garnered so much support, suggesting that the advertisements were not only reactionary, but also the product of an industry that had, previously, greatly underestimated the threat that national Prohibition posed to the brewing industry. Although the PSBA like many brewers and brewers’ associations were slow to respond to the threat, they responded with vigor and diligence, countering a wide variety of prohibitionist arguments in their articles twice a week. While the PSBA provides a strong example of statewide cooperation, the next chapter will examine the actions of Anheuser-Busch, the nation’s largest brewery.
Despite the efforts of brewers’ associations to combat the rise of Prohibition, scandals and anti-German sentiment stripped brewers of their credibility. Although the Brisbane controversy and the subsequent senate hearings proved to be a farce, brewers could not outrun headlines that cast brewers as unpatriotic supporters of Germany. While the scandal was heavily publicized, the exoneration of Brisbane and the brewers was not. Instead, the controversy was simply replaced by more sensational stories accusing brewers of supporting Germany. In such a climate, when newspapers sought to distance themselves from any association with Germany, targeting brewers became an act of misguided patriotism intended to prove a paper’s loyalty to the United States. The Facts versus Fallacies campaign never returned after the war, as the PSBA had promised, and the USBA became largely ineffective in the wake of the Brisbane scandal. Even many individual brewers ceased their advertisements and became more muted in their resistance to the rise of Prohibition. The brewing industry despite its efforts had become defenseless against prohibition and would have to look outside itself for support.

The rise of organizations like the OANP and AAPA, though they arose too late to be effective, reflected the extent to which brewers had been discredited and silenced by controversy and anti-German sentiment. With brewers silenced and discredited and the income tax in place, brewers were defenseless against the Anti-Saloon League and the rising tide of national Prohibition. The inchoate OANP and AAPA had neither the resources nor the clout to influence ratification or the Volstead Act. Although organized labor also sided with the brewers, the brewing industry’s resistance died with the public scandals and anti-German sentiment.
A King without a Throne:  
Anheuser-Busch’s Struggle to Stave off Prohibition

“Bud, Budweiser’s a friend of mine, friend of mine, yes, a friend of mine, what care I, if the sun don’t shine, while I’ve got Budweiser; that’s the reason I feel so fine, feel so fine, yes, I feel so fine; for though Bill the Kaiser’s a Friend of Budweiser’s, Budweiser’s a friend of mine.”243 So sang the chorus of Budweiser’s 1907 jingle “Budweiser’s a friend of mine,” but Anheuser-Busch would soon change its tune. While the chorus playfully jokes about Kaiser Wilhelm and Budweiser’s German roots, Anheuser-Busch and many other brewers would soon face very real threats of growing anti-German sentiment and the rise of Prohibition. Kaiser Wilhelm and Budweiser would both be displaced in little more than a decade.

By 1918, Budweiser advertisements had disappeared from the pages of American newspapers and its German-ness and unfortunate rhyme with Kaiser were ridiculed. The Ogden Standard ran a poem by an American soldier called “The Day Before Christmas,” which closed with the following stanza: “But next year we hope/ To be back with our folks/ Around a warm fire/ Telling good jokes/ But if we are not/ You can bet your Budweiser/ We will still be a fighting/ To get that Damn Kaiser.”244 A few months later a poem called “This Way Out” by Edmund Vance Cooke ran in newspapers across the country and ridiculed Kaiser Wilhelm as “Bill the kaiser,/ Chock full of bad Budweiser.”245

National brewers’ responses to the rising threat of prohibition differed greatly from regional and local brewers. Whereas many local and regional brewers did not survive the enactment of state prohibition laws, national brewers saw their markets gradually erode as the

244 Darrell E. Wilson, “The Day Before Christmas,” The Ogden Standard. (Ogden City, Utah), Jan. 4, 1918.
245 Edmund Vance Cooke, “This Way Out,” The Bismarck Tribune. (Bismarck, N.D.), Apr. 11, 1918.
threat of national prohibition became increasingly imminent. The three largest breweries in the world, Anheuser-Busch, Pabst, and Schlitz all met the challenge of Prohibition differently. Pabst and Schlitz largely ignored the threat of Prohibition in their advertising. Schlitz spent the majority of the decade prior to Prohibition touting the preservative powers of its brown bottles. Schlitz became so myopic in its obsession over brown bottles and purity that it failed to address the threat of Prohibition. While Pabst advertising acknowledged the threat of prohibition more than Schlitz did, they still focused on promoting medals that Pabst Blue Ribbon had won in European taste tests. Advertising for both Pabst and Schlitz were both directed towards competition for market share more than survival of the brewing industry. In contrast, Anheuser-Busch attempted to play a two-level game holding its massive market share, while campaigning against Prohibition.

Among the three major brewers, Anheuser-Busch provides the most interesting case study. Not only did Anheuser-Busch address the threat of Prohibition more actively and effectively than Pabst and Schlitz, but it also produced more beer and created the most innovative and diverse advertising campaigns. Adolphus Busch earned a reputation as an unmatched marketer of goods. In Ambitious Brew: The Story of American Beer, historian Maureen Ogle, notes that, “Anyone who met [Busch] walked away with a penknife or deck of cards, a corkscrew or a bottle opener, each decorated with the company’s trademark eagle.”

Busch’s salesmanship translated well into an aggressive and innovative print advertising campaign at the turn of the century. The diversity in Anheuser-Busch’s advertising demonstrated an evolving message not evident in other brands that had more consistent

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246 Ogle, 107.
advertising. Changes in the tone and content of their advertising over time show how Anheuser-Busch and the brewing industry as a whole adapted to new external pressures.

The evolution of Budweiser advertisements over the decades leading up to Prohibition coincide with developments in print advertising, but also reveal how Anheuser-Busch reacted to external forces in its fight to stave off Prohibition. Subtle changes in the tone of its advertising and the arguments put forth therein illustrate responses to developments. As the threat of national Prohibition rose, Budweiser’s message became less confrontational and more conciliatory. The change in tone and message reveals an industry responding to external pressures, namely mounting victories for the temperance movement, growing anti-German sentiment, and revitalized nativism. Brewer’s response over time, as illustrated in newspaper advertisements, supports ethnocultural interpretations of the enactment of Prohibition. Moreover, while there were ethnocultural elements throughout the history of the temperance movement and state prohibition movements, ethnocultural motivations escalated over the course of the final decade before Prohibition. Anheuser-Busch gradually attempted to distance itself from German symbols and from the labor movement, while adopting a new tone and motto: “Budweiser means moderation.”

How French St. Louis Became a Land of Germans and Beer

An understanding of how St. Louis grew from a frontier French fur-trading post to a culturally German center of the American brewing industry informs the history and the rise of Anheuser-Busch. The city of St. Louis takes its name from the only French king to be canonized, Louis IX, who died in Jerusalem during the Crusades in 1270.247 The city was

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247 Charles van Ravensway, St. Louis: An Informal History of the City and its People, 1764-1865 (Columbia, MO: Missouri Historical Society Press, 1991), 14. Although Louisiana draws its name from a later French King, Louis XIV, the Sun King, St. Louis’s founder may have been influenced by his time in New Orleans. One of the prominent
originally founded as a French fur-trading post and a village grew up around it. French colonial influence in North America in the late eighteenth century emanated from the vitally important port of New Orleans and extended up the Mississippi. The colonial government often offered merchants trade monopolies to promote the growth and expansion of French trade in North America. Jean Jacques D’Abbadie, colonial governor of Louisiana granted one such monopoly to New Orleans merchant, Gilbert Antoine de St. Maxent. D’Abbadie granted Maxent a monopoly on trade on the west bank of the Mississippi River as far north as the Des Moines River and with the native Americans in Missouri for six years.\textsuperscript{248} Maxent named Pierre Laclede Liguest as a partner in his venture, who would actually go upriver to execute the business.\textsuperscript{249} Laclede led a party upriver, leaving from New Orleans on August 3, 1763.\textsuperscript{250}

Laclede had planned to found a settlement at the confluence of the Missouri and Mississippi Rivers, but found the site to be a swampy lowland prone to flooding.\textsuperscript{251} He decided instead to establish a settlement twenty miles downstream at a place known to French traders and explorers as Les Ecours du Mississippy (the bluffs of the Mississippi).\textsuperscript{252} The settlement which would eventually become the great brewing city of St. Louis, had the obvious trade advantage of proximity and access to the Mississippi River, without the risk of seasonal flooding experienced elsewhere on the banks of the river. Laclede’s chosen site also had a fortuitous and unforeseen advantage for the lager brewers who would populate the city decades later: natural caverns. Caverns across the city allowed brewers to store their beer underground in cool areas, while the Mississippi offered access to ice needed to control temperatures in the caverns. These naturally

\textsuperscript{248} van Ravensway, 13.
\textsuperscript{249} van Ravensway, 14.
\textsuperscript{250} van Ravensway, 15.
\textsuperscript{251} van Ravensway, 17.
\textsuperscript{252} van Ravensway, 17.
cool caverns were vitally important to the development and scale of the lager brewing industry in St. Louis prior to the advent and proliferation of commercial refrigeration.

The early history of St. Louis sat amid a sea of change in French Colonial North America. The Treaty of Paris of 1763, which resolved the Seven Years War (known as the French and Indian War in North America), granted France’s territory east of the Mississippi River to Great Britain. A year earlier King Louis XV of France had given the Louisiana Territory to his cousin Charles III in the secret Treaty of Fontainebleau. Having lost Eastern Louisiana to the British, the colonial administration looked west and placed greater importance on St. Louis.

In 1865, the Spanish colonial administration in New Orleans moved the capital of Upper Louisiana to St. Louis from its former seat in Fort de Chartres.253 By 1772, the population of St. Louis had grown to nearly 600 people, but a quarter of the population consisted of children under the age of 14.254 The population growth slowed and stagnated in the decades that followed and by 1796 the population of St. Louis was 975, but 282 of those inhabitants were slaves.255

On March 9, 1804, Spain officially returned the Upper Louisiana territory to France, in accordance with the Third Treaty of San Ildefonso.256 The French flag flew over St. Louis once more, but only for a day. On March 10th, the French Tricolore was lowered and the American flag was raised, in accordance with the Louisiana Purchase.257 Now an American territory, the frontier trading outpost would grow to become a prominent and important city, but remained culturally French for the opening decades of the nineteenth century. By 1818, the population had grown to approximately 2,000 of which about a third were Americans who had moved west and

253 van Ravensway, 27.
254 van Ravensway, 28.
255 van Ravensway, 63.
256 van Ravensway, 120.
257 van Ravensway, 120.
the remaining two-thirds were predominantly French.\textsuperscript{258} At that time, one inhabitant observed that “the prevailing language of the white persons on the streets was French; the Negros of the town all spoke French. All the inhabitants used French to the Negroes, their horses, and their dogs.”\textsuperscript{259}

Despite the strong French culture and heritage of the city, St. Louis would be dominated by waves of German immigration throughout the nineteenth century. By 1850, more St. Louis residents had been born in Germany than in Missouri.\textsuperscript{260} German immigrants constituted more than thirty percent of the free white population in the city, and the next largest immigrant group, the Irish, only constituted thirteen percent.\textsuperscript{261} Germans began to appear in St. Louis in the 1820s, but they were few in number and they were generally migrants from German communities in Pennsylvania and New Orleans, rather than immigrants from Germany. Waves of German immigration from the 1830’s until the 1880’s would completely reshape the city.

Early German immigrants divided themselves into two distinct groups the Dreissigers and the Acthundvierzigers. The division was chronological with the two appellations coming from the German words for “thirties” and “forty-eight” respectively. The two labels distinguished early immigrants who came in the 1830’s and early 1840’s from those who came after the failed uprisings in 1848.\textsuperscript{262} The reasons why the Dreissigers and the Acthundvierzigers immigrated differed greatly. The Dreissigers largely sought to escape agricultural and economic turmoil in Germany, while the Acthundvierzigers sought to escape persecution and political turmoil following the failed revolutions in Germany in 1848. Although the Acthundvierzigers

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\textsuperscript{259} Olson, 1-2.
\textsuperscript{260} Olson, 15.
\textsuperscript{261} Olson, 14-15.
\textsuperscript{262} Olson, 9.
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greatly outnumbered the Dreissigers, they gravitated to extant German communities and as such followed the immigration patterns established by the Dreissigers.

One early German immigrant named Gottfried Duden directed later waves of German immigration toward St. Louis and the American Frontier. Duden who was a prominent doctor and lawyer in Germany, ascribed economic depression in Germany to a Malthusian overcrowding and decided to move to the American west. He arrived in Missouri in 1824 and purchased two hundred and seventy acres of land.263 He hired others to clear and tend to his land, while he used his ample leisure to travel around the Missouri Territory and wrote letters praising the frontier. In 1829, he published Bericht über eine Reise nach den westlichen Staaten Nordamerika's (Report on a Trip to the Western States of North America) in Germany. The book was an edited collection of his letters which sang the praises of Missouri.

Duden assigned blame for economic problems in Germany on Malthusian overcrowding. Although Duden overstated the nature of the problem, the agricultural revolution displaced many farmers, and German cities did not yet have sufficient industrial capacity to accommodate the influx of rural workers. Although many German farmers came to Missouri seeking large tracts of farmland, they often settled and found employment in St. Louis.264 Duden’s efforts shaped decades of German immigration. By shaping early immigration patterns, Duden shaped later immigration patterns, even among immigrants who had never read his book, because later German immigrants naturally gravitated to extant German communities in the United States. German immigrants following Duden and Missouri’s pastoral promise, quickly reshaped the demographic composition of St. Louis and the frontier.

263 Olson, 3.
264 Olson, 5.
From 1840 to 1850, the population of St. Louis grew nearly fivefold from 16,469 to 77,860, making it the sixth largest city in the United States.\textsuperscript{265} No group contributed to this growth more than the immigrant Germans, who comprised nearly a third of the population.\textsuperscript{266} The next largest immigrant group, the Irish, was less than half their size.\textsuperscript{267} German immigration to St. Louis would continue to grow, peaking in 1882, but by 1850, the stage was set for St. Louis to emerge as a brewing hub during the lager revolution.\textsuperscript{268}

Attempts to start a brewing industry predate large-scale German immigration, but German immigration would bring a robust brewing tradition and industry to the city. The earliest record of commercial brewing in St. Louis dates back to 1810. Jacques Delassus de St.Vrain, a French immigrant who had moved from New Orleans established a small brewery in Belle Fontaine, just north of the city.\textsuperscript{269} St. Vrain advertised in a local newspaper: “Those who wish to be supplied with table beer and porter will please direct their orders to the Brewery, or to Edward Hempstead, Esq. St. Louis who will always have a quantity in his cellar ready for sale.”\textsuperscript{270} St. Vrain’s brewery burned down in 1812 and was never rebuilt. Although, St. Vrain’s brewery was short-lived, there was also not much of a market in territorial Missouri. At the time, St. Vrain opened his brewery America’s fledgling brewing industry produced almost exclusively British style ales and the average brewery only produced 1,300 barrels of beer per year.\textsuperscript{271} St. Louis’ brewing industry was extinguished with the flames that burned St. Vrain’s brewery. On

\textsuperscript{265} Olson, 13.
\textsuperscript{266} Olson, 15.
\textsuperscript{267} Olson, 15.
\textsuperscript{268} Olson, 13.
\textsuperscript{270} Plavchan, 4.
\textsuperscript{271} One Hundred Years of Brewing, 252-253.
the frontier, demand for beer was low as farmers lacked disposable income and often distilled excess corn to make homemade liquor.

While St. Louis lacked a significant brewing industry in the early nineteenth century, German lager breweries would begin to fill the void in the 1840’s. The first lager brewer in St. Louis, Adam Lemp, immigrated to St. Louis from Germany in 1836 and founded a small grocery store. As a grocer, Lemp began brewing lager for his store. As he witnessed the success of his beer and the mediocrity of his grocery business, Lemp founded Western Brewery and produced five-thousand barrels a year by the 1850’s. Such a figure would later be seen as very modest, but in the 1850’s the largest brewery in the city, Union Brewery, only brewed fifteen-thousand barrels per year. Lemp’s grocery store brew was the seed of a national shipping brewery that would bear his name: the Lemp Brewing Company.

Waves of German and Irish immigration in the 1830’s and 1840’s caused the city to grow rapidly, reshaped market demand and consumption preferences, and laid the groundwork for the lager beer revolution. Although the brewing industry in St. Louis remained modest throughout the first half of the nineteenth century, the buildup of small breweries throughout the city in the two decades before the Civil War paired with the city’s natural caverns primed the city for an industrial explosion during the lager revolution.

**The Rise of Anheuser-Busch**

Corporate histories pose unique methodological challenges, as corporate records are often lost or inaccessible. Many records are permanently lost amid waves of mergers and bankruptcy, while many other companies view even very old documents as proprietary and do not make them

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272 Baron, 186.
273 Ogle, 41.
274 Ogle, 41.
publicly available. Anheuser-Busch allows access to its library, but not extensive corporate records. Although there are numerous histories of Anheuser-Busch and the brewing industry, Ronald Plavchan’s *A History of Anheuser-Busch, 1852-1933* is the most useful in shedding light on the development of the firm. Although his account of the firm is very favorable and should be taken with a grain of salt, he is one of the only historians who has ever been granted access to Anheuser-Busch’s corporate records. Moreover, Plavchan’s account is more reliable and useful than Anheuser-Busch’s self-published and self-aggrandizing centennial history, *Making Friends Is Our Business: 100 Years of Anheuser-Busch*.

Anheuser-Busch passed through several owners and names before becoming the pride of Adolphus Busch. Anheuser-Busch began as the struggling Bavarian Brewery, which had been acquired by Eberhard Anheuser as payment for debts the previous owners owed to Anheuser. Schneider had founded a small brewery called the Bavarian Brewery in 1852 on a hill on Carondelet Avenue between Lynch Street and Dorcas street which was replete with natural caverns for lagering beer.\(^{275}\) In 1856, Schneider moved his brewery to a new location a few blocks away and, by 1857, Bavarian Brewery produced five hundred barrels of lager a year.\(^{276}\) Despite his initial success, Schneider was unable to acquire additional capital, when the Panic of 1857 plunged the nation into a recession and caused a widespread credit contraction.\(^{277}\)

By December 1857, economic necessity compelled Schneider to sell the brewery to Philip Hammer, who owned several cooperages in St. Louis. Hammer’s brothers Carl and Adam joined him as partners shortly thereafter, but none of the brothers had experience in brewing. Within a year, Philip and Carl left the management of the brewery to Adam, who immediately

\(^{275}\) Plavchan, 10.
\(^{276}\) Plavchan, 11; 13.
\(^{277}\) Plavchan, 14-15.
set out to find a new business partner. Adam Hammer partnered with Dominic Urban to form Hammer and Urban, and the new partners immediately sought a capital infusion for renovations to increase the output and capacity of the brewery. The partners succeeded in increasing output to 3,200 barrels, but their supply far outstripped demand for their products and the firm declared bankruptcy in 1860, as it was unable to repay its creditors. Hammer and Urban’s primary creditor Eberhard Anheuser, a prominent immigrant businessman and soap manufacturer, who allegedly held a $90,000 lien against Hammer and Urban, took over management of the struggling Bavarian brewery.278

The transition in ownership did little to revitalize the struggling brewery. Anheuser suffered from the same lack of experience and expertise that had initially hindered the Hammer brothers. The brewery differed greatly from the soap factory that had built his fortune, but Anheuser had the funds to keep the brewery from folding. Two fortuitous events resurrected the failing brewery. The beginning of the Civil War provided a boom for the St. Louis economy and the addition of Adolphus Busch brought a knowledgeable brewer and savvy business mind to the firm. Union soldiers poured into Missouri. One Union physician in St. Louis declared, “I never saw a city where there is as much drinking of liquor as here.”279 The war also contributed to the cultural shift from ale to lager that had begun with large waves of German immigration. Union supply clerks preferred lager to ales, because lagers lasted longer and traveled better.280 The same characteristic of lagers would soon allow German-American brewers to grow to a national scale, while ale brewers remained small. The growth of national brands and the cultural shift from ales to lagers reinforced the associations between beer and German immigrants.

278 All information in the preceeding paragraph is from Plavchan, 15-18. Plavchan explains that Anheuser’s $90,000 lien seems unrealistic, but no definitive evidence exists to prove or disprove the veracity of such a figure.
279 Ogle, 44.
280 Ogle, 44.
While the war brought a boom for beer sales in St. Louis, the truly transformational force was the addition of Adolphus Busch. In 1861, Busch married Eberhard Anheuser’s daughter and became a driving force in the company. Unlike his father-in-law, Busch knew the brewing industry and, more importantly, he was a natural and expert salesman. Busch also seized on opportunities for new technologies that allowed Anheuser-Busch to grow rapidly and emerge as the largest brewer in the world. Under Busch’s charismatic and visionary leadership, Anheuser-Busch rose quickly from the ashes of a failing brewery to become the world’s largest brewery.

Anheuser-Busch became the first American company to use commercial pasteurization—an innovation that allowed them to ship beer as far as the American Southwest by 1872. Anheuser-Busch was also an early adopter of refrigerated train cars. Additionally, technological innovations allowed Anheuser-Busch to improve manufacturing output to forty-thousand bottles a day by the early 1870s. All of these innovations, paired with Adolphus Busch’s charisma and salesmanship, allowed Anheuser-Busch to become the Goliath of the brewing industry. Anheuser-Busch production grew from three-thousand barrels in 1860 to a hundred thousand barrels by 1879. By 1898, Anheuser-Busch had crowned Budweiser “The King of Bottled Beer,” claimed it held “the world’s record for output as well as for quality, and further alleged that it was “served in every part of the habitable globe.” By 1903, Anheuser-Busch sold over one hundred million bottles of Budweiser annually and sold over 1.2 million barrels of total beer sales. That same year, another Anheuser-Busch advertisement declared

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281 Ogle, 64.
282 Ogle, 64.
283 Ogle, 64.
284 Ogle, 42, 64.
that 1.31 billion bottles of Budweiser had been sold in the span of twenty-eight years, which Anheuser-Busch claimed was “more than all other beers combined.”

Just as Anheuser-Busch rose from a lowly beginning, Budweiser rose from unexpected roots to become Anheuser-Busch’s premier beer. In the 1870s, a new trend hit American saloons and breweries. German pilsner pale lager became increasingly popular and many brewers followed demand and began to produce pilsner. Busch developed a pilsner for Anheuser-Busch, which he called “St. Louis Lager,” but he also developed another pilsner for his friend Carl Conrad, a liquor and wine dealer who also sought to capitalize on the burgeoning pilsner market. Conrad lacked brewing knowledge but he enlisted Busch to help develop a new brew that would emulate the pilsner lagers they had drank in Germany. Their new brew, Budweiser, drew its name from the Bohemian city of Budweis. Conrad hoped to emulate pale lagers from Budweis that he and Busch sampled while in Germany. Budweiser became a rousing success. In just six and a half years, Conrad had managed to sell twenty million bottles of Budweiser. But in January 1883, when Conrad declared bankruptcy due to financial mismanagement, he turned over the rights to Budweiser to settle his debts with Anheuser-Busch.

Budweiser not only became Anheuser-Busch’s most profitable and popular brew, but it also became the focal point of its focused advertising campaigns. Budweiser’s popularity brought with it new problems—namely imitators. After acquiring Budweiser, Anheuser-Busch had to contend with dozens of imitators that used the Budweiser name. Even brewing giant Schlitz sold a brand of Budweiser. As a result, Anheuser-Busch doled out numerous cease-and-

288 Ogle, 75-76.
289 Ogle, 108.
290 Ogle, 108.
desist letters in the 1880s, which worked to great effect. Adolphus Busch was ultimately forced to take the last holdout, Fred Miller Brewing of Milwaukee, to court in 1893. Despite legally securing control of the Budweiser trademark, Anheuser-Busch still had to contend with imitations. A 1901 notice from Anheuser-Busch warned, “Imitations of our Budweiser Label have entered some markets, and complaints that inferior beers are being substituted for our Budweiser have been received. We are compelled—for our own protection—to publish a warning to the public.”

The notice then gave a detailed physical description of a genuine Budweiser bottle. The problem of imitations was not unique to Budweiser, but the extent of imitations, particularly by other well-established breweries speaks to its popularity at the time.

**Early Brand Advertising**

The emergence of national brands in the latter half of the nineteenth century revolutionized advertising. For decades, individual stores, merchants, and distributors would simply advertise a list of goods for sale. For example, an 1887 advertisement for a Texas distributor read plainly: “S. Archenhold & Co. Importers and Wholesale Dealers in Liquors and Cigars. Only Depot in Central Texas for the Budweiser, Anheuser and Schlitz Beer.”

A few years later another Texas merchant, Celestin Jagou, advertised Budweiser among a broad listing of other goods including firearms, ammunition, sporting goods, cigars and liquor. Part of the advertisement read, “The Celebrated Budweiser Pale Lager and Schlitz beer, Always Received by the Car load and always on hand fresh.”

As national brands arose, they began to run advertisements of their own. An early Anheuser-Busch advertisement from 1899 resembled many merchant advertisements. The

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advertisement was titled “The Famous Bottled Beers of the Great Anheuser-Busch Brewing Ass’n, St. Louis, U.S.A.” The advertisement then proceeds to list seven Anheuser-Busch brands that were “obtainable on all Pullman and Wagner Dining and Buffet Cars, Ocean and Lake Steamers, at all First Class Hotels, Finest Clubs and Cafes, and in all the best families. Used by the U.S. Army and Navy.” The advertisement was as simple as possible, merely a list of beers and a litany of places it could be found that created a notion that Budweiser was ubiquitous. National brands quickly adapted to competition and realized that advertising could be more than a list of goods, it could be a medium through which brands could entice customers and increase their market shares. Brewer’s quickly sought to use advertising distinguish themselves from one another in order to win a larger market share. Each of the three major brewers developed a focal point. Schlitz focused on its brown bottles, Pabst on its taste test victories in Europe, and Anheuser-Busch on selling the most beer—coronating Budweiser as “the King of Bottled Beers.”

Advertisements in the first decade of the twentieth century continued to sing the praises of the “King of Bottled Beers,” and “The largest brewery in the world.” Anheuser-Busch took great pride in its accomplishments and used its success as a marketing tool. Anheuser-Busch advertisements often boasted about how many bottles and barrels they sold each year, how large their factory was, and how many workers they employed. One such advertisement from 1905, reported sales of over 137 million bottles of Budweiser and over 1.4 million barrels of beer. The advertisement also notes that “the largest brewery in the world covers 128 acres—more than

294 Anheuser-Busch, “The Famous Bottled Beers of the Great Anheuser-Busch Brewing Ass’n, St. Louis, U.S.A.” The Times (Richmond, Va.), June 7, 1899. See appendix 4.3.

295 Anheuser-Busch, “The Famous Bottled Beers of the Great Anheuser-Busch Brewing Ass’n, St. Louis, U.S.A.”


297 Anheuser-Busch, “Budweiser: In Glass from the Kettle to the Lip.”
70 city blocks, and that it gives employment to more than 6,000 people. For several years, many of Budweiser’s advertisements sought to do little more than wow the public with the sheer scale of their production and sales. The underlying argumentum ad populum (appeal to popularity) was far from subtle: Budweiser is the most popular beer, because it is the best beer—you should drink Budweiser because everyone else does. Although Budweiser’s market share and production scale were once the pride of Adolphus Busch, Anheuser-Busch would become more bashful as it sought to tout Budweiser as a drink of moderation.

In early 1908, Anheuser-Busch attempted to use its scale as an argument against Prohibition in one of the most innovative and creative advertisements it ever published. An image of the Anheuser-Busch factory, a bottle of Budweiser, the company logo, and a text block superimposed on the articles of a newspaper page. Upon closer examination, the articles are clearly part of the full-page advertisement. Headlines include: “World’s Decisive Battles Won by Beer Drinkers,” “The Temperance Value of Beer,” “Beer on the Mayflower,” “Beer Drinkers Best Sharp Shooters,” “Food Value of Malt Brews,” and “Massachusetts Pastor Believes in License.” The advertisement lays out numerous arguments against Prohibition in place of a normal white space background. While the advertisement put forth numerous arguments against Prohibition, one argument stood above, superimposed on the others. That argument was economic.

Anheuser-Busch sought to defend the entire brewing industry with an argument of economic necessity. They again noted that its manufacturing plant employed six thousand men, but they also spoke of the broader economic impact of the brewing industry as a whole. The

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298 Anheuser-Busch, “Budweiser: In Glass from the Kettle to the Lip.”
advertisement asserted that, “750,000 such men are on the pay-rolls of America’s breweries (and their allied industries) receiving good living wages; and directly dependent upon their pay envelopes are not less than 4,000,000 women and children.”

The advertisement also notes that the Brewing industry had become the sixth largest industry in America and detailed how much agricultural output and labor the brewing industry consumed. Anheuser-Busch’s use of scale in advertising was no longer boastful, rather sincere. They hoped to convince the public that the brewing industry was a social good and a boon to the nation’s economy.

**Anheuser-Busch Changes Its Tune**

Economic and labor arguments quickly faded from Anheuser-Busch’s marketing strategy. Even their recurring boastful mention of employing six thousand men, which predated any concerted effort to combat national prohibition, vanished from its advertising. There were ultimately two reasons for Budweiser to abandon labor and economics in its advertising: to distance itself from labor, but also because it was not a successful tactic. Local and regional brewers continued to use economic and labor arguments to combat state prohibition and local options; however, macroeconomic arguments from national brewers were less effective. On a local or state level, economic impact carried greater weight with constituents who may be directly impacted or see their taxes increase. On a national level, economic arguments held less sway because they were more removed from the constituents.

Budweiser also carefully distanced itself from labor in the wake of the *Los Angeles Times* bombing in 1910. On October 1, 1910, at one in the morning, an explosion at the *Los Angeles Times* office killed twenty-one people. The bombing was quickly tied to labor interests and

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irreparably damaged public perceptions of organized labor. Two years later, thirty-eight union officials were found guilty in what was called both “the crime of the century,” and the “dynamite conspiracy.” In the wake of the bombing and the subsequent controversy, the public perceived the labor movement as increasingly radical and dangerous, while a new wave of nativism alienated the largely immigrant and ethnic ranks of labor unions. Moreover, the working immigrant class was widely perceived to be intemperate drunkards, thus, Anheuser-Busch distanced itself from that perception, as it rebranded Budweiser as a drink of temperance.

Just as Anheuser-Busch ceased boasting about how many workers their factory employed, they also stopped including annual sales totals in their advertisements. Like many brewers, Anheuser-Busch sought to rebrand its beers as drinks of moderation. Boasting about being the largest brewer in the world and tallying sales of well over a hundred million bottles of Budweiser per year became incompatible with the new branding strategy.

No change captures the shift in Budweiser’s tone and approach better than the change in their tagline. At the bottom of every advertisement, Anheuser-Busch declared Budweiser, “The King of All Bottled Beers.” As the threat of prohibition grew Budweiser’s famous appellation disappeared from its advertisements, giving way to a new tagline: “Budweiser Means Moderation.” Anheuser-Busch also stopped advertising how large their plant was, how many people they employed, and how much beer they sold. Grandeur gave way to moderation. If Budweiser meant moderation, Anheuser-Busch could no longer promote how much was produced and sold. The sheer scale of Anheuser-Busch’s production cast doubt on the credence of arguments that beer was a drink of moderation. Anheuser-Busch and many other brewers sought to increase their sales while holding the awkwardly contradictory public position that beer

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was a drink of moderation. An advertisement for Ruppert’s Knickerbocker beer captures the uncomfortable balance well in a striking chiasmus, it read, “The purpose of this advertisement is not to induce people to drink more beer, but to influence more people to drink beer.”

In 1917, Anheuser-Busch launched the “Moderation Series” which used a series of analogies to make an oblique argument against Prohibition. The series included advertisements titled, “Too Much Rain is Ruinous—and So Is Too Little,” “In Extreme Climates Life is Impossible,” “Electricity—The Friend of Man, and Also the Foe of Man,” and “Too Much Food is Bad for Man—and So Is Too Little.” The message of these advertisements was clear, too much or too little of anything can be bad: “extremes of every kind are bad.” These advertisement’s argued that beer in moderation contributed to health and that only in excess could it be harmful. One advertisement asserted that Budweiser was “truly the drink of temperance.” These advertisements argue that beer was both healthy and contributed to social interactions. One advertisement asserted, “When used within reason, [Budweiser] awakens kindly fellowship, and is as wholesome and healthful as its flavor is distinctive and delicious.” Another advertisement in the series contended, “The common sense use of Budweiser cements the bond of friendship, inspires the flow of wit and laughter and makes old men forget a little while that they are no longer one and twenty.”

304 Anheuser-Busch, “Too Much Rain is Ruinous—And So is Too Little,” Goodwin’s Weekly (Salt Lake City, UT), May 19, 1917; Anheuser-Busch, “In Extreme Climates Life is Impossible,” The Washington Herald (Washington, DC), June 28, 1917; Anheuser-Busch, “Electricity—The Friend of Man, And Also the Foe of Man,” Goodwin’s Weekly (Salt Lake City, Utah) June 30, 1917; Anheuser-Busch, “Too Much Food is Bad for Man—And So is Too Little,” The Sun (New York, NY), June 15, 1917. See appendices 4.7-4.10.
305 Anheuser-Busch, “Moderate Winds Are Necessary in Nature’s Scheme,” The Butte Daily Post (Butte, MT), Sept. 25, 1917.
306 Anheuser-Busch, “In Extreme Climates Life is Impossible.”
307 Anheuser-Busch, “Too Much Rain is Ruinous—And So is Too Little.”
308 Anheuser-Busch, “In Extreme Climates Life is Impossible.”
The Moderation Series borrowed old and simple anti-Prohibition arguments, but its tone was weak and defeated. The brewing industry no longer staunchly opposed prohibition of any kind, but rather contended that beer ought to be exempt from prohibition laws which ought to target harmful hard alcohols. While Budweiser did not make such an argument explicitly in its advertising, as many other brewers and brewers’ associations did, it is clearly implied in the tone of the Moderation Series. Each advertisement in the series contends that, while beer can be harmful in excess, it is healthy in moderation. By 1917, Budweiser and the industry were clearly on the defensive.

Interestingly, the Moderation Series and other brewers’ similar advertisements harken back to earlier advertisements touting the health benefits of beer in an attempt to grow the market rather than protect it from Prohibition. Budweiser drew on many notions that had been used earlier by other brewers to promote the health benefits of beer. A 1916 advertisement, declared “Budweiser is liquid bread—nothing more—nothing less,” drawing on a long-standing defense of beer that became particularly popular around the turn of the century. Liquid bread arguments suggested that beer was more wholesome than other alcohols because it was made from the same ingredients as bread. Around the turn of the century, Anheuser-Busch even produced a beer on contract that was bottled and distributed as “Nicholson’s Liquid Bread.” The liquid bread argument had been used previously by Pabst and Ruppert’s as well as numerous smaller breweries and brewers’ associations. An earlier Budweiser advertisement from 1904, also seeking to tout the health benefits, offered the somewhat misleading headline, “The Ladies Home Journal endorses beer as opposed to patent medicines.” While the large print suggests a

309 Anheuser-Busch, “In Extreme Climates Life is Impossible.”
resounding endorsement of beer, the article from which the advertisement is far more a condemnation of patent medicines than an endorsement of beer. Beer was simply a drink with substantially less alcohol by volume than contemporary patent medicines.

Budweiser’s attempt to find a middle road with prohibitionists was also not unique. An advertisement for Rainier beer declared, “True Temperance Does Not Mean Prohibition But Moderation.”311 Similarly, a Pabst advertisement from 1907 declared, “There is a growing sentiment that temperance is surest and best promoted by the use of Pabst Blue Ribbon which contains less than 3½% of alcohol.”312 Additionally, Ruppert’s Knickerbocker sought to praise beer with an awkward and unusual analogy. A Ruppert’s advertisement from 1912 read, “As our navy is a protection from the invasion of foreign foes, so is pure Lager Beer a protection from the invasion of the intemperance of our citizens.”313

Anheuser-Busch and most other brewers faced another major challenge: they could not escape their German identity. As a result, brewers had little choice but to create a patriotic, albeit hyphenated, image. German imagery gradually vanished from advertising and American figures became more prominent in their place. Advertisements as late as 1914 included references to German heroes like Otto van Bismarck and Carl Schurz, as well as landmarks like the Leipzig Monument. Bismarck, Schurz, and the Leipzig monument gave way to the Founding Fathers, American flags, and the Statue of Liberty.

The juxtaposition of two very similar Budweiser campaigns from 1914 and 1915 shows a response to the stigma against the “hyphenated American” and the recrudescence of anti-German

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311 Seattle Brewing and Malting Company, “True Temperance Does Not Mean Prohibition But Moderation,” The Seattle Star (Seattle, WA), June 12, 1913.
sentiment. In 1914, Budweiser ran an advertising campaign titled “National Heros Series,” consisting of ten advertisements targeting different ethnic minority groups. The strategy was compelling. Each of the ten advertisements featured a hero of a different ethnicity across a full ethnocultural spectrum from the German Otto von Bismarck to the Viking Leif Ericsson and from the Irish Catholic emancipator, Daniel O’Connell, to the English Naval hero, Lord Nelson. Each advertisement followed the same formula they would build up a national hero and explain how such a man would not have stood for the tyranny of Prohibition. One such advertisement lauded the great Giuseppe Garibaldi and asserted, “Garibaldi would not have legislative tyranny of any kind enter into his own life any more than will our millions of liberty-loving Italian citizens.”

Many others led back to the same conclusion, often largely unfounded, that a particular national hero would have opposed Prohibition on the grounds that it was a violation of personal liberty by legislative overreach. One of the more interesting advertisements features the Anglo-Saxon hero Lord Nelson, “A true Anglo-Saxon, he detested tyrannous powers and legislative usurpations of every kind. He was particularly opposed to prohibitive enactments governing the diets of his men, who, like him, enjoyed Barley-Malt Brews.”

Budweiser sought to appeal to Anglo-Saxons, many of whom supported Prohibition, by redefining what Anglo-Saxons as defenders of liberty. Although the arguments put forth in the advertisements were hardly sophisticated, the campaign was innovative and attempts to target various ethnic groups was a clever strategy.

In 1915, Budweiser followed up the “National Hero Series” with a patriotic campaign titled “Framers of the Constitution of the U.S.A.” The campaign followed the formula of the

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314 Anheuser-Busch, “Garibaldi—Italia’s Great Patriot.” The Ogden Standard (Ogden, UT), May 9, 1914. See appendix 4.12.
“National Hero Series,” but replaced foreign heroes with the American Founding Fathers. One advertisement featuring James Madison, read, “Many a foaming glass of good barley-malt beer he drank with his bosom friend Thomas Jefferson… both were unalterably opposed to tyrannous Prohibition Laws and advocated legislation which encouraged the brewing industry.” They wrote of Alexander Hamilton, “none knew better than he that honestly-brewed barley-malt beers make for true temperance,” and noted that he “drank good beer all his days.” They also noted, “We know of no one who has yet declared that it injured him in any way.” Such statements and associations were crucial in Anheuser-Busch’s attempt to rebrand beer and Budweiser as American—even patriotic. Although the Founding Fathers certainly drank British ales rather than German lagers, reminding the public of the ubiquity of beer in revolutionary America fit the image Budweiser sought to project. Another advertisement from 1915 for Fitger, titled “America’s Most Famous Brewers,” sought to achieve the same aim by detailing the involvement of William Penn, Samuel Adams, Roger Williams, Major General Putnam, and George Washington in America’s nascent brewing industry.

The formulaic “National Hero Series” and the “Framers of the Constitution of the U.S.A.” starkly contrasted earlier Budweiser advertisements featuring a similar cast of characters. The “National Hero Series” included a profile of Otto Von Bismarck, but Budweiser also ran another advertisement featuring Von Bismarck in 1908 that differed greatly in tone and message. The 1908 advertisement begins by posing the question: “How many living men can squarely stand up and honestly compare themselves as the superior (in any way whatsoever) to

317 Anheuser-Busch, “Alexander Hamilton—‘Father of American Credit,’” Goodwin’s Weekly (Salt Lake City, UT), May 15, 1915. See appendix 4.15.
318 Anheuser-Busch, “Alexander Hamilton—‘Father of American Credit.’”
The great Iron Chancellor?” The advertisement then details Bismarck’s achievements and asks a follow-up question: “Now, upon what nutriment was this colossus fed that he grew so mighty?” Their answer was unsurprising, “the juices of malt and hops were never absent from his table.” In contrast, the “National Hero Series” advertisement in 1914, asserts that “Bismarck, like all Germans, prized Personal Liberty as the breath of life,” and as such would not stand for the “insolent tyranny” of Prohibition. The message of the two advertisements differed greatly. The first advertisement asserts that Bismarck, a great man, drank beer and implies that if consumers wish to be great men they ought to drink beer as well. In contrast, the second advertisement asserts that as a staunch defender of personal liberty Bismarck would not abide Prohibition. The first sought to persuade consumers to buy Budweiser, while the second sought to persuade constituents to oppose Prohibition.

In April 1918, Anheuser-Busch faced claims that their label contained German and Austrian symbols. August Busch refuted the claims, but commissioned a new label and planned to dispose of existing stock worth over $40,000 that bore the old label. Although advertisements for Anheuser-Busch’s Bevo continued, Budweiser and the traditional Anheuser-Busch logo disappeared from the pages of newspapers.

A heavily obfuscated Anheuser-Busch logo reemerged in October at the bottom of full-page advertisements in dozens of papers across the nation. The advertisement which announced the suspension of Anheuser-Busch’s beverage business included a version of the company logo that was almost entirely obscured by a shield that read “Keep the glow in Old Glory buy Liberty

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321 Anheuser-Busch, “Bismarck.”
322 Anheuser-Busch, “Bismarck.”
324 “Budweiser Label Has No German or Austrian Designs,” Albuquerque Morning Journal. (Albuquerque, NM), Apr. 28, 1918.
Bonds.”\textsuperscript{325} The advertisement, much like the PSBA’s announcement of the suspension of “Facts versus Fallacies,” sought to characterize the action as patriotic rather than obligatory. The advertisement argued effectively that despite slander against the brand Anheuser-Busch had provided an incredible amount of financial and industrial support for the war effort. The open letter noted that in addition to paying three million dollars in federal, state, and municipal taxes, Anheuser-Busch had also purchased three million dollars in Liberty Bonds and donated five-hundred thousand dollars to the Red Cross.\textsuperscript{326} The advertisement also noted that the Busch-Salzer Bros. Diesel Engine Co. had voided all of its commercial contracts to make submarine engines for the Navy and that Anheuser-Busch had made arrangements to allow the US government to use its massive $60 million factory in St. Louis until the conclusion of the war.\textsuperscript{327} The advertisement concluded by asserting, “Anheuser-Busch is ready to sacrifice everything except loyalty to country, and its own honor, to serve the Government in bringing this war to a victorious conclusion.”\textsuperscript{328}

Through the duration of World War I, August Busch purchased more Liberty Bonds than anyone else in the entirety of the Eighth Federal Reserve district.\textsuperscript{329} August Busch had also allowed the local bond drive committee to use three cottages he owned to sell Liberty Bonds. Critics decried Busch’s gesture, alleging that the cottages were modeled after German cottages and adorned with German storks.\textsuperscript{330} The cottages were in fact modeled after an old English Renaissance style.\textsuperscript{331} The storks were replaced with American flags and the bond drive moved

\textsuperscript{325} Anheuser-Busch, “Announcement by Anheuser-Busch, Missouri’s Largest Industrial Institution.” See appendix 4.19.
\textsuperscript{326} Anheuser-Busch, “Announcement by Anheuser-Busch, Missouri’s Largest Industrial Institution.”
\textsuperscript{327} Anheuser-Busch, “Announcement by Anheuser-Busch, Missouri’s Largest Industrial Institution.”
\textsuperscript{328} Anheuser-Busch, “Announcement by Anheuser-Busch, Missouri’s Largest Industrial Institution.”
\textsuperscript{329} Olson, 208.
\textsuperscript{330} Olson, 327.
\textsuperscript{331} Olson, 327.
forward.\textsuperscript{332} Despite Busch’s numerous and significant patriotic actions—both as the president of Anheuser-Busch and as a private citizen—he could not escape allegations of disloyalty and treason levied against him and other German-Americans.

In a 1908 advertisement, Anheuser-Busch described its employees, noting, “They love their homes, they are good, honest citizens, temperate, patriotic and true.”\textsuperscript{333} That is the image that Anheuser-Busch hoped to create for itself: honest, temperate, and patriotic. That is the image they needed to create. That is an image under scrutiny as many Americans viewed all things German with hatred, suspicion, fear, or contempt.

Two decades after Anheuser-Busch emerged as the largest brewery in the world and declared Budweiser “The King of Bottled Beers,” passage of the Eighteenth Amendment and the Volstead Act delivered a death blow to the brewing industry. The tone of Budweiser’s advertising in the intervening twenty years underwent a remarkable transformation. Growing support for temperance movements, the passage of state prohibition laws, and rising anti-labor, anti-German, and nativist sentiments, all shook the predominantly ethnically German brewing industry. The confidence and seeming invincibility of the “World’s greatest brewery” gave way to timidity and a conciliatory message of moderation. German pride receded support for labor became muted. Anheuser-Busch abandoned all that it stood for and took pride in, in favor for a campaign of appeasement and the hope of survival. Prohibitionists had brought the brewing industry, which had embodied German-American pride and the immigrant American Dream, to its knees. While many brewers sought to appease prohibitionists with the rhetoric of moderation and to rebrand themselves as fiercely patriotic, these efforts failed to stave off Prohibition.

\textsuperscript{332} Olson, 327.
\textsuperscript{333} Anheuser-Busch, “Six Thousand Men are Employed at the Anheuser Busch Plant.”
From Drought to Draught:
The Return of Beer and the End of the Great American Hangover

“I think this would be a good time for a beer.”  
-Franklin Delano Roosevelt, March 22, 1933

One month and three days after Franklin Delano Roosevelt took office, beer was legal again. The amendment of the Volstead Act to allow the sale of beer was a major plank in the Democratic Party platform in 1932 and a campaign promise of many congressmen and senators. To Roosevelt, the return of beer offered much-needed stimulus during the Great Depression and promised to provide tax revenue to fund Roosevelt’s revolutionary New Deal policies. Roosevelt’s first priority for economic relief was the Emergency Banking Act, the subject of his first-ever fireside chat. Roosevelt used his first fireside chat to pressure Congress to act on the Emergency Banking Act, but then turned his attention to the beer question.

Roosevelt sent a message to Congress on the ninth day of his presidency calling for legislation to amend the Volstead Act and permit beer. Roosevelt’s message was urgent, direct, and concise—totaling only seventy-two words. He wrote:

I recommend to the Congress the passage of legislation for the immediate modification of the Volstead Act, in order to legalize the manufacture and sale of beer and other beverages of such alcoholic content as is permissible under the Constitution and to provide through such manufacture and sale, by substantial taxes, a proper and much needed revenue for the Government. I deem action at this time to be of the highest importance.

Congress heeded Roosevelt’s message and immediately set about crafting legislation to amend the Volstead Act. That the bill would pass was never in question, rather the debate

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336 Davis, 63.
337 Quoted in Davis 63.
centered on the more practical question of what percentage alcohol would be permissible. One
faction in Congress advocated for 3.05 percent which was the British standard for non-
intoxicating beer, but Congress ultimately settled on 3.2 percent as the limit.338

On March 22, 1933, less than three weeks after taking office, President Roosevelt signed
the Cullen-Harrison Act (officially known as the Beer-Wine Revenue Act) which amended the
Volstead Act and allowed the sale of beer and wine containing no more than 3.2 percent alcohol
by weight (four percent alcohol by volume) beginning in April 7, 1933. By December 1933, the
states had ratified the Twenty-First Amendment thereby repealing Prohibition. America’s long
hangover was finally over and tax revenue from brewers once again flowed into Federal coffers,
helping to fund Roosevelt’s New Deal.

On April 6, 1933, revelers celebrated the return of beer with “gala festivities on ‘new
beer’s eve’ comparable to a New Year’s eve (sic) celebration,” while delivery trucks filled with
beer waited for the clock to strike midnight.339 In Chicago, the Atlas Brewing Company alone
had a fleet of a hundred trucks, carrying nearly a half-million bottles of beer, waiting to make
deliveries to hotels, clubs, and restaurants across the city.340 Some restaurants even sent their
own trucks to breweries to expedite the process, while others received permits allowing them to
receive but not sell their beer before April 7.341 The first shipment of beer to the White House
arrived at 12:05 am complete with a police escort, a string orchestra playing “Happy Days are
Here Again,” and a banner that read, “Here’s to you—President Roosevelt. The Nation’s first
real beer in years.”342

339 “Plan All Night Celebration to Welcome Beer,” Chicago Daily Tribune, (Chicago, IL), Mar. 24, 1933.
340 “Plan All Night Celebration to Welcome Beer.”
341 “Capital Celebrates Beer’s Return After 16 Years of Drought,” The Washington Post, (Washington, DC), Apr. 7,
1933.
342 “Capital Celebrates Beer’s Return After 16 Years of Drought.”
Although the Cullen-Harrison act also allowed for the sale of light wine it was, as many papers at the time called it, a beer bill. In his message to Congress, Roosevelt specifically called for the restoration of beer. Light wine was in many ways an afterthought, included simply as another beverage “of such alcoholic content as is permissible under the Constitution.” Americans across the country welcomed the return of beer and the brewing industry reemerged battered but strong. One contemporary account claimed that brewers sold over a million barrels of 3.2 percent beer on April 7, 1933, the first day it was legal to do so.\textsuperscript{343} The Associated Press reported that barrel taxes and license fees had produced over four million dollars in federal revenue in the first week that 3.2 percent beer was legal.\textsuperscript{344}

The Cullen-Harrison Act not only reaffirmed Congress’ broad power to define “intoxicating liquor” under the Eighteenth Amendment, but it also reaffirmed a long history of differentiating between beer and other alcoholic beverages. Despite the convivial spirit of jovial celebrants, beer’s return actually precipitated a decline in arrests for drunkenness, owing perhaps to police tolerance, but also perhaps reflecting the nature of lager beer’s potency. Public celebrations of beers return, the wealth of revenue that flowed from brewers’ kegs into federal coffers, and the decline in drunkenness undermined the arguments in favor of Prohibition and those who have since called Prohibition a success. Prohibition was an ethnocultural movement and an extension of social control over working and immigrant classes that particularly targeted the center of German-American wealthy and influence, the brewing industry.

\textsuperscript{343} Kyvig, 177.
\textsuperscript{344} Kyvig, 177.
Beer and Volstead

Humorist Will Rogers captured the hypocrisy of Prohibition. He quipped, “Prohibition is better than no liquor at all.” The construction of the Volstead Act and its enforcement had vastly disproportionate effects on American beer consumption. Many have claimed that Prohibition was a success because it reduced alcohol consumption, but most analyses ignore the reality that the net decline in alcohol consumption resulted entirely from plummeting beer consumption. Prohibition fundamentally changed American consumption behaviors and decreased demand for beer for many years after Prohibition. Per capita consumption of pure alcohol fell by nearly a third during Prohibition—from 1.69 gallons per year prior to World War I to 1.14 gallons per year from 1927 to 1930. Despite the dramatic decrease in alcohol consumption per capita consumption of wine skyrocketed by sixty-five percent and consumption of liquor increased by about ten percent. Only beer consumption decreased, plummeting by seventy percent.

Given its low alcohol content, beer was far more difficult to conceal and cumbersome to transport, so bootleggers preferred moonshine and other bootleg liquors that contained far higher alcohol content than beer—and even more than comparable pre-Prohibition liquors. The cost of evading law enforcement caused alcohol prices to go up across the board. Economist Irving Fisher estimated that, on average, the price of alcohol increased by 360 percent during Prohibition. But no price increased as much as that of lager beer. The price of lager beer

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345 Quoted in Douglas A. Wissing, *IN Writing: Uncovering the Unexpected Hoosier State* (Bloomington: Indiana University Press, 2016), 172. This quotation has been attributed to several people, but most commonly to Will Rogers who offered many humorous quips about Prohibition.
347 Warburton, 90.
348 Warburton, 90.
increased by seven-hundred percent, whereas the price of bootleg liquor only increased one-hundred percent. The relative change in prices explains changes in consumer behavior. Working-class Americans with limited disposable income could not afford luxuries, and would not necessarily have considered Prohibition-era beer worth the expense.

The decimation of the brewing industry and changing of American alcohol consumption was not mere happenstance, but rather the result of carefully crafted legislation. Brewers, having been thoroughly discredited had no impact on the Volstead Act, which prohibited all the beverages containing more than half-of-one percent alcohol. Volstead was not, however, the total prohibition it pretended to be. Volstead allowed individuals to make up to two hundred gallons of cider and wine per year. The IRS ruled shortly after enforcement began that wine and cider made for home consumption could exceed half-of-one percent, but must still be “non-intoxicating.” No such exception was made for beer, but the IRS ruling undermined the central tenet of the Volstead Act, which defined “intoxicating liquors” broadly as any beverage containing more than half a percent alcohol.

Moreover, the Volstead Act allowed individuals to drink in their homes from their own stocks of alcohol, consumption and possession were not illegal. As such, the wealthy stockpiled on wine and liquor which would keep far better than beer. Joseph Kennedy, the father of future President John F. Kennedy, sold most of the liquor from his father’s liquor store to friends and associates before Volstead took effect and stored several thousands of dollars in the basement of his home. Kennedy was far from alone, but the wealthy could not stockpile, given its shelf life, and the working class could not afford to stockpile at all.

350 Thornton, 102.
352 Okrent, 120.
Beyond the large loopholes that allowed for continued consumption of wine and liquor, selective enforcement shaped the reality of Prohibition. Prohibition by design targeted working-class, ethnic, immigrant communities as a form of social control. Will Rogers brilliantly captured the nature of Prohibition politics and hypocrisy: “If you think this country ain’t Dry you just watch ‘em vote; and if you think this country ain’t Wet, you just watch them drink.”

Prohibition did little to reshape the consumption habits of the wealthy and even the middle-class, who stockpiled before Prohibition, made their own liquor or wine, or flouted the law with impunity.

While the wealthy drank from their wine cellars and organized crime syndicates bribed their way to impunity, law enforcement focused on ethnic and working-class immigrant communities. In 1924, Mexican-Americans constituted only ten percent of the population of East Los Angeles, but accounted for a quarter of those charged with Prohibition offenses. That same year, Prohibition offenses accounted for two-thirds of all arrests of Mexican-Americans in East Los Angeles. Although Prohibition Commissioner Doran conceded, “the government is not in a position to prosecute the non-commercial home brewer,” police in Chicago and many other cities conducted warrantless searches of working-class homes, “in search for liquor, beer and the ubiquitous home still.” Prohibition dockets in New York, “rarely strayed from the ethnic working-class,” and resembled “entry records from Ellis Island.”

Despite its inefficiencies, enforcement of Prohibition led to the massive expansion of Federal incarceration and law enforcement authority. In the decade from 1920 to 1930, federal

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354 McGirr, 89-91.
355 Quoted in Mittelman, 89; Quoted in McGirr, 90.
356 Quoted in McGirr, 91.
law enforcement expenditures increased fivefold. The population of federal prisons more than tripled in a decade, from 3,720 in 1920 to 11,400 in 1930. The growth of federal incarceration also inspired the creation of the first federal women’s prison in 1929 and the creation of a federal parole board in 1930. As the federal incarceration system grew, African-Americans, immigrants, and ethnic minorities filled the newly created cells.

**Brewers During Prohibition**

For their part, brewers remained active and organized throughout Prohibition. Some brewers folded, while others who foresaw Prohibition had planned diversified their businesses to survive. Many brewers found creative ways to survive, while many small breweries closed and many large breweries liquidated their assets. Many breweries made dealcoholized beer, cereal beverages, and soft drinks, but often much of their capital lay idle and brewers struggled to find new markets. Sales of existing soft drinks exploded while others like 7-Up emerged during Prohibition as mixers for illegal liquor. Vintners fared far better, as fruit juices became increasingly popular and vineyards also sold grapes for home production of wine, which was permitted under the Volstead Act.

Yuengling, which proudly holds the title of the oldest brewery in America, survived Prohibition by diversifying into dairy. Frank Yuengling whose brewery sat amid hundreds of dairy farms, established the Yuengling Creamery in 1920 to produce and sell ice cream. They later began to sell milk as well. The Yuengling Creamery succeeded and survived long after

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357 McGirr, 206.
358 McGirr, 201.
359 McGirr, 96; 201.
repeal, before finally shutting its doors in 1985.\textsuperscript{361} Although the creamery enjoyed its own success, it along with other investments allowed Yuengling to survive Prohibition.

August Busch had foreseen Prohibition and, as early as 1906, sought to create a nonalcoholic soft drink that tasted like beer.\textsuperscript{362} By 1909, Anheuser-Busch had registered a trademark for Bevo, its cereal soft drink.\textsuperscript{363} In 1916, Anheuser-Busch began selling Bevo, which was then targeted primarily at towns and counties that had been voted dry by local option laws.\textsuperscript{364} Bevo enjoyed immediate success, selling over two million cases in its first six months and by 1918 sales reached five million cases.\textsuperscript{365} Bevo even gained a foothold in foreign markets where Prohibition was far from the minds of consumers. Anheuser-Busch also sold nonalcoholic Budweiser, which was brewed in the same manner as Budweiser, but commercially dealcoholized to conform to the requirements of the Volstead Act.\textsuperscript{366} Both Bevo and nonalcoholic Budweiser enjoyed initial success, but sales dropped through the 1920’s as home brewing and bootleg liquor became increasingly popular.\textsuperscript{367} The decline in sales forced Anheuser-Busch to look for new commercial ventures.

Prohibition became for Anheuser-Busch and many other brewers a period of experimentation and diversification. During Prohibition, Anheuser-Busch also developed and sold its own brands of ginger ale, root beer, and a chocolate flavored soft drink called Carcho.\textsuperscript{368} Anheuser-Busch also experimented with other beverages including a coffee-flavored soft drink called Caffo and a tea-flavored soft drink called Buschtee, both of which were commercial

\begin{footnotesize}
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  \item \textsuperscript{361} Ogle, 186.
  \item \textsuperscript{362} Plavchan, 158.
  \item \textsuperscript{363} Plavchan, 158.
  \item \textsuperscript{364} Plavchan, 159.
  \item \textsuperscript{365} Plavchan, 166.
  \item \textsuperscript{366} Plavchan, 166.
  \item \textsuperscript{367} Plavchan, 168.
  \item \textsuperscript{368} Plavchan, 174.
\end{itemize}
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failures and were quickly removed from the market.\textsuperscript{369} Anheuser-Busch also began developing and marketing products for commercial baking including yeast and malt syrup. They also began to process corn into corn syrup, corn oil, and feed for livestock.\textsuperscript{370}

One of Anheuser-Busch’s most surprising Prohibition-era ventures was the manufacture of custom commercial trucks. Anheuser-Busch also had extensive metalwork and automotive facilities in place which had produced and maintained the company’s fleet of delivery trucks. They also held an early patent on refrigerated truck bodies. They produced milk trucks for Cities Dairy Co. of St Louis, but they also created custom vehicles for clients across the country. They produced trucks for meatpacking delivery, oil distribution, and even made trucks for the Federal Reserve Bank of St. Louis.\textsuperscript{371}

Anheuser-Busch also used their refrigeration techniques to enter the ice cream business. They began manufacturing electric freezers with wood paneling for ice cream parlors and, much like Yeungling, Anheuser-Busch also began producing and selling ice cream. Distribution agents first used powdered milk to produce ice cream as a supplement to beverage sales at their distribution centers in the New Orleans. Seeing the success of ice cream at its New Orleans branch, Anheuser-Bush eventually repurposed three factories to produce ice cream. By 1926, Anheuser-Busch sold more than a million gallons of ice cream per year.\textsuperscript{372}

Despite extensive diversification and capital investments, Anheuser-Busch could not operate at full capacity. Anheuser-Busch leased floor space and even entire facilities to other companies, which provided steady income, but reflected the company’s inability to operate at

\textsuperscript{369} Plavchan, 172-173.
\textsuperscript{370} Plavchan, 178-179.
\textsuperscript{371} Plavchan, 190-191.
\textsuperscript{372} Plavchan, 192-194.
full capacity.\textsuperscript{373} Although its extensive distribution network allowed many of Anheuser-Busch’s new ventures to achieve scale and turn profits quickly, it simply could not achieve the market dominance Budweiser had once enjoyed.

Prohibition brought about the ignominious demise of many brewers, large and small, including Anheuser-Busch’s cross-town rival, Lemp Brewing Company. After Prohibition, Lemp was unable to turn a profit on Cerva, its non-intoxicating malt beverage. In June 1922, William Lemp sold his brewery, which had been valued between $5 million and $7 million, for $588,000 to the International Shoe Company.\textsuperscript{374} Six months later Lemp committed suicide in his office.\textsuperscript{375} Lemp’s story, though more tragic than most, mirrored the demise of hundreds of breweries across the country. When Prohibition was repealed in 1933, only 331 breweries operated in the US—a skeleton of the once robust brewing industry.\textsuperscript{376}

The United States Brewers Association remained active throughout Prohibition, but as brewers closed their doors, the USBA simply became a mouthpiece for major brewers, masquerading as a national organization. As brewers folded, their opposition to Prohibition became concentrated in the hands and the coffers of a few major brewers like Anheuser-Busch and Jacob Ruppert.\textsuperscript{377} The major brewers bankrolled the USBA and funded legal challenges to Prohibition, but many small brewers and state brewers’ associations closed their doors.

The brewers’ first major challenge to Prohibition was the Supreme Court Case, \textit{Jacob Ruppert, Inc. v Caffey, US}. Ruppert, backed by the USBA and other brewers, argued that beer containing less than 2.75 percent alcohol was constitutionally permissible because of the

\textsuperscript{373} Plavchan, 195.
\textsuperscript{374} “W.J. Lemp, Brewer, Commits Suicide; Third in Family,” \textit{The Evening World}, (New York, NY), December 29, 1922.
\textsuperscript{375} “W.J. Lemp, Brewer, Commits Suicide; Third in Family.”
\textsuperscript{376} Michael Agnew, \textit{A Perfect Pint’s Beer Guide to the Heartland} (Champaign: University of Illinois Press, 2014), 5.
\textsuperscript{377} Ruppert survived Prohibition from brewing near-beer, but also earned revenue from ownership the New York Yankees and a lucrative stud farm in upstate New York.
provisions of the Lever Food Act (1917) which defined beer containing less than 2.75 percent alcohol to be nonintoxicating.\footnote{378} In a split decision, the Court ruled five to four, that the Volstead Act’s definition of “intoxicating liquors’ as any beverage—including beer—that contained more than one-half percent alcohol.\footnote{379} The decision reversed a decision by the US District Court which allowed the sale of beer containing 2.75 percent alcohol or less.\footnote{380}

Even among brewers that survived the early years of Prohibition, industrial cooperation fragmented and discord and dissension became the order of the day. Ruppert and the skeleton USBA continued to wage a public and political campaign for 2.75 percent beer, while many other brewers fought for full repeal. August Busch attacked brewers who flouted Volstead, claiming that his firm had lost five million dollars in the first two years by obeying Volstead.\footnote{381} When the Congress Judicial Committee considered placing limits on the amount of beer doctors could prescribe, Busch sent a telegram to the committee declaring, “Beer for all or beer for none is my motto.”\footnote{382}

Eviscerated by Prohibition and consumed by infighting, the brewing industry proved ineffective during Prohibition but won strong allies in the AAPA and most surprisingly the Women’s Organization for National Prohibition Reform. Economic necessity, Roosevelt’s ambitious New Deal spending, and public sentiment all contributed heavily to the Cullen-Harrison Act and Repeal. Nonetheless, brewers during Prohibition struggled to regain their credibility and control their own destiny. Although the Cullen-Harrison Act can be seen as the vindication of brewers, it came with a high price.

\footnote{379} “Palmer to Fight the Sale of 2.75 Beer in Courts.”  
\footnote{381} Mittelman, 92.  
\footnote{382} Quoted in Mittelman, 92.
Prohibition has been the subject of academic and popular curiosity for decades. The legacy of Prohibition gave rise to an outlaw romanticism in films like *The Untouchables*, *Once Upon a Time in America*, *Lawless*, and dozens of movies about Al Capone. Academics have largely focused on the development of the temperance movement in America and the events of Prohibition and Repeal. Many academics have discussed why Prohibition arose, but few have engaged the question of why it took the form that it did. Traditionally, little distinction is made between the Eighteenth Amendment and the Volstead Act and Prohibition has been accepted to inevitably mean total Prohibition.

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383 Edwin Marcus, “What a Queer Looking Camel,” New York Times (New York, NY), July 8, 1928. Because of its ability to go days without drinking water, the camel became a popular cartoon symbol for prohibition and its supporters, the so-called “drys.” Here the camel of Prohibition is merely a costume to hide the bigotry and religious prejudice that lie beneath.
In the Volstead Act, Congress exercised its authority to define “intoxicating liquors” and did so broadly creating a total Prohibition on alcoholic beverages. The Cullen-Harrison Act which allowed for the manufacture, sale, and taxation of beer and wine with less than 3.2 percent alcohol demonstrated Congress’ latitude in defining “intoxicating liquors”—a latitude Congress chose not to use in the Volstead Act. There is a long history of cross-cultural and state level distinctions among beer, wine, and liquor both before and after Prohibition yet such distinctions were entirely absent from the Volstead Act. The movement toward the Volstead Act revealed the depth and power of anti-German sentiment, classism, and hypocrisy in American society, while the reality of Prohibition vastly expanded the law enforcement and incarceration powers of the Federal government and foreshadowed a drug war founded on selective enforcement and based on racial and socioeconomic biases.

German immigration in the Nineteenth century reshaped the social and demographic fabric of the nation and the concurrent lager beer revolution reshaped American industry and consumption. In the span of fifty years, the brewing industry rose from a position of near irrelevance in the American economy to become the sixth largest industry in the nation and the supplier of over ten percent of federal revenue. At the same time, the German-American population swelled to nearly one-quarter of the nation. The economic importance of the brewing industry and the size of the German-American population seem irreconcilable with the passage of the Volstead Act and the events of Prohibition. In reality, the perception of the brewing industry as a source of economic power for Germans in America contributed to the inclusion of beer in Prohibition under the Volstead Act.

Brewers viewed their tax burden as a blessing and a protection, but they failed to see the transformative effect of the Sixteenth amendment and the imposition of a permanent Federal
income tax. In 1916, when brewers paid nearly $250 million in federal taxes, nearly three-quarters of the federal government’s revenue came from excise taxes and customs duties.\textsuperscript{384} Only four years later, beer was dead and the income tax generated nearly sixty percent of federal revenue.\textsuperscript{385} Even if brewers could have realized the long-term importance of the income tax; they could not have foreseen how quickly the Sixteenth Amendment would completely reshape the federal tax and revenue structure.

While the income tax made the loss of revenue from brewers more palatable for Federal coffers, it did not mitigate the economic impact of losing the sixth largest industry. Although many brewers found creative ways to survive Prohibition, the industry reemerged after repeal thoroughly eviscerated. Many large brewers repurposed their capital, but small breweries unable to make significant capital investments folded. The industry reemerged from Prohibition with far fewer seats at the table and the number of brewers would not reach Pre-Prohibition levels again until the explosion of craft breweries and microbreweries in the late 1990s. The brewing industry has since regained its economic importance. As of 2015, the brewing industry contributed $252.5 billion (roughly 1.5 percent of the US GDP) to the US Gross Domestic Product and accounted for nearly ten percent of the Food, Beverage, and Tobacco industry.\textsuperscript{386}

Given the high concentration of German-Americans in brewing, the economic effects of losing the brewing hit the German-American population far harder than any other. Understood in the broader context of anti-German sentiment and in light of the actions of A. Mitchell Palmer as Custodian of Alien Property, the inclusion of beer in the Volstead Act can be seen, in part, as

\textsuperscript{384} Mittelman, 78.
\textsuperscript{385} Mittelman, 81.
another attempt to strip German-Americans of their economic power. The loss of brewing meant unemployment, loss of profits, and even bankruptcy, but it meant those things for German-Americans. Even before the Eighteenth Amendment became law or Congress drafted the Volstead Act, the government tried to use World War I as a pretext to dispossess prominent German-Americans of their property and the German-American community of its sources of economic empowerment. The Prohibition of beer was in many ways a tacit continuation of those efforts.

While existing literature debates ethnoreligious interpretations of the Eighteenth Amendment and the importance of wartime nativist and anti-German sentiments, it does not examine how the climate of hatred shaped and muted the brewers’ response to the threat of Prohibition. Brewers’ credibility was rocked by repeated and false allegations of collusion with Germany during World War I. Even when brewers attacked the idea of prohibition, they dedicated immense effort to reassure the public that brewers were patriotic Americans. Nothing demonstrates the muting of brewers’ German-American voices than the rise of the Association Opposed to Prohibition, an organization of concerned businessmen who deliberately excluded brewers from their ranks. Other businessmen concerned by the economic consequences of losing the nation’s sixth largest industry feared being associated with brewers whose credibility had been destroyed by the brewers’ indictments in Pennsylvania, the Brisbane controversy, and sensational and libelous newspaper stories which cast brewers as traitors.

Prohibition in practice was steeped in hypocrisy. German-American satirist, H. L. Mencken, quipped that “wet-dry” politicians, as he called them, “prepared for a speech in favor of Prohibition by taking three or four stiff drinks.” Selective enforcement,

rampant corruption, and the stockpiling by the wealthy before the Volstead Act took
effect created a system of Prohibition shaped by race and class. African-Americans,
Mexican-Americans, immigrants, and working-class whites were arrested and
incarcerated at wildly disproportionate and unprecedented rates. Wealthier whites evaded
arrest by stockpiling before Prohibition, bribing officials, and employing African-
Americans and others to operate illegal stills and breweries on their behalf and assume all
of the risk. Prohibition vastly expanded the law enforcement capacity and mandate of the
federal government and fundamentally reshaped the way the Department of Justice
interacted with private citizens. Prohibition foreshadowed and shaped a system of
narcotics enforcement driven by racially biased policies that in local, state, and Federal
Jurisdictions across the country.
Epilogue

Many counties, towns, and even entire states remained dry by law long after repeal. Post-Prohibition laws were often loosely enforced, comically ineffective, and fraught with hypocrisy. The famously dry Moore County in Tennessee is home to the Jack Daniels distillery, the oldest nationally registered distillery in the United States and maker of the most popular American whiskey in the world.388 In 2013, Jack Daniels’ Lynchburg Distillery sold over eleven million cases of whiskey, none of which could be legally sold in Moore County.389 Mississippi was famously the last state to repeal statewide prohibition, but the state law was similarly hypocritical and abandoned in favor of local option laws. On April 8, 1966, a county judge invalidated the Mississippi Prohibition Statute from 1909, because the state had engaged in the active and systematic collection of black market taxes and distribution of black market whiskey licenses.390 In his ruling, Judge Charles Barber of Jackson County, held “that it is not unlawful to possess liquor in Mississippi,” and added that, “to rule otherwise this court would have to bury its head in the hypocritical sands of the past.”391 Judge Barbers’ scathing condemnation of Mississippi’s prohibition law illustrated the continued hypocrisy of ideologically based prohibition.

The Resurgence of National Alcohol Control Debates

The 1980’s witnessed a recrudescence of state and federal policies to police alcohol consumption under the Reagan administration. In a report to Congress, the Department of Health and Human Services estimated that the total direct and indirect societal costs of

alcoholism and alcohol abuse in 1983 were nearly $117 billion—more than three percent of the American GDP that year.\textsuperscript{392} Numerous state and federal policies in the mid-1980’s sought to discourage excessive consumption and decrease the incidence of drunk driving. In 1983, Reagan’s Presidential Commission on Drunk Driving urged states to enact laws which would make businesses or servers liable to anyone injured by a customer they had served while the customer was noticeably intoxicated.\textsuperscript{393} Within two years, twenty-two states had adopted these so-called “Dram Shop Laws,” while several other states adopted similar laws in the years that followed.\textsuperscript{394} Several states also passed laws which prohibited bars and restaurants from offering “happy hour” specials, which lawmakers argued encouraged excessive consumption.\textsuperscript{395}

The most controversial government law on alcohol consumption since Prohibition was the National Minimum Drinking Age Act of 1984. The law, championed by Mothers Against Drunk Driving (MADD), would withhold ten percent of any state’s apportionment from the Highway Trust Fund, if that state did not adopt a minimum drinking age of at least twenty-one years old.\textsuperscript{396} Many states had lowered their minimum drinking age during the 1970’s and by the time the National Minimum Drinking Age Act passed in 1984, twenty-seven states had minimum drinking age laws that allowed individuals under the age of twenty-one to drink.\textsuperscript{397} By October 1, 1986, the deadline outlined in the bill, only eight states were in a state of noncompliance. South Dakota unsuccessfully sued to repeal the act, which it viewed as federal overreach, and Wyoming became the last state to acquiesce to Congress’ demands in 1988.\textsuperscript{398}

\textsuperscript{394} Leichter, 160.
\textsuperscript{395} Leichter, 159.
\textsuperscript{396} 23 U.S. Code 158; 23 U.S. Code 104.
\textsuperscript{397} Leichter, 163.
\textsuperscript{398} Leichter, 164.
The minimum drinking age debate dated to the repeal of Prohibition in 1933. Following the repeal of Prohibition, states had the responsibility to adopt laws governing alcohol consumption, including minimum age laws. Most states adopted laws prohibiting consumption of alcohol by those under the age of twenty-one. These laws were often directly tied to voting laws in those states which set the standard of twenty-one as the beginning of adulthood and full citizenship. Passage of the Twenty-Sixth Amendment in 1971, which established eighteen as the legal age of suffrage, complicated the legal rationale for the legal drinking age in many states. Its passage led many states to review and change their minimum drinking age laws in the 1970s. In Oklahoma, the state legislature, even passed a law which established different drinking ages for men and women. The Oklahoma statute prohibited the sale of “nonintoxicating” 3.2 percent beer to men under the age of twenty-one but allowed women eighteen and older to consume the same 3.2 percent beer.\footnote{Craig v. Boren, 429 U.S. 190 (1976).} The Oklahoma Law was challenged and ultimately ruled unconstitutional in \textit{Craig v. Boren} (1976).\footnote{Craig v. Boren, 429 U.S. 190 (1976).} The Supreme Court held that “Oklahoma's gender-based differential constitutes an invidious discrimination against males 18-20 years of age in violation of the Equal Protection Clause.”\footnote{Craig v. Boren, 429 U.S. 190 (1976).}

Debates on the control of alcohol and other intoxicating substances continue in the present. As state legislatures consider legalizing or decriminalizing marijuana, beer’s Prohibition history sheds light on the racial element of public morality laws. Although legalizing an illicit substance differs greatly from banning a legal substance, the possibility and reality of racially discriminatory policies exists in both cases. Michelle Alexander’s The New Jim Crow provides an exhaustive study of how selective enforcement and racially biased
policies, have led to the mass incarceration of African-Americans and Hispanics throughout the “War on Drugs.” Now, as states consider legalizing marijuana, many states have proposed laws which would disproportionately exclude African-Americans, who have been disproportionately targeted by narcotics enforcement. Often the outcome of policies, more than their stated intent, reveal the nature and sentiment of the time.
Appendices

Appendix 1.1

Legal landscape of Prohibition in 1917 by state as drawn in *The Cyclopedia of Temperance, Prohibition and Public Morals*. 
Appendix 1.2

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Appendix 1.3

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Appendix 2.1

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Appendix 3.1

Appendix 3.2

Appendix 3.3

Appendix 3.4

PROCLAMATION!

"Facts Versus Fallacies"
Advertising Will Cease
Until After The War!

In these times when the country wants every man to do his share each one of us must shoulder some burden—and do it gladly. On the shoulders of the Brewery interests of the country will fall added taxations. The PENNSYLVANIA STATE BREWERS’ ASSOCIATION feel it their duty, no less than their privilege, to aid their country in the proper carrying on of the war.

For some years the advertisements known as facts versus fallacies have been carried in the leading newspapers of Pennsylvania, not as liquor advertisements, but as a plea for Temperance. Not once, in these years, has any one successfully refuted one fact as exploited in these advertisements. They were sane, logical, temperate essays on the fallacy of prohibition—that prohibition never did prohibit, and never would—and stood for the fact that Regulation and Temperance were the real solution of the liquor question!

In discontinuing the facts versus fallacies campaign until after the war, so that the money that would have been expended in advertising can serve this country in a bigger and broader field, we help to prove to the President of the United States and to our fellow citizens, that this country has no more loyal supporters than the

Pennsylvania State Brewers’ Association

Appendix 4.1

Source: “S. Archenhold & Co.,” The Waco Daily Examiner. (Waco, TX), Sept. 20, 1887.
Appendix 4.2

Source: Anheuser-Busch, “The Famous Bottled Beers of the Great Anheuser Busch Brewing Ass’n, St. Louis, U.S.A.,” The Times (Richmond, VA), June 7, 1899.
Appendix 4.4

Source: Anheuser-Busch, “Budweiser: In Glass from the Kettle to the Lip,” *Omaha Daily Bee* (Omaha, NE), January 15, 1906.
Appendix 4.5

Appendix 4.6

“Food-Temperance-And Beer”

The purpose of this advertisement is not to induce people to drink more beer, but to influence more people to drink beer.”

Good beer, properly brewed, is the greatest aid to true temperance. Everybody should drink good beer, because it is wholesome and nutritious. It is the purest of foods—in liquid form. It stimulates the appetite, aids digestion and is an ideal temperate beverage. Prof. Gartner in his “Manual of Hygiene” says that one quart of beer is equal in food value to 3½ pounds of bread in carbo-hydrates and two ounces of bread or nearly one ounce of meat in albumen.

Heavy foods clog the system and cause many ills. Physicians and food experts throughout the world advocate the drinking of good, wholesome beer for its nutritive value and purity.

The great nations of Europe furnish beer to their soldiers and sailors with their meals. College and professional athletes are allowed to drink beer while in training. Beer, bottled at the brewery, is absolutely pure, being entirely free from the disease-bearing germys frequently found in milk and water. The greatest vigilance is observed in a brewery to keep every nook and corner scrupulously clean in order to minimize the dangers of contamination. It is the one beverage that cannot be adulterated or tampered with from the time it leaves the brewery until it reaches the consumer.

We have developed to the utmost degree the nutritive qualities and purity of

RUPPERT’S
Knickerbocker
The Beer That Satisfies

It is made of the highest grade Barley-Malt and the finest quality Saazer Hops. Throughout all the various processes of brewing, filtering, aging, bottling and pasteurization, it is constantly watched over and inspected by experts. It is absolutely pure when it leaves the brewery, and must be absolutely pure when it reaches you.

The public is cordially invited to visit and inspect our Brewery and Bottling Department. It is the most modern and best equipped brewhouse on earth.

The Jacob Ruppert Brewery Third Avenue, 50th to 52nd Street

Appendix 4.7

Source: Anheuser-Busch, “Too Much Rain is Ruinous—And So is Too Little,” Goodwin’s Weekly (Salt Lake City, Utah), May 19, 1917.
Appendix 4.8

Appendix 4.9

Source: Anheuser-Busch, “Electricity—The Friend of Man, And Also the Foe of Man,” Goodwin’s Weekly (Salt Lake City, Utah) June 30, 1917.
Appendix 4.10

Source: Anheuser-Busch, “Too Much Food is Bad for Man—And So is Too Little,” The Sun (New York, NY), June 15, 1917.
Appendix 4.11

Appendix 4.12

Source: Anheuser-Busch, “Garibaldi—Italia’s Great Patriot,” *The Ogden Standard* (Ogden City, Utah), May 9, 1914.
Appendix 4.13

Appendix 4.14

Source: Anheuser-Busch, “James Madison—‘Father of the Constitution,’” Goodwin’s Weekly (Salt Lake City, UT), May 1, 1915.
Appendix 4.15

Appendix 4.16

America's Most Famous Brewers

MAKERS OF AMERICAN HISTORY ALSO MAKERS OF BEER

William Penn, Quaker, founder of the State of Pennsylvania, and of the city of "Brotherly Love," had a brewery at his home, Penn's Quaker, and was also interested in brewing as an industry.

James Adams, the acknowledged Father of the American Revolution, who threw overboard the first boatload of grain Bostonians sent a Boston brewer.

Roger Williams, founder of the State of Rhode Island was interested in the brewing industry.

George Washington, our greatest patriot, and "Pater of the Country," had a brewery on his Virginia farm, Mount Vernon.

Major General Pitcairn, U.S. A., the hero of Bunker Hill, was a brewer. His tavern, the "General Wolfe," was the favorite headquarters for the patriot soldiers and statesmen during our War of Independence.

The heroes of the Declaration of Independence were brewers or indirectly interested in the brewing industry.

WHY FITGER NATURAL BEER IS A "DRAUGHT BEER IN BOTTLES"

The Kieselguhr filter is a new invention which "keeps" beer in bottles and gives to bottled beer the same, full, natural character, taste and aroma of the finest of draught beer drawn fresh from the wood.

Our finest, natural draught beer is filtered through Kieselguhr or diatomaceous earth, the diatoms of which are so small (20,000,000 to the cubic inch), that no yeast germs can pass through. Fitger Natural Beer is thus not only a "draught beer in bottles," but a draught beer brilliantly clear of every bit of impurity.

It has always been recognized that pasteurization, the process in common use for keeping bottled beer, changes the character and ruins the flavor of the natural beer. The artificial heat kills the troublesome yeast germs but it does not rid the beer of them, consequently pasteurized beer cannot be as clear or brilliant as Fitger Natural Beer.

FITGER

Natural Beer

"A Draught Beer in Bottles"

Fitger Natural Beer is made regardless of cost of any beer in the world, imported or domestic. In substance and in brewing, it is the equal of any beer in the world that appears.

"The Most Brilliant Beer in America"

FITGER BREWING COMPANY, DULUTH, MINN.

Budweiser

Bismarck

IS a beer of redoubtable name and fame.

Health, strength and vigor glows and sparkles in every glass. Fifty years ago we began to brew it. For fifty years the most fastidious have pronounced it without an equal in any land. It is known from ocean to ocean, from the gulf to the lakes, and wherever Americans go for business or health or pleasure — Budweiser is there.

THE KING OF ALL BOTTLED BEERS

Budweiser is brewed only by the

ANHEUSER-BUSCH BREWERY
St. Louis, Mo.

W. A. Wagner
Ideal Beer Hall Co.
Distributors
Duluth, Minn.

How many living men can squarely stand up and honestly compare themselves as the equal or superior (in any way whatsoever) to the great Iron Chancellor of the Hohenzollern's, who made Goethe's dream of Germanic unity a realistic drama of "iron and of blood"?

How many dare declare, "I have greater brain power than he"—"I have a stronger body"—"I am healthier"—"I have a saner knowledge"—"I am more successful" or "I have more force of character"?

Bismarck, during his magnificent career, outwitted the most celebrated statesmen of his time; terrified the mightiest kings and emperors; overthrew and conquered three armed nations; and ruled over the empire he created with enlightened and practical wisdom for nearly half a century, dying at the ripe old age of 89, famous throughout the world as the "Cäsar of the Germans."

Now, upon what nutrient was this colossus fed that he grew so mighty? what put the fur into his blood? This we know—that like all Germans he believed in good eating and drinking; hence the juice of malt and hops were never absent from his table.

Appendix 4.17

Source: Anheuser-Busch, "Bismarck." The Labor World (Duluth, MN), Apr. 4, 1908.
Appendix 4.18

Announcement by Anheuser-Busch
Missouri’s Largest Industrial Institution

President Wilson, as a necessary conservative measure, has issued a proclamation prohibiting the manufacture of cereal beverages and to continue the manufacture of the Anheuser-Busch soft drink.

As a patriotic duty we accept without reservation the conditions of the President’s Proclamation and on and after Dec. 1, 1918, which Proclamation also makes it necessary to discontinue the manufacture of the Anheuser-Busch soft drink.

We stand squarely behind the Government in this prosecution of the war in a most earnest and zealous manner. We regard the sacrifice we are making, amounting to many millions of dollars, as indispensable and imperative when we think of the possibility that war may come to the world under the terms of the present and disastrous war into which the United States was involved by our President.

The Anheuser-Busch Brewing Enterprise is fundamentally the largest and largest institution in the world. It has distanced, during more than 21 years, the other companies in the world. We have made a clear and consistent policy of building our business on the basis of quality and excellence. As a result, we have achieved a leadership position in the industry.

The Anheuser-Busch plant is located in St. Louis, Missouri, and the brewery is in the heart of the brewery district. It has been consistently one of the most successful enterprises in the world.

As a further contribution to the war effort, Anheuser-Busch has been producing overseas aid, under the leadership of the President, and has been making a number of important contributions to the war effort.

The manufacturing plant of the Anheuser-Busch plant, as an example, has been turned over to the United States until the war is over.

The Anheuser-Busch plant is located in St. Louis, Missouri, and the brewery is in the heart of the brewery district. It has been consistently one of the most successful enterprises in the world.

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