

## Shmanners 428: Prohibition, Part 4

Published October 4<sup>th</sup>, 2024  
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[theme music plays]

**Travis:** Hello, internet! I'm your husband host, Travis McElroy.

**Teresa:** And I'm your wife host, Teresa McElroy.

**Travis:** And you're listening to *Shmanners*.

**Teresa:** It's extraordinary etiquette...

**Travis:** For ordinary occasions. Hello, my dove.

**Teresa:** Hello dear.

**Travis:** How are you?

**Teresa:** I think the question that we— I really wanna know is, how are you? [laughs]

**Travis:** Well, thank you so much for asking. My sinuses.

**Teresa:** Yeah.

**Travis:** Are rebelling.

**Teresa:** Mm.

**Travis:** I had my sinuses removed?

**Teresa:** [laughs]

**Travis:** No, they— [sighs] Boy oh boy oh.

**Teresa:** That's a deep cut *Park & Rec* quote.

**Travis:** Mm. You know, time of year, weather's changing.

**Teresa:** Yeah.

**Travis:** Pressure changes.

**Teresa:** It does.

**Travis:** Fluctuates back and forth.

**Teresa:** Yeah.

**Travis:** And I have a finnick little baby boy boy.

**Teresa:** [chuckles]

**Travis:** That doesn't handle change well. And... Another *Parks & Rec* thing, it's like when Chris charges up his body like a microchip. Right? And it's the smallest thing. Except that my body is just a finnick little baby body.

**Teresa:** Mm-hmm.

**Travis:** And when something goes wrong, I just— [in a baby voice] It hurts. I don't wike it. [normal] You know?

**Teresa:** Aw, my poor little baby man.

**Travis:** No, see I'm allowed to say that.

**Teresa:** Oh.

**Travis:** I can talk— No, you're allowed to say that.

**Teresa:** Okay, okay.

**Travis:** Yeah, I mean listen, I know how I act when I don't feel good, and I do a lot of "humph" around the house.

**Teresa:** [chuckles]

**Travis:** I know, but I'm here, gonna pull it together, we're gonna talk about prohibition. 'Cause we're not talking about— We're not talking

about any of my widdle woes, my bad feelings, my sinuses trying to kill me from the inside out. Instead, we're talking about prohibition, part four.

**Teresa:** The ultimate end of prohibition.

**Travis:** The death of prohibition.

**Teresa:** Right. Today we are going to focus on government and widespread corruption.

**Travis:** What?

**Teresa:** And organized crime.

**Travis:** Why do prohibit and inhibit— I guess it's not exactly the same. 'Cause inhibit is just like limiting, and prohibiting is like none at all, right?

**Teresa:** Right.

**Travis:** Okay, hibitty hibitty to the hip hip hop, you don't stop the rockin'—

**Teresa:** Oh no, it—

**Travis:** — with the boogie and the bi bi bi beat.

**Teresa:** Can you stop that?

**Travis:** Yip.

**Teresa:** Okay.

**Travis:** Sinus medicine!

**Teresa:** [sighs] So here is some things, right. We talked about how... you can create as many laws as you want, but if no-one enforces it—

**Travis:** Yip.

**Teresa:** — it's not gonna work, right?

**Travis:** Yeah.

**Teresa:** And this was the problem.

**Travis:** Like you could say, "Everybody's allowed to own one unicorn." Cool man.

**Teresa:** Yeah.

**Travis:** I don't know what you wanna do about that.

**Teresa:** Right.

**Travis:** Or like everybody has to own [chuckles] a unicorn. I don't know, however you wanna phrase it.

**Teresa:** And the language for the amendment of prohibition did not specify, the Volstead Act did not specify, how all of this was going to be taken care of. Right?

**Travis:** Well and as we've talked about in the last episode, there was also like not just how it was gonna, but it was so rushed through.

**Teresa:** Mm-hmm.

**Travis:** That the language was not clear. What it included, what it limited, what you were able to do, any of that stuff. So we talked about like bananas, right? Like wasn't that— Anything that had alcohol in it.

**Teresa:** Right.

**Travis:** Like any medicine, any... like juice I think has like—

**Teresa:** Mm-hmm.

**Travis:** You could sell kombucha anymore. I don't know that people—

**Teresa:** [chuckles]

**Travis:** — in like the 1920s or '30s were selling kombucha, but you couldn't've.

**Teresa:** Yeah, but there was also no... There was no language as to like say who was gonna take care of it.

**Travis:** Yeah.

**Teresa:** Like they had— The Volstead Act like defined what the alcohol that prohibited was. And definitely made exceptions for things like medicine.

**Travis:** Yeah.

**Teresa:** And religious ceremony.

**Travis:** Sure.

**Teresa:** Right? Which is a whole other thing, because you can't— they couldn't tell the religious ceremony— cere— People?

**Travis:** Leaders?

**Teresa:** Leaders.

**Travis:** Sure.

**Teresa:** What they were allowed to have for their things, so.

**Travis:** Heaven forbid.

**Teresa:** And who could actually be a religious leader.

**Travis:** Sure.

**Teresa:** Right? Any— I'm a church if I say I'm a church, I guess.

**Travis:** Sure.

**Teresa:** So there was that. And there was no manpower, womanpower person—

**Travis:** Personpower.

**Teresa:** — power.

**Travis:** Not even robots.

**Teresa:** Dedicated to enforcing these laws. And people knew that. People knew that the government was not able to uphold this, and they also didn't think it was right that they should have to listen to the government.

The United States at this point in history was very small government. There weren't the kind of social programs, there weren't the kind of government reach, there weren't— There... There was just really no logistical way to do the thing that they said we should all do.

**Travis:** Mm-hmm.

**Teresa:** Unless you decided that you were just gonna be a good citizen and follow the law, I guess?

**Travis:** And it is— It's ironic too because... Well and maybe— I don't know how to use that word correctly, especially not now.

**Teresa:** [chuckles] Not anymore.

**Travis:** Not right now, in this moment.

**Teresa:** [chuckles]

**Travis:** But the idea of like, as we see so often with people who did push for small government and say like, "Well I'm in favor of small government," then you get these federal law where they're like, "But I do want this federal law that tells every state what they have to do." And then it's like, "Okay, and what are you gonna do about— How does that— ?" 'Cause the states were passing laws.

**Teresa:** Right.

**Travis:** And like we had— During this time, you had states, and even counties and cities and stuff, that were like, "We're a dry city, we're a dry county, we're a dry state." And they were like, "Well yeah, but we don't actually want the states to get to— We wanna just tell you what to do."

And it's like, "Okay, cool man. And our local police forces? Our county sheriffs? Our state troop— Who's... Who are you mandating is gonna do that then?"

**Teresa:** Well, there were 1500 prohibition officers.

**Travis:** 1500 for the whole country?

**Teresa:** Enrolled. So that makes one officer per 70,000 citizens.

**Travis:** Good. Luck.

**Teresa:** [while chuckling] I know. I know. And—

**Travis:** They should've made it an MLM.

**Teresa:** Oh yeah?

**Travis:** It should've been like, "And I have the power to make you a prohibition officer, and then you can get your friends to be prohibition officers. And 10% of every arrest you make goes to me, and even— Oh no. We're all prohibition officers now, oh no."

**Teresa:** "But then when we're all prohibition officers, we all get to do whatever we want."

**Travis:** Oh no.

**Teresa:** Because the fact of the matter is...

**Travis:** No-one watches the watchmen.

**Teresa:** That's right.

**Travis:** [sighs]

**Teresa:** No-one watches the watchmen, so a lot of the people who were heavily involved in the organizing— the organization of bootlegging were cops.

**Travis:** Yeah.

**Teresa:** Yeah.

**Travis:** What a great cover.

**Teresa:** Exactly.

**Travis:** Yeah.

**Teresa:** And these towns, right, every town across America had one to like 10 speakeasies, right? And if like the whole community, like the mayor and the sheriff and the pastor and the doctor, if they were all at the speakeasy, you didn't wanna shut down the speakeasy because then they would be mad at you and not elect you next year.

**Travis:** And it's also— Man folks, there's a reason why the trope of like the one guy tried to take down a corrupt system, and like everyone's corrupt from the top to bot— You know, there's a reason that trope is so prevalent.

**Teresa:** Yup.

**Travis:** And it's from situations like this. Because like when you think about it, so much of— If you exist in capitalism. I'm gonna get sinus spicy for a minute.

**Teresa:** Mm-hmm. [chuckles]

**Travis:** Thanks medicine. When you exist in capitalism inherently, where the money is is where the power is.

**Teresa:** Yes.

**Travis:** And so if, you know, you have people who are richer than the mayor, who have more money than the city has money... And you're not paying like cops well, you're not paying elected officials well or whatever, or they want more money. Yeah, they're gonna go to like people who have the money, and usually in times like that, it's organized crime.



**Teresa:** Yeah. So then, here we go. Here is a... one of the earliest documented cases of organized crime and bootlegging from prohibition times. Two months after the 18<sup>th</sup> Amendment was passed, a vessel carrying a group of men docked in a small inlet off the coast of Washington state, where they loaded down a haul of whiskey.

**Travis:** Mm-hmm.

**Teresa:** Bought from Canada. Into a six-car motorcade, which was set to deliver the illicit goods to Seattle. The cars began to climb up the hill they came from and they were met by a full blockade of prohibition officers. They just sped through it.

**Travis:** Yeah.

**Teresa:** Right? They just kept going through the mountainous backroads. One car was stopped, and you know, when the... the driver was unalived. But then the other cars sped off, right. And it would seem as if they had completely gotten away, except.

**Travis:** [gasps]

**Teresa:** One of the officers recognized one of the drivers.

**Travis:** It was Clark Gable.

**Teresa:** No.

**Travis:** Oh.

**Teresa:** It was the law enforcement darling of the Seattle PD. He had been the youngest, most promising, most skilled police lieutenant on the force. His friends referred to him as "the baby lieutenant."

**Travis:** [gasps] I was gonna say, "Little Jimmy Detective."

**Teresa:** A little bit.

**Travis:** But that's not that far off, is it.

**Teresa:** His name was Roy Olmstead.

**Travis:** Okay.

**Teresa:** If you hadn't heard this name before.

**Travis:** Yeah, the name is very familiar and I don't know why.

**Teresa:** He was the king of the Pujit Sound Bootleggers.

**Travis:** Ohhh. Okay, listen, completely out of context, if I don't know what a bootlegger is, that sounds like some kind of figure in folk music.

**Teresa:** Mmm.

**Travis:** Where it's like, "Ah, Roy Olmstead? Ah, king of the Pujit Sound Bootleggers. That guy could bootleg. Like aw, slap that boot on his leg, get that rhythm goin' all day long."

**Teresa:** Yeah. He was caught and pled guilty to his charge, and he had to pay 500 bucks, which is about 8000 in today's money. But as soon as he got out, he started doin' a good job, right? He... saw—

**Travis:** This is the other problem.

**Teresa:** Okay, yeah.

**Travis:** This is the other problem with a lot of this stuff, and a lot of things that we see—

**Teresa:** Mm-hmm.

**Travis:** — even in crime today. That when the thing that's enforced is a fine, and the person— the crime they're doing makes a lot of money.

**Teresa:** Mm-hmm.

**Travis:** A fine isn't a deterrent, it's just like taxes.

**Teresa:** Yeah.

**Travis:** At that point.

**Teresa:** A fine only keeps poor people in jail.

**Travis:** Right.

**Teresa:** Yeah.

**Travis:** And the other thing about it is I joke about it being like—

**Teresa:** Not people who've done anything wrong.

**Travis:** I joke about it being like taxes, but it was kind of too because it was like, "Cool man, here's the deal. We catch you, you pay a fine. That feeds the city coffers, and you get to keep doing what you're doing."

**Teresa:** Yeah.

**Travis:** Right? So it almost was like the cost of doing business for everybody.

**Teresa:** Mm-hmm. And here's the thing, right? He—

**Travis:** Almost like a legitimate bribe, really.

**Teresa:** Almost.

**Travis:** Yeah.

**Teresa:** Yeah. He had seen other attempts, and he had been kind of like in the loop as far as how people were doing these things. And being very smart and charismatic, he thought "I can do better than this."

**Travis:** It's like a—

**Teresa:** And he did, right?

**Travis:** It's like a reverse *Catch Me If You Can*.

**Teresa:** A little bit. He ran his alcohol racket like a fortune 500 company. He hired bookkeepers and dispatchers and lawyers and warehouse workers and sailors and truck drivers and—

**Travis:** And a butcher, a baker, a candlestick maker.

**Teresa:** Cops.

**Travis:** Well yeah.

**Teresa:** Yeah.

**Travis:** Yeah, I mean that's not as funny as the thing I said.

**Teresa:** [giggles]

**Travis:** About the butcher, the ba— Okay.

**Teresa:** So, he collected government officials, like judges and cops and the mayor, and everybody was getting kickbacks and bribes, and his tod— ties, excuse me, to law enforcement people. Like he was kind of like the unofficial mayor at this point, right?

**Travis:** Yeah.

**Teresa:** He could have his shipments delivered to downtown Seattle in broad daylight. Because he was labelling the trucks as like, "choice meats" or like, "cookies and pies."

**Travis:** Yeah.

**Teresa:** Or whatever, right? Nobody could do a single thing about it because everyone was in his pocket, and it was good for everyone.  
[wheezes]

**Travis:** This is so wild, because like without any other... like elements going on, 'cause there are plenty of organized crime stories, and for all I know, Olmstead had other skeletons in the closet. There are plenty of organized crime—

**Teresa:** One of his other claim to fame is that he did not arm his bootlegger like runners—

**Travis:** Okay.

**Teresa:** — with guns. So he did not believe in violence, he was just so rich he could pay to get anybody out.

**Travis:** See, this is the thing kinda, 'cause I look at it and like listen. I'm gonna go on record and just say me... Organized crime? Not a huge fan of it.

**Teresa:** Okay.

**Travis:** I like it better than disorganized crime, for sure.

**Teresa:** Mm-hmm.

**Travis:** That's a joke.

**Teresa:** Too messy.

**Travis:** I don't know anything about disorgani— Whatever. But the thing being like it's really hard to be like, "Oh and I'm upset at this criminal Roy Olmstead," when it's like, "No actually, I have no problem with people buying and selling alcohol, and consuming alcohol." So if anything, I think he's a capitalist hero, 'cause he saw a need and he filled the need, and he made an American buck off of it.

**Teresa:** And he employed half the city.

**Travis:** He's a jobs creator!

[theme music plays]

**Teresa:** It— I mean, yeah. And he disavowed violence, and he kept the city running, booming, and people really liked him. They really liked him. Now, here's one that has that little hometown connection for yah. George Remus.

**Travis:** Oh.

**Teresa:** He was the king of the Midwest alcohol trade.

**Travis:** Yeah.

**Teresa:** So... He was— They say he was a bootlegger to what Rockefeller was to oil.

**Travis:** Oh.

**Teresa:** Yeah.

**Travis:** A bootlegger robber baron. A bootlegger— Not carpet bagger, that's a different thing.

**Teresa:** No.

**Travis:** Robber baron, yes.

**Teresa:** Rubber baron.

**Travis:** Robber baron.

**Teresa:** Robber baron.

**Travis:** Well, maybe just a baron.

**Teresa:** Just— Yeah.

**Travis:** Okay.

**Teresa:** So he started out, George, as—

**Travis:** No, he's a robber. I mean, it's crime,

**Teresa:** [laughs]

**Travis:** I don't know why I shared— shied away from it.

**Teresa:** I don't know.

**Travis:** Okay.

**Teresa:** I thought you were looking for "rubber baron."

**Travis:** That's not— Rubber baby buggy bumpers I think is what I was looking for.

**Teresa:** [laughs] Mm-hmm.

**Travis:** Rubber baron's not a thing, you know that, right?

**Teresa:** No, I thought it—

**Travis:** Unless they're a baron of rubber.

**Teresa:** [chuckles]

**Travis:** But robber baron.

**Teresa:** I had— I thought that had to do with oil.

**Travis:** 'Cause they're a robber baron, they would take— They were—

**Teresa:** Oh.

**Travis:** They would take things, and like they were—

**Teresa:** In— I—

**Travis:** — cutthroat about it.

**Teresa:** Okay.

**Travis:** Okay.

**Teresa:** Anyway. So. He was a criminy— criminal attorney before he was a bootlegger.

**Travis:** And then he was an attorney criminal.

**Teresa:** Mmm! A little background, he was the son of a German immigrant.

**Travis:** Is he Cincinnati based?

**Teresa:** Yes.

**Travis:** Is that where he was from? Yeah, okay.

**Teresa:** Yes.

**Travis:** I— 'Cause I know the name.

**Teresa:** Yeah.

**Travis:** 'Cause I've seen it on whiskey bottles. But German immigrant was also a huge hint.

**Teresa:** Yes. He had to drop out of school as a teenager to support his family. He became a pharmacist at that point, and then put himself through law school night classes. He spent 20 years in Chicago as a defense attorney.

And... during prohibition, he grew increasingly annoyed at how often he had to deal with the stupidity of the corpse— the courts finding all of these bootleggers.

**Travis:** Yeah.

**Teresa:** Right?

**Travis:** Yeah.

**Teresa:** He felt like this was a complete waste of the law, and it was ridiculous to expect anyone to do anything about this, and the fact that people were spending that time doing things about it meant that other crimes were going unpunished, right?

**Travis:** Yes.

**Teresa:** So he decided to get in on it, right? He used his legal connections and decided that he was going to make himself richer than he could've ever imagined. There were bonded distillery warehouses all around the country that been just like padlocked, right?



**Travis:** So here's the thing, important to note, bonded. What this means, if you hear somebody refer to something as "bottled and bonded," that meant that it was certified by the government that it was safe to drink, that it met the standards. Because I— this was during a time where, you know, you could get bathtub gin—

**Teresa:** Mm-hmm.

**Travis:** — and bathtub things.

**Teresa:** Mm-hmm.

**Travis:** Where they would just add like formaldehyde, right, to get the right color.

**Teresa:** Or someone who didn't know what they were doing could just as easily—

**Travis:** Right.

**Teresa:** — poison someone with ethanol.

**Travis:** Oh sure. So "bottled and bonded" meant that, "We've done it, we've tested it, it's safe to but, it's going in this warehouse, it'll be distributed from here. And you know it's safe to buy from here, you know if it has this like marking on it, it is safe to consume."

**Teresa:** Right, so... it was thought that these barrels would just be left to rot, but Remus knew that if the owners could get government withdrawal permits, they would be legally allowed to sell this whiskey medicinally.

**Travis:** Uh-huh.

**Teresa:** Soooo, he bought us as many abandoned distilleries as he could, created a phony drug company, secured the permits, and was off to go, right? He set up a cir— a system he called "the circle," which he was the buyer and the seller. Who cooked the books.

**Travis:** Mm-hmm.

**Teresa:** And the shipments in between, right? And so 80% of America's bonded liquor was within just a few mile radius— radius, miles radius, of Cincinnati.

**Travis:** Okay.

**Teresa:** He had a fancy mansion in Price Hill, which is on the west side.

**Travis:** Amazing.

**Teresa:** Yeah.

**Travis:** Did you know in Cincinnati. So Cincinnati, we've talked about it a lot as far as like the German immigrants and a lot of the history here.

**Teresa:** Mm.

**Travis:** Had like 36 breweries just in Cincinnati before prohibition.

**Teresa:** Yeah.

**Travis:** And it's something like four or five or something after prohibition that were able to remain open.

**Teresa:** Yeah.

**Travis:** Upsetting, but we've got a bunch of new ones now.

**Teresa:** We sure do.

**Travis:** So come on down to Cincinnati, folks.

**Teresa:** [chuckles]

**Travis:** This whole—

**Teresa:** Matt Tree and Ryan Giesen.

**Travis:** This whole series has been—

**Teresa:** All kinds of stuff. In the south, we have William McCoy, who was a skipper in Florida. Who would sail thousands of gallons of rum from the Bahamas up to Savannah, right? Making him one of the very first illegal rum runners. And so countless sailors off the American coast began following his example. Because the Coast Guard only had 55 vessels.

**Travis:** Okay.

**Teresa:** So you just had to—

**Travis:** And the coast is pretty big, you guys.

**Teresa:** The coast is pretty big. So you just have to law of numbers, right? You have to have more boats than the Coast Yard— the Coast Guard. And they also [chuckles] would outfit their boats with aircraft engines.

**Travis:** Huh.

**Teresa:** Because we had planes at this point.

**Travis:** Yeah.

**Teresa:** So that they could outrun the law.

**Travis:** Okay.

**Teresa:** 'Cause you're out on the open ocean, they can't catch you. So this was like the cr— the start of like floating markets, right? Where you could just sail your boat out to buy these illegal substances, right? In the way that you would go to like a supermarket and compare prices of the rum runners.

And so then... what this— All of these kind of like bootlegger kings and entrepreneurs eventually become a kind of like pyramid, right? And we got the mob.

**Travis:** Yes. I wanted to jump in because while I was looking for how many breweries were in Cincinnati before prohibition, George Remus popped up.

**Teresa:** Mm.

**Travis:** And two important things to note. One, George Remus, right because I was talking about like bootleggers, so I have a problem, but he did end up murdering his wife.

**Teresa:** Yes.

**Travis:** So not great.

**Teresa:** Not great.

**Travis:** In fact, I'm gonna— You know what? I'm gonna go out on a limb and say bad. But there are some who believe that he inspired the character of Jay Gatsby—

**Teresa:** Oh.

**Travis:** — from F Scott Fitzgerald's *The Great Gatsby*.

**Teresa:** Interesting.

**Travis:** I wanna talk about the mob.

**Teresa:** Yes.

**Travis:** But first, how about a word from another Max Fun show?

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**Alexis:** Hi, I'm Alexis.

**Ella:** And I'm Ella.

**Alexis:** And we're the hosts of *Comfort Creatures*.

**Ella:** We could spend the next 28 seconds, but instead here's what our listeners have said about our show, because really they do know best. "The show is filled with stories and poems of science and friendship and laughter and tears sometimes, but tears that are from your heart being so filled up with love."

**Alexis:** “A cozy show about enthusiasm for animals of all kinds, real and unreal. If you greet the dog before the person walking them, or wander around the party looking for the host’s cat, this podcast is for you.”

**Ella:** “So come for the comfort and stay for Alexis’s wild story about waking up to her cats giving birth on top of her.” So if that sounds like your cup of tea.

**Alexis:** Or coffee, Ella, we’re not all Brits.

**Ella:** [chuckles] Then join us.

**Alexis:** Every Thursday at [maximumfun.org](http://maximumfun.org).

[pause]

**Mike:** Hey, this is Mike Cabellon.

**Ify:** Ify Nwadiwe.

**Sierra:** And Sierra Katow.

**Mike:** The hosts of *TV Chef Fantasy League*.

**Sierra:** Where we are currently using fantasy sports rules to watch *Great British Bake Off*.

**Ify:** Or *The Great British Baking Show* as it’s known here in America.

**Sierra:** We’ve drafted the bakers onto our teams, and now those bakers are earning us points based on how they’re doing on the show.

**Ify:** And at the end of the season, one of us will win the prestigious *TV Chef Fantasy League*... trophy? Crown? What is the—?

**Mike:** I don’t know, I keep forgetting to order something. Probably just a dinner. Anyway, subscribe to *TV Chef Fantasy League* and play along with us at home.

**Sierra:** Or just listen in as we cry over our bakers' [in a British accent] soggy bottoms.

**Ify:** On maximumfun.org, or wherever you get your podcasts.

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**Travis:** Okay, we're back.

**Teresa:** So, the reason why the mob in particular began to kind of orchestrate this, right, was because there were lots of people who were without work. And because they were immigrants, or children of immigrants, or their socioeconomic status was very low, they had been refused jobs.

**Travis:** Mm.

**Teresa:** Other places, right? 'Cause we talked about how this kind of like blaming the least among us, right, made it so that it's those people that are the problem.

**Travis:** Yeah, can you imagine? Can you imagine?

**Teresa:** And so all of those people suddenly... they had— they could get jobs as they weren't thugs anymore, they were in the liquor business.

**Travis:** Mm

**Teresa:** They had a way to earn money, they had a way to up their status, they had a way to legitimize themselves because people, you know, didn't care about the laws. But you still had to be on the other side of the law to get it, but these people were really down and out already. What did they have to lose?

**Travis:** The problem is, and I don't like this as a logical fallacy but it does often apply. It's a slippery slope.

**Teresa:** Mm-hmm.

**Travis:** Right? Because if you're paying police officers to turn a blind eye to your liquor business, and then say a new person tries to start a rival

liquor business, and maybe there's some violence that occurs because of that, and maybe some people get murdered.

And it's like, "Hey, you need to be cool about this 'cause you're in my pocket, and you wouldn't want people to find out you're in my pocket, would you? Okay, great."

**Teresa:** Yeah.

**Travis:** And it just kinda kept going.

**Teresa:** There ends up to be like an organized crime outfit for every major city at the time. We've got Philly, Newark, New York City, Detroit, Los Angeles, Kansas City, Cleveland, San Francisco. This is where a bunch of—

**Travis:** And of course Chicago.

**Teresa:** Chicago... is where we are going to tell a lot of our stories here.

**Travis:** Because that's where Al Capone lived.

**Teresa:** That's right. He was actually arrested in 1922 for taking out a pistol during a traffic stop, because he had been stopped for being drunk.

**Travis:** Ah.

**Teresa:** Right? And he didn't even break a sweat, declaring that he'd be out of this mess so fast, no-one would know what happened. The charges were dropped. The paper, although, spelled his name wrong. He'd— [sighs lightly] They called him "Alfred Capony."

**Travis:** Huh.

**Teresa:** [giggles]

**Travis:** That was his bronny handle.

**Teresa:** I guess so.

**Travis:** That's what he was on the forums.

**Teresa:** So he had fled from Brooklyn when he was 23 because he was a murderer.

**Travis:** And a real piece of work, this guy.

**Teresa:** Yes. And this is where he got the scars across his face, because he was in a knife fight. In Brooklyn.

**Travis:** Okay.

**Teresa:** He started as the enforcer for his— for the boss of Chicago, Johnny Torrio? Yeah, Torrio.

**Travis:** Okay.

**Teresa:** And so like... he quickly like assumed a lot of different jobs within the organization, until they were doing about a million dollars a month, between liquor and gambling and sex work.

**Travis:** Mm.

**Teresa:** And so Capone was ridin' high, right? He moved his entire family into a 15-room house in a quiet neighborhood in Chicago. Everybody loved it. I mean except they ruled through violence.

**Travis:** Well yeah.

**Teresa:** Yes.

**Travis:** Yeah.

**Teresa:** It seemed—

**Travis:** Really gave the mob a bad name. [chuckles]

**Teresa:** Yeah.

**Travis:** Al Capone did.



**Teresa:** They had a very passive Republican mayor at the time, and they were very interested in keeping him in power because he was in their pocket. So he did a lot of bad stuff to try and influence politics in the city.

And when his boss was murdered, Al Capone— in 1925, Al Capone took over the Chicago outfit. There's a very famous shoot out called the "St Valentine's Day massacre."

**Travis:** Yeah.

**Teresa:** You may have heard of.

**Travis:** Yeah.

**Teresa:** That was in 1929, and there were like 10 people involved. It was huge. So this is when people start to realize that we probably messed up. Right?

**Travis:** Maybe we've done more harm than good.

**Teresa:** We didn't really know how we were gonna do the thing that we did. So politicians at worst appointed people who would take the legal booze for themselves, or at best hired anybody who wanted to help? And by that, they got like, you know, a badge and a government paycheck.

**Travis:** Oh boy. I bet that went great.

**Teresa:** No.

**Travis:** No.

**Teresa:** Noooo.

**Travis:** No? What?

**Teresa:** It didn't.

**Travis:** No way.

**Teresa:** It didn't. So like... They were working to pass some more laws. There's one called the Mullen Gage Law, which [chuckles] which detailed

that carrying a hip flask in New York State would hold the same amount of punishment as if you were carrying an unlicensed handgun.

**Travis:** Okay, cool. Maybe that's not the direction to go with this.

**Teresa:** Yeah.

**Travis:** So their thought was, "You know what? We may have done more harm than good."

**Teresa:** So let—

**Travis:** "And by trying to enforce this, we might've messed up. So what we should do is enforce it as hard as we can."

**Teresa:** Double down.

**Travis:** Okay.

**Teresa:** That's right. Double. Down. [pause] And like you mentioned earlier, it wasn't like this was the only problem, the widespread crime, it was also... people getting poisoned.

**Travis:** Yeah.

**Teresa:** Yeah, like you said. So like if you were less reputable or less skilled, right? People would put things like rubbing alcohol in bottles, and then again you could very easily poison someone on accident with bathtub gin or whiskey or whatever.

**Travis:** Yeah, there's a whole process in distilling, or like I know this from scotch, I assume it applies to other things as well, where you like end up basically with three different outputs of it.

**Teresa:** Mm-hmm.

**Travis:** The head, the heart, and the hind. And the head is so alcoholic that it can kill you.

**Teresa:** Yes.

**Travis:** And the heart is like this is where you get, you know, 40% something like that, 50% that you can drink. And then the hind is very weak, so what you usually get is like you bottle the heart and you either blend the head and the hind, or you like put it back through the system.

**Teresa:** Right.

**Travis:** But if you either didn't know that, or you wanted to sell as much as you could and you were selling like the head to people, you would kill them.

**Teresa:** Right. And so distillers and breweries had all this equipment, they had all of this like raw ingredients, that they were not banned from selling. So they were selling to ordinary people, like stills and malt extracts and things like that, under the guise of "Oh, well you can cook with this, or oh like become like a scientist" or whatever, right? And they had—

**Travis:** "Do science at home!"

**Teresa:** They had—

**Travis:** Boop boop boop boop boop boop.

**Teresa:** You know, they had all ways of saying "Oh, this is for making perfume."

**Travis:** And nobody really cared.

**Teresa:** Right.

**Travis:** Like that was the other things, they're not gonna crack down on "Oh, you're selling a big metal barrel. We're gonna take you to court and go through all that? Nah, who cares?"

**Teresa:** Right. We talked a lot about the organized crime circuit, right?

**Travis:** Yeah.

**Teresa:** But inevitably, the bigger they are, the harder they fall.

**Travis:** It's what I've heard.

**Teresa:** Yes. And the assistant attorney's general, attorney general?

**Travis:** No, you said it, the—

**Teresa:** Yeah.

**Travis:** Well how many were there?

**Teresa:** [chuckles]

**Travis:** There's one, it's attorney.

**Teresa:** [chuckles]

**Travis:** If there's multiple, that's attorneys general.

**Teresa:** Yes.

**Travis:** Okay.

**Teresa:** [laughs]

**Travis:** That was not a yes or no... Okay.

**Teresa:** Enter... Mabel Walker Willebrand.

**Travis:** Okay.

**Teresa:** She had— was always a very smart person. She was a teacher and then a lawyer, and then a defense attorney in Los Angeles. And then she was appointed as the— like the dedicated person to head up the enforcement of prohibition.

**Travis:** Okay.

**Teresa:** As the assistant attorney general.

**Travis:** Okay. And that's why we still have a prohibition today.

**Teresa:** Uh, noooo.

**Travis:** Okay.

**Teresa:** She had enormous successes in taking down these really big like illegal operations, right? But the problem was so much bigger than any one person or department.

We see now the pendulum swing politically to the other side, right? Instead of all of the politicians outwardly supporting a dry United States, we get people who start to say, "No. This is actually really dumb."

**Travis:** Yeah. And maybe it's always been that way. Maybee.

**Teresa:** Yeah. And one of the most famous people who said, "This is actually really dumb" was Congressman Fiorello La Guardia.

**Travis:** Oh, the guy who built the airport.

**Teresa:** [giggles] Yeah, I guess.

**Travis:** With his own two hands.

**Teresa:** He started holding demonstrations where he would mix non-alcoholic near beer and malt extract, where if you get these two products together, which you could find in any grocery store, they pretty much made beer.

And he challenged every— anyone to get him to stop, right? He... The Governor of New York declared that anyone who tried that stunt in his state would be arrested, but he did another press like conference in the middle of Harlem, and nobody arrested him.

**Travis:** Mm.

**Teresa:** Because there were so many people involved in not protecting the amendment that everybody hated. Does that make sense?

**Travis:** Yeah. It wasn't popular.

**Teresa:** Exactly.

**Travis:** [coughs]

**Teresa:** And so there was the political lesson that they learned that were if you dedicate yourself to extremism, you lose the moderate people, right? And that is what they were counting on for the 1928 presidential election.

**Travis:** Sure.

**Teresa:** We have... Hoover. Right? He's in the 1928 election.

**Travis:** Built a dam.

**Teresa:** ... Sure.

**Travis:** With his own two hands.

**Teresa:** [chuckles] Uuum, I'm gonna have to say no.

**Travis:** It was a race! Will they finish the dam or the airport first?

**Teresa:** And then we have the Democratic presidential candidate Al Smith.

**Travis:** Now I know he didn't win.

**Teresa:** No.

**Travis:** 'Cause there's never been a President Smith. I don't know all the presidents off the top of my head, but I'd remember President Smith.

**Teresa:** And he didn't win, and probably thanks in large part to Mabel.

**Travis:** Oh.

**Teresa:** Who was so— I don't wanna say, "zealous."

**Travis:** Aggressive?

**Teresa:** Aggressive in her prohibition kind of like stature.

**Travis:** Yeah.

**Teresa:** That she relied on some dubious campaign tactics to get—

**Travis:** Oh.

**Teresa:** — her— Hoover elected. And—

**Travis:** She got a little too close to the polling places, and kept campaigning.

**Teresa:** Well—

**Travis:** Within the boundaries?

**Teresa:** No, but she very famously recruited pastors, and priests and members of the church to denounce Smith on their pulpits, which is not allowed. [chuckles]

**Travis:** No, okay.

**Teresa:** Yeah. And so... she... It's unconstitutional what she did. But.

**Travis:** To uphold the Constitution?

**Teresa:** Yeah, isn't that funny?

**Travis:** Huh. Weird.

**Teresa:** And Al Smith refused to fight dirty. He was all about fighting for workers' rights, and taking down the amendment for prohibition, and all the kind of stuff.

And he said, "Any man who believes that I can steer the ship of this country safely for four years but votes against me because of my faith," he was Catholic, "is not a true American."

**Travis:** Okay. Big statements.

**Teresa:** Yeah, but he lost.

**Travis:** Well yeah, okay.

**Teresa:** Yeah.

**Travis:** Doesn't Al Smith sound like a pseudonym that somebody came up with? That somebody was like, "Well I can't go by my real name, Al Capone."

**Teresa:** [laughs]

**Travis:** "So I'll run as Al Smith."

**Teresa:** It does kinda sound like that.

**Travis:** Yeah.

**Teresa:** But that's not what happened.

**Travis:** As far as we know, I wasn't there.

**Teresa:** Then we get the stock market crash of 1929.

**Travis:** Because of Mabel?

**Teresa:** No. [chuckles]

**Travis:** Oh, okay. That's a whole other episode, we don't have to go into why the stock market crashed and whatever, but.

**Teresa:** Exactly, but because of that we've got now the Great Depression, which Hoover did not cause, but did—

**Travis:** But he didn't prevent.

**Teresa:** Didn't— Well, he didn't help anybody at all.

**Travis:** Yeah.



**Teresa:** Is what ended up happening, right? In fact, he made it illegal for you not only to make alcohol, but illegal for you to not tell if you knew someone who was making alcohol.

**Travis:** Okay.

**Teresa:** So they're just like digging in deeper.

**Travis:** Now we're getting into the thought crime stuff, yeah.

**Teresa:** Right, thought crime stuff. And of course he didn't do anything to alleviate the suffering of the people in the Depression.

**Travis:** We need a president who's gonna come in here and make a new deal. You know what I mean? Who's gonna change things.

**Teresa:** We sure do.

**Travis:** But who?

**Teresa:** But.

**Travis:** But who?

**Teresa:** Whooooo. First, we have to make sure that Mabel Walker pays for her crummy behavior, right?

**Travis:** So we launch her into the sun.

**Teresa:** [chuckles]

**Travis:** She's the first person launched into the sun.

**Teresa:** No, put she really thought that Hoover would make her the first female attorney general of the United States.

**Travis:** I'm gonna bet he didn't.

**Teresa:** No.

**Travis:** Okay.

**Teresa:** He did not. So she walked away from her post, and returned to private practice. And in a blistering twist of irony, she went on to represent grape growers [chuckles] in California, and became a Catholic.

**Travis:** Okay. Cool.

**Teresa:** Yeah.

**Travis:** Cool, good for you, Mabel.

**Teresa:** Now here comes that new deal.

**Travis:** Oh.

**Teresa:** You talked about. We get FDR, who enters the scene, and—

**Travis:** One of my top five favorite three letter presidents, I think.

**Teresa:** [laughs] Wait. Top— [chuckles] Top five favorite three—

**Travis:** So there's JFK.

**Teresa:** Top five favorite three letter presidents.

**Travis:** Yeah, JFK.

**Teresa:** Okay.

**Travis:** FDR. The rest. [chuckles]

**Teresa:** What's the other one?

**Travis:** Um, AOL.

**Teresa:** [laughs]

**Travis:** Abraham Oliver Lincoln, of course.

**Teresa:** And it could be said that he was, although not directly... supported by the women who were anti-prohibition, we can say that some

of the women of the— of that reform party were directly responsible for everything that he accomplished regarding prohibition. We've got Pauline Sabin, who was a like a New York socialite.

**Travis:** Okay.

**Teresa:** Was initially... a fan of prohibition, right, thinking that the law would be good for her two young sons, right? To grow up without the drink in their lives. But she quickly realized that that actually wasn't the goal of prohibition.

**Travis:** Mm.

**Teresa:** Right? And so she was really annoyed that as a socialite, she was expected to uphold the law, to be like a good abiding— law-abiding citizen, but then turn around and throw parties where people expected her to provide them alcohol.

**Travis:** [sighs] Gross.

**Teresa:** So then she left the Republican party after Hoover was elected, like right, the four years before.

**Travis:** Yeah.

**Teresa:** And created her own political group called the Women's Organization for National Prohibition Reform.

**Travis:** WONPR.

**Teresa:** [laughs] Yup.

**Travis:** As it was called.

**Teresa:** She was a great organizer. She—

**Travis:** Not a great speller.

**Teresa:** [laughs] Not great at acronyms.

**Travis:** Yeah, bad at acronyms, but.

**Teresa:** And so she before long had a million and a half women signed onto this party, taking part in automobile parades and demonstrations and air shows. And their whole thing was about flipping the House and the Senate for the Wets.

**Travis:** Still hate it.

**Teresa:** You still hate the Wets and the Drys?

**Travis:** I still hate the Wets and the Drys, I hate it. I don't like that termino— I just sounds so weird.

**Teresa:** And... FDR.

**Travis:** I think it should be the pro-pros and the anti-pros.

**Teresa:** The pro-pros. I mean it's— it is a little better, it's still—

**Travis:** Pro-pros, anti-pros?

**Teresa:** Still wonky.

**Travis:** Okay.

**Teresa:** Roosevelt did not shy away from the topic of prohibition during his campaign. He wanted— He had plans for economic—

**Travis:** "The only thing we have to beer..."

**Teresa & Travis:** [simultaneously] "Is beer itself."

**Teresa:** Haaaaa.

**Travis:** Maybe something like that, you think? I've been holding back this whole time from saying Hoover sucks.

**Teresa:** [laughs]

**Travis:** So like... I think I get to say, "The only thing we have to beer is beer itself."

**Teresa:** He had plans for both economic revitalization, like you mentioned the new deal, and also major changes to the drinking laws. He won in a landslide victory, securing 42 of the 48 states.

And so, less than a month after the election, Senator John Jay Blane of Wisconsin offered a joint resolution calling for the 21<sup>st</sup> Amendment of the Constitution to void prohibition altogether. And there was only one person... who didn't support the resolution, and tried to do like a filibuster, but nobody supported him at all—

**Travis:** Okay.

**Teresa:** — and he lasted like eight hours.

**Travis:** I mean still, that's a pretty— that's pretty long.

**Teresa:** And so—

**Travis:** Eight hours ain't nothing. If you were like, "Yeah Travis? Yeah, he tried to talk for a really long time, but he only spoke for eight hours straight," I would be like, "Yeah man, that's pretty good."

**Teresa:** So here's what they needed. FDR took office and called upon Congress to fix these three things first. Reorganize the banks, right? Cut federal spending, and pass a bill that made 32 beer legal.

**Travis:** Boom.

**Teresa:** All over the United States. And so... they passed it through both houses, and people were ecstatic when they heard the news. And now you've got industry starting again, this is part of what brings us out of the Great Depression. You've got barrelers and farmers and bartenders and servers and businessmen and— I mean everybody.

**Travis:** Restauranters.

**Teresa:** Everyone.

**Travis:** Drivers.

**Teresa:** Hurlled themselves into work to prepare what they called “the Amber Flood.”

**Travis:** I like that.

**Teresa:** Yeah. The stroke of midnight—

**Travis:** ‘Cause of amber waves of grain.

**Teresa:** Yeah.

**Travis:** Yeah, it’s a— Yeah.

**Teresa:** Yeah. April 7<sup>th</sup>, 1933, barely a month after FDR took office, beer was officially legal again for the first time since 1920.

**Travis:** The end.

**Teresa:** I mean...

**Travis:** And that’s why we only have beer here in America. More got repealed, there’s a— Yeah.

**Teresa:** No, more got repealed, right? There was the de— reregalization— relegalization, there he is.

**Travis:** Uh-huh.

**Teresa:** Of beer was an enormous celebration, so much so that the repeal of the amendment, or the introduction of the next amendment to repeal the other one, was kind of like anti-climactic. Everyone had already celebrated.

**Travis:** Yeah.

**Teresa:** Because they were like, “Ah, we got to drink again,” and then it was like, “Oh, and also we fixed our mistake.”

**Travis:** Yeah.

**Teresa:** “We take it back now.”

**Travis:** And they're like, "Cool, I thought that that had already happened."

**Teresa:** [chuckles] You thought they repealed it first.

**Travis:** Well I'm sure that there are people sittin' there drinking like, "Wait, it's not—? I thought you'd already done that," and they're like, "No no no, just beer," and they're like, "Oh, sorry."

**Teresa:** Some would refer to this prohibition as quote "the Noble Experiment," because let's say that at least some of the people who were for— for prohibition had their hearts in the right place.

**Travis:** But their brains were up their butts. Like I'm sorry, like— I'm not sorry, they're brains were up their butts. I don't care about any of them now.

**Teresa:** [giggles]

**Travis:** But the fact of the matter is is like the thing is they had no strategy to it at all.

**Teresa:** Right.

**Travis:** It was all morality. Because what they should've done, not that I would've endorsed prohibition or any form of it, but they should've said regulation.

**Teresa:** Yes.

**Travis:** Right? Like the idea of "We're not gonna outlaw it because that's ridiculous, and all of these problems it would cause, and everybody would be against it."

**Teresa:** Mm-hmm.

**Travis:** "But we do think... that there should—" Like for example, it wasn't that long ago that the idea of drinking and driving became like fully illegal, right?

Like you could find news stories from I think like the late '80s early '90s of I think like people being interviewed, being told like, "You can't have a beer on your way home, like while you're driving home or whatever," and they're like, "What?"

**Teresa:** Yeah.

**Travis:** And they're so upset about it.

**Teresa:** Exactly.

**Travis:** But it's like that's a very reasonable regulation to pass, right?

**Teresa:** Yeah.

**Travis:** Of like, "Hey, you shouldn't operate a vehicle that's capable of going like 120 miles per hour that weighs like two tons when you're inebriated." Perfectly fine regulation, I'm totally on board with that.

**Teresa:** Exactly.

**Travis:** But the idea of saying "Well, sometimes drunk driving causes accidents, so what we should do is completely like make all alcohol illegal." Like obviously that's gonna fail, obviously that's gonna have problems.

**Teresa:** Yeah.

**Travis:** Get your heads out of your butts.

**Teresa:** There is one thing that would come out of this, as a good social kind of organization. A few years after the repeal of prohibition, in 1935, two men met to discuss their problems with alcohol.

They believe that by working together and having a safe judgment free space to share their struggles and feelings, they could build a community that could actively help people with addiction issues, and avoid the drink for the rest of their lives. Alcoholics Anonymous was born.

**Travis:** I'm a big fan of support group stuff. I— Sometimes it gets overly tied to like religion and thing.



**Teresa:** Mm-hmm.

**Travis:** And I'm not super wild about that. But the idea of people getting together and supporting each other, and having that kind of structure.

**Teresa:** Right.

**Travis:** I think is wonderful.

**Teresa:** So this is where we start to... treat people for their problems, and the things that they need, instead of legislating the whole country.

**Travis:** Yeah.

**Teresa:** To get rid of something—

**Travis:** Yeah.

**Teresa:** — that we think is a problem.

**Travis:** Yeah.

**Teresa:** So, you know, we have people who... definitely do have problems and addiction and the disease of alcoholism, but in the United States it's almost— it's only about 10% of people who suffer from alcoholism.

And so what we need going forward is we need to be able to help the people who need help, and let the Constitution expand freedoms instead of deny them.

**Travis:** Yeah. We need to like help, we need to treat.

**Teresa:** Yeah.

**Travis:** We need to analyze and actually address issues. There we go. Hey, I wanna say thank you to our researcher Alex, without whom we couldn't do this, especially this one. This one.

**Teresa:** Oh yeah, huge.

**Travis:** A lot of information, so much to go through, Alex is a real champ. Thank you to our editor, Rachel, without whom we could not make the show. Thank you to you for listening. We couldn't make the show without you, there I said it. And thank you Teresa for all of this wonderful information and presentation, you're an absolute gem.

**Teresa:** Aww, thank you Travis.

**Travis:** You're an absolute treat. And thank you, I don't know, the world.

**Teresa:** [giggles] Thank Travis for Travis.

**Travis:** Hey, thank you. Speaking of, we got some new merch over at the merch store, including a long sleeve Trav Nation T-shirt.

**Teresa:** Ooo.

**Travis:** With a bold claim that we own Australia.

**Teresa:** [laughs]

**Travis:** It's very cute. Go check that out. If you're a fan of *The Adventure Zone*, our— the Hunger themed dice set is back in stock. You can go get that there. And check out all the other stuff at [mcelroymerch.com](http://mcelroymerch.com). And also go to [mcelroy.family](http://mcelroy.family) for all the stuff there.

We've got some shows comin' up in Denver and Phoenix, and Indianapolis and Milwaukee, and Dad and I are going to be doing MCM London in late October. All of that is at [bit.ly/mcelroytours](http://bit.ly/mcelroytours). What else, Teresa?

**Teresa:** We always thank Brent "Brentalfloss" Black for writing our theme music, which is available as a ringtone where those are found. Also thank you to Bruja Betty Pin Up Photography for the cover picture of our fan-run Facebook group, Shmanners Fanners. If you love to give and get excellent advice from other fans, go ahead and join that group today.

As always, we are taking your topic submissions, your questions, your idioms and, you know, just—

**Travis:** All of it.

**Teresa:** Just say hi. Send it all to us, and say hi to Alexx, because she reads every one. Shmannerscast@gmail.com.

**Travis:** And that's gonna do it for us, so join us again next week.

**Teresa:** No RSVP required!

**Travis:** You've been listening to *Shmanners*.

**Teresa:** [sighs] Manners, Shmanners. Get it.

[outro theme music plays]

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