Mencken, Ritchie and Prohibition

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by Marion Elizabeth Rodgers

Thank you for inviting me to be here this evening, in this beautiful and historic Courthouse. Mencken wrote about this building in 1899, when he was just starting out as a young reporter.

During those days, Mencken worked directly across the street, at the Baltimore Herald, a structure that held its own during the Great Baltimore Fire of 1904, and which Mencken said may have helped save this Courthouse from the flames. As a very young reporter, Mencken roamed the halls of this building, and, as one judge recalled, "pestered me with unanswerable questions."

So, it gives me great pleasure to be here in this building with all of you tonight. I note that, after this talk, you will also be having a wine reception. On such occasions of happy conviviality, I am reminded of one of Mencken's favorite doctrines, that "the whole world would be better if the human race was kept gently stewed" – which now brings me to the topic of this evening.

Throughout its history, Maryland has always taken pride in being an independent state. But at no other time was Maryland's independence better emphasized than during Prohibition. No one fought harder against Prohibition than H. L. Mencken, the colorful author and legendary journalist for the Baltimore Sunpapers, and Governor Albert Ritchie, Maryland's popular governor. Their stand against it made front page news.

Mencken saw Prohibition as a violation of a man's civil rights. In his arguments against it, Mencken cited the Bill of Rights. During the thirteen years that Prohibition remained in force, Mencken devoted at least 42 newspaper columns in the Baltimore Sunpapers to the subject; he wrote about it in his magazines, "The Smart Set" and "The American Mercury." Prohibition is mentioned throughout his books, notably in his six volume collection of "Prejudices."

Governor Albert Ritchie took issue with Prohibition on legal grounds. Ritchie had been a lawyer, then served as Attorney General of Maryland. As Governor, he had improved the school system, balanced the budget and reduced taxes. His stand against the Ku Klux Klan made him popular among immigrants and African-Americans. Ritchie's stand against Prohibition was potentially a politically disastrous step. But it was one of the most dramatic things he had ever done. It raised him overnight from being a local celebrity to a national figure, and almost made him a nominee for President of the United States.

The story of how Mencken and Ritchie together turned the tide against Prohibition is what I will be speaking to all of you tonight.

You will be able to see the full story of Prohibition when Ken Burns comes out with his new documentary on the subject. There is a lot of Mencken in it. Because you should know that for Mencken, Prohibition was a ghastly torture. As Mencken described himself, " I am ombibulous. I drink every known alcoholic drink, and I enjoy them all."

Prohibition, said Mencken, was responsible for ruining classical Maryland dinners. As he put it, you just couldn't eat wild duck without having the proper wines or sherries. Served with water, he said, those meals were "as preposterous as beer without foam."

Another thing. He could hardly relax whenever he took a date to a restaurant – not only because liquor had become so expensive – but because of federal agents. His date was constantly in a state of nerves, thinking that at any moment, there was going to be a raid. As Mencken said, "The first effect of Prohibition will be to raise up impediments to marriage. Absolutely sober men will be harder to snare."

As for dining out at other people's homes – even this was no longer charming. You had to always be worried about the liquor supply of your host. Mencken said, "If drinks are served, one hesitates to gullet them freely." Then again, if drinks were not served, "one wishes one's host were in hell."

Many of the bottles in Mencken's own cellar were bought from his bootlegger in New York, who regularly made his grand entrance into Mencken's New York office and was greeted "like a visiting ambassador."

Bootleggers, wrote Mencken, were now taking on the dignity of well-to-do businessmen. The young men of Harvard, who formerly became stockbrokers, were now casting their eyes at the profession. "If I had a son," said Mencken, "I'd be tempted to let him try his gifts. A life of learning has got me nowhere."

Later, Mencken could be seen walking the streets of New York, toward the train headed for Baltimore, lugging a heavy suitcase of liquor, his body leaning to the side, looking like a boat in full sail, keeling against the wind.

This had its risks, as Mencken well knew. Bags could be searched on trains, people seized. A man might risk losing precious bottles of Scotch –

and pay up to $500 on bail. All because, as Mencken said, "a vast horde of Prohibition spies" had been set loose upon the community – "spies whose livelihood consisted of making themselves a nuisance to their fellow citizens." "I make it a point," said Mencken, "to get up a bottle of 1902 Beaujolais every time I hear that another such slimy fellow has been murdered."

Back in Baltimore, Mencken hid his own bottles of booze in a small room, located in the basement of his home at Hollins Street. You can still see that room today – decked out with rows and rows of shelves.

He built in 1919, right before the onset of Prohibition. On the door he hung up a sign that read:

THIS VAULT IS PROTECTED
BY A DEVICE RELEASING CHLORINE GAS
UNDER 200 POUNDS PRESSURE.
ENTER IT AT YOUR OWN RISK.

In 1919, Mencken advised his readers to do the same. "See to your locks and chain bolts, and get a smallpox sign to hang on the door. Hire a confirmed diabetic to mount guard. Fill every third bottle with nitroglycerine, that heaven may swiftly welcome any righteous scoundrel who horns in." As Mencken wrote to Sinclair Lewis, he had enough bottles to keep him stewed for fifteen years.

Now, one should keep in mind, when Ritchie had been first elected governor in 1919, he had never mentioned Prohibition or the matter of states rights. During those years Ritchie's focus was on statistics, as he devoted himself to balancing the state budget.

Meanwhile, a new era had dawned for the Baltimore Sunpapers. Mencken had rejoined the staff. He, along with the publisher, hammered out a memorandum about the new direction the paper would go. One section of their memo dealt with "American Ideas" – in it they said how federal bureaucracies had interfered with the common rights of man. They also decided the editorial page would be less cautious from now on.

On January 16, 1920, when Prohibition officially began, Mencken, along with the rest of the staff, decided that every day they would have at least one editorial denouncing the new law. This was unique for that time. Most newspapers had abandoned the fight, thinking opposing Prohibition was a lost cause.

But not the Sun, especially the Evening Sun, which kept up a drumbeat against Prohibition. So did Mencken. His regular Monday column for the Evening Sun achieved national fame, making him, as one critic said, "one of the most volcanic newspapermen this country has ever known." Thanks to Mencken, and the new editorial policy, during the 1920s the Sunpapers had the reputation and cachet that the Washington Post acquired after Watergate. It was one of the first newspapers that the President read each morning. It was the out of town newspaper New Yorkers bought each day.

By this time, Ritchie had become a regular visitor to the Baltimore Sun offices. Mencken, along with his colleagues, spoke with Ritchie about the extent to which the federal government was destroying the concept of liberty. As one editor recalled, "Ritchie began to seize on these ideas."

Now something really wonderful happened.

Shortly after this, Ritchie attended the Governor's Conference in Washington, D.C. President Harding demanded that, when it came to Prohibition, all the states must enforce the law. All the governors sat silent. Except for Ritchie.

To the surprise of everyone in the room, Ritchie rose from his chair, and directly addressed the President. Prohibition, he said, was a drastic federal infringement on Maryland's state and personal rights. Liquor control was a matter for each state. It had to be settled by the will of its own people.

For this, Ritchie was accused of being un-American, an anarchist, and a traitor. But it brought Ritchie cheers in Maryland.

Behind the scenes, Ritchie used pressure to make Maryland the first state not to give in to the Anti-Saloon League. As a result, Maryland did not have a state enforcement act. Mencken celebrated the governor in his newspaper column, calling Ritchie "the first independent statesman that Maryland had seen since the Civil War," an opinion which, Governor Ritchie, had truly pleased his mother.

From now on, of the thousands of speeches Ritchie gave, almost 85% of them concentrated on States Rights. One of Ritchie's most famous speeches was one he gave at the Jefferson Day banquet at the National Democratic Club. It attracted national attention and was reproduced in the Congressional Record.

Now you should know that Ritchie had already began sharing his speeches with Mencken and other editors of the Baltimore Sunpapers. One of the sentences of his most famous speech, describing the "incompetent, extravagant control radiating from Washington" sounds almost

Menckenesque, especially the use of the word "radiating." Though we have no proof that Mencken helped Ritchie write his speeches, he certainly promoted them. "The fame of Maryland has got about the country," he said. "Governor Ritchie's speeches, at first sneered at and unattended, have gradually made their way into [various] newspapers. [As I travel across the country] I am asked about him almost as often as I am asked to have a drink."

Privately, Mencken wrote in his memoirs that much of Ritchie's success over Prohibition was thanks to the Baltimore Sunappers, which had supplied Ritchie with his ideas.

Well, it <u>is</u> true that the Ritchie's use of the term, the Maryland Free State, still proudly used to this day, was actually the invention of the editor Hamilton Owens, at the Baltimore Sunpapers.

At the height of the debate over Prohibition, a Republican congressman had denounced Maryland as a traitor to the union because it had refused to pass a State Enforcement Act. Owens wrote a mock-serious reply called "The Maryland Free State." Owens later decided not to print it, but the phrase, "Maryland Free State" was used in other editorials. Mencken took up the phrase. So did Governor Ritchie, who repeated it in all of his speeches and in his reelection campaign as governor, and won by an overwhelming majority – the first Maryland governor up until that time to return to a second term. Other newspapers and politicians also picked up the phrase, until the Maryland Free State became common usage.

But is <u>not</u> true, as Mencken said, that all of Ritchie's ideas came from the Sun. States Rights had always been a key factor in Ritchie's life. In fact, until he died, Ritchie had in his possession a speech defending States

Rights that his father had delivered to the University of Virginia Law School in 1856. Ritchie had underlined key passages.

When it came to Constitutional development, Ritchie thought the United States fell into three periods. In the first period, lasting until the Civil War, Ritchie thought the nation had leaned too far to States Rights. The second, from the Civil War to World War I, was a balanced period. Now, said Ritchie, the growth of federal bureaus and commissions had been a burden on the taxpayer. It threatened to destroy individual rights.

As Ritchie confessed to a reporter during this time, he concentrated on states rights not only because he believed in them; he thought Prohibition was an issue that could unite Democrats and Republicans alike. As Ritchie well knew, polls showed a majority of voters were for Prohibition's repeal.

With the support of the Sunpapers and the people of Maryland, Ritchie continued to defy the federal government, so much so that in Baltimore, the years 1920 and 1933 had a character all of its own. Maryland was now one of the wettest states in the Union.

According to Sun reporter R. P. Harriss, Governor Ritchie had announced that places selling alcoholic beverages would not be bothered by state troopers – though they would have pay state tax. But because speakeasies didn't legally exist, they were declared to be cigar stores. Each speakeasy had a front room, with a glass counter, filled with cheap cigars. There would be a door with a window. When you knocked on the door, all you had to say was, "Joe sent me."

U. S. 1 was full of speakeasies. There were also many between Calvert and Broadway. None of them apparently served good wine. Many

did provide soda to accompany any whiskey or gin you might have in your hip flask.

Baltimore 42-mile shoreline along the Chesapeake Bay was a perfect port for bootleggers, making it convenient for smuggling Cuban and Canadian liquor. Whiskey in Baltimore was plentiful. It came from illegal distillers from Western Maryland.

Even so, hard liquor was expensive for the average working stiff. There were ways to get around it. They say that if you had a friendly doctor, you could tell him you were feeling really run down. He would give you a prescription for some whiskey, which the druggist would fill out. If you look back at the ledgers of the old pharmacies, you will see that almost everybody during those days was apparently suffering from the same infirmity. But since you had to pay $2 for the prescription, and another $2 for the whiskey, well, the average person could not indulge in this remedy too often. You only did it if you were getting tired of bathtub gin. And since only the affluent could afford to drink hard liquor without risking blindness or death, most people stuck to beer.

Mencken began making his own, with the best German ingredients he could obtain, including dried yeast from the Lowenbrau brewery in Munich. On Sunday afternoons in West Baltimore, the German neighborhood where Mencken lived, you could smell malt and hops in the air as neighbors began brewing their beer. Each Sunday, Mencken would shoo his mother from the kitchen and begin cooking away. His very first attempt was bottled too soon, with the result that every single bottle he put out into the garden to cool suddenly exploded like a burst of gunfire, greatly alarming his neighbors.

Mencken and his friends shared their beer-making recipes. They were precise about what type of spring water they used, how much corn sugar to put in. Mencken's careful notes about his beer making still exist. In one entry he describes "a curious flocculent growth" – in other words, *a fungus* – growing on top of his ale. The guinea pigs for Mencken's experiments were his musical friends from the Saturday Night Club, who often met at Mencken's house to play music, eat crabs – and drink his beer. Sometimes they got sick to their stomachs and other times they got cheerfully boiled. But they drank it all the same.

Ah, life in Maryland was good in those days! As Mencken said, it was a place of sound and comfortable living. And all of this was thanks to Governor Ritchie. Alone among larger cities, Baltimore had little organized crime. Instead, it was quiet and orderly. The police went about their own business. The courts were not jammed with liquor cases. Federal agents were left to enforce Federal enactments on their own. And since the Feds found that they had no police protection in Baltimore, raids gradually became more infrequent.

Maryland, wrote Mencken, was one of the few states in which in the state's courts, the constitutional guarantees of the citizen were jealousy guarded. According to the Sun, Marylanders had achieved an ethnic unity. "The people of the Free State asked only to be let alone."

Mencken believed Ritchie's stand against Prohibition had been an influential contribution to the general political thought in the country. It had also encouraged none other than Governor Roosevelt of New York, who, by 1931, was beginning to toy with the idea of running for President.

During this period Mencken and Ritchie began meeting more regularly. They would sit up late, sometimes until 1:30 or 3:30 in the

morning, eating pretzels and drinking, discussing Ritchie's possible presidential campaign for 1932. At that time, no one was sure that Roosevelt had the nomination in hand. Mencken advised Ritchie the way seemed clear.

To help Ritchie out, Mencken renewed his praise for him in the Sunpapers. "He has done as much as any man to make Prohibition disreputable, and he has done so sincerely," wrote Mencken. "It is a grand chance. He would make an excellent President....He is so intelligent as to make a sort of miracle in American public life." Mencken later said that if Ritchie had been elected President in 1932, the nation's problems would have been tackled with more common sense.

The 1932 Democratic convention proved to be a turning point for Ritchie. More than 100 thousand people greeted him when he arrived in Chicago – so many that Ritchie lost one of his shoes in the crush. Fans showered him with confetti. Delegates carried signs: "WIN WITH RITCHIE." In the hall, people cheered his name. Roosevelt's manager, James Farley, was so impressed that he offered Ritchie the place of Vice-President on the Roosevelt ticket. Ritchie refused.

Instead, he concentrated on his big speech against Prohibition. As Mencken advised, this was the issue on which he would win. The ovation lasted forty minutes. Although Ritchie's successful anti-Prohibition plank probably helped grease the way for Repeal, after a lot of politicking in the back rooms, as you know the nomination went to Roosevelt. After the general election, Mencken thought Ritchie might win a spot in Roosevelt's cabinet. Roosevelt never even considered it.

Disappointed, Ritchie later admitted how unwise he had been to reject the role of Vice President. He had been given a golden opportunity. His role in national affairs would not come again.

Meanwhile, in Maryland, the Depression grew worse. Ritchie complained to Mencken that the Federal government was handing out so much money, and so many states were accepting, that he could not see how Maryland could keep resisting federal aid and still be able to balance the state budget – though God knows, Maryland was practically the only state which had done so.

Although Mencken and Ritchie considered themselves lifelong Democrats, as the 1930s wore on, so did their dislike for the New Deal. To the end of their lives, they both believed balanced budgets and frugality were the way to solve economic problems.

As Social Darwinists, both Mencken and Ritchie believed the way to solve the economy was not to interfere. They continued to subscribe to the Jeffersonian idea that the best government was the one that governed least. Neither man ever questioned the harmful effects of too little government intervention. Mencken and Ritchie were of the generation that had lived through the Depression of 1892 and 1893. No one at that time believed that the unemployment was the responsibility of the government.

But their resistance to Roosevelt came at a cost. During the Depression, the popularity of both men suffered. When Ritchie ran for his fifth term as governor, Mencken publicly supported him, for which Ritchie was grateful. "If all the world falls from you," Ritchie wrote to Mencken, "I will still be with you."

After Ritchie's defeat, he returned to practicing law, but not for long; he died a year later. He was mourned in the editorial pages of newspapers across the country. "If Maryland today is seen as a place of freedom and tolerance," they said, it was because of Ritchie's fight against Prohibition, and his championing of what many now regarded as "the lost cause" of States Rights.

As for Prohibition?

Well, it officially came to an end while Ritchie was still governor, on December 5, 1933. The legalization of beer came even sooner, almost immediately after Roosevelt was inaugurated. The "return to sanity" was set for midnight, April 7, 1933.

In gratitude, a local brewer sent Governor Ritchie several cases of beer, tied in bright ribbons. In arrived in Annapolis by motorcade. Ritchie did not join in the festivities. He remained in the Statehouse, working late.

In Baltimore, the manager of the Rennert Hotel invited Mencken to have the honor of being served the very first glass of legal beer. Across the country, H. L. Mencken was being hailed as the reporter who had worked hardest to bring about Prohibition's end.

That evening, the Rennert was packed. In the crowd was a young student from Johns Hopkins. He told me he went just because he wanted to see history being made. As the clock struck twelve, the bartender handed over the very first glass of beer over to Mencken.

"Here it goes!" said Mencken.

Everyone leaned forward, waiting to hear the verdict. Mencken tilted back his head, and drank it in one gulp.

"Not bad at all," he said. "Fill it again."

Not one arrest for drunkenness was made that night. For those who were there, no New Year's Eve celebration ever equaled that glorious evening. The photograph of Mencken drinking the first legal beer in the Maryland Free State was sent to millions around the world.

It was, as Mencken said, "an epochal event in the onward march of humanity. It is perhaps the first time in history that any of the essential liberties of man has been gained without the wholesale emission of blood."

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