Bootlegging and the borderlands: Canadians, Americans, and the Prohibition-era Northwest

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UMI
BOOTLEGGING AND THE BORDERLANDS

CANADIANS, AMERICANS, AND THE PROHIBITION-ERA NORTHWEST

A Dissertation

Presented to
The Faculty of the Department of History
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of
Doctor of Philosophy

by
Stephen Timothy Moore
2000
APPROVAL SHEET

This dissertation is submitted in partial fulfillment of
the requirements for the degree of

Doctor of Philosophy

Stephen T. Moore

Approved, August 2000

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ABSTRACT

Between 1920 and 1933, no issue in Canadian-American relations proved more contentious or more intractable than prohibition. While American enforcement authorities and diplomats repeatedly sought the assistance of the Dominion government to stop the flow of liquor across the border, not until 1933 did Canada acquiesce to American requests. In the meantime, Canadian brewers, distillers, rumrunners, and bootleggers were more than happy to assuage the parched throats of their American neighbors.

By examining the geographic, historical, political, economic, social, and cultural fabric of the bilateral relationship in the Pacific Northwest borderlands, this study takes a regional approach to explain the intractability of the prohibition problem. It seeks to explore the complex interaction and relationship between common Canadian and American citizens, such as the bootleggers, tourists and temperance workers, as well as local government officials who contribute to the more common, day-to-day Canadian-American relationship. It also seeks to explain why British Columbians generally advocated cooperation with the United States in advance of more eastern Canadians.

The answer is found in the unique relationship shared by Canadians and Americans in this region who, by geographic necessity, often had more in common with their counterparts north or south of the border than they did with their respective sovereignties to the east. Indeed, the central paradox of prohibition in the Pacific Northwest is that the very heritage that had enabled a smuggling economy prior to prohibition also advocated Canadian and American cooperation in the later enforcement against the illicit liquor traffic. After a particularly sensational hijacking and slaying of a Canadian rumrunning crew in 1924, and then again after royal commission investigating the Canadian Department of Customs and Excise discovered evidence of widespread corruption at the highest levels of the Dominion government, British Columbians began to recognize that, whatever the profits, enabling rumrunning no longer served Canada’s best interests.
BOOTLEGGING AND THE BORDERLANDS

CANADIANS, AMERICANS, AND THE PROHIBITION-ERA NORTHWEST
INTRODUCTION

Were it not for the swath cut through the trees, the casual observer might fail to recognize that he or she had crossed a border. Nothing in the natural landscape of the Pacific Northwest—not the lakes, not the rivers, and certainly not the limitless expanse of forest and plain, mountain and valley—provides any clear indication of the 49th parallel. Nature, in this far corner of the West, did not recognize such an arbitrary political abstraction. The stone and iron obelisks that mark the border, marching in succession from the Atlantic to the Pacific, prove useful in the more heavily populated areas of the East and certainly on the uniform, undulating plains. They are, however, quickly lost in the dense forests of cedar, Douglas fir, pine, and spruce and are dwarfed by the rugged, sometimes precipitous, mountains that stretch to the horizon in the Far West. The Anglo-American boundary commission, which surveyed the line between 1857 and 1869, determined that the only way to delineate the border was to carve it out of the forest—an expensive, labor-intensive undertaking, but a necessary one.\(^1\) Years later, it still remained common for travelers to be uncertain on which side of the border they were.\(^2\)


\(^2\) John McDougall, *On Western Trails in the Early Seventies: Frontier Life in the Canadian Northwest,* (Toronto, 1911), 70. It eventually became necessary for Canada and the United States to reserve a neutral strip on either side of the border to help mark it. See “Memorandum re: reserved strip along the international boundary between Canada and the United States,” 1 April 1927, RG 16, vol. 790, file 1058, NAC.
In its entirety, the Canadian-American border has always been something of an enigma. As the Canadian diplomat (and later historian) Hugh Keenleyside commented in 1929, “The boundary between Canada and the United States is a typically human creation: It is physically invisible, geographically illogical, militarily indefensible, and emotionally inescapable.”\(^3\) Never was this more true than during America’s “noble experiment.” From the Pacific to the Atlantic, American dollars headed north, and pure, unadulterated Canadian whisky, south. Canadian distillers, brewers, export houses, rumrunners, and bootleggers were more than happy to assuage the parched throats of their American brethren. In the Northwest, hundreds of yachts, steamers, and schooners from Vancouver’s rum row ran liquor into Puget Sound. Farther east, at Crows Nest Pass on the British Columbia-Alberta border, McLaughlin “Whiskey Sixes” raced across the border to supply speakeasies and roadhouses in Spokane, northern Idaho, and western Montana. However, what was a boon to the Canadian economy was bane to American diplomats and enforcement officials seeking to stem this illegal torrent of booze. Between 1920 and 1933, no issue in Canadian-American relations proved more contentious or more intractable.\(^4\)

In explaining this difficulty in a 1962 article for the *Canadian Historical Review*, Richard Kottman pointed to the usual suspects. Politics, economics, and a burgeoning nationalism all contributed to a Canadian unwillingness to cooperate with the United States. Yet Kottman also makes the point, almost in passing, that sentiment for or against cooperation was not uniform along the international boundary but that it varied by region. In contrast to central and eastern Canada, which remained adamantly opposed to cooperation, the American case received its strongest support in the

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Canadian West. If so, then what was it about the nature of the Canadian-American relationship in the Far West that caused British Columbians to support cooperation with the United States at a much earlier stage? One goal of my dissertation is to answer this question.

Throughout the twentieth century, historical interpretations of the Canadian-American relationship have generally fallen into one of two major camps. The first is exemplified most readily by the Carnegie Series on the Relations of Canada and the United States. Commissioned by the Carnegie Endowment for International Peace in the 1920s and 1930s, it was written by scholars from both countries and edited by James H. Shotwell, an expatriate Canadian. The series carved from the field of Anglo-American relations a “continentalist” view of Canadian-American relations that emphasized everything that united the peoples of both countries. It celebrated the “special relationship,” the “undefended border,” and the relatively peaceful century that followed the War of 1812. It promoted the idea of harmony at a time when Canada was just beginning to exercise an independent foreign policy, and it promoted the idea of unity at a time when a new world war loomed in Europe. The continentalist perspective dominated the historiography of Canadian-American relations until the 1960s.

A new revisionist interpretation began to challenge the continentalist view in the 1960s. Bolstered by outpourings of Canadian nationalism and social unrest in the

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United States, historians began to describe the numerous ways in which Canada had been on the receiving end of American imperialism. These scholars saw in the imperial relationship elements of Canadian anti-Americanism that undermined the continentalist interpretation. Naturally, since Canadian historians thought about the relationship much more than American historians, the Canadian side of the nationalist historiography is much larger. However, there were also a few American historians who sought to apply the framework to Canada. The work completed by the new revisionist school was, in many ways, a necessary corrective to previous studies that concentrated on evidence of friendly cooperation and mutual understanding at the expense of evidence pointing to the suffocating asymmetry many Canadians saw in the bilateral relationship.

While the continentalist and nationalist interpretations hold merit in explaining Canadian-American relations, both are flawed, or at least incomplete. While one side of the debate focuses too much on the good-neighbor myth, the other side too-readily

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emphasizes the anti-American myth. Moreover, as Reginald Stuart noted in a 1994 review essay for *Diplomatic History*, "Far too few historians of this subject venture beyond diplomatic and economic realms into the social fabric of Canadian-American relations."\(^{10}\) To focus on Ottawa and Washington is to miss the larger, more important, more day-to-day, and more complex social and cultural relations between the peoples of both countries. While the former serve as visible signposts, it is the latter that are the fabric of those relations. If the much-vaunted "special relationship" between Canada and the United States really exists, then the myriad borderlands contacts are its essence—they are what make the United States' relationship with Canada fundamentally different from its relationship with all other nations.

This dissertation argues that the root of the prohibition enforcement problem lay not so much in the diplomatic relations between Ottawa and Washington as in the less formal, but more common borderlands relations between Canadians and Americans generally. Along borders, especially in areas distant from the centers of national power, foreign relations operate according to different methods and rules and by different actors who hold different assumptions and cultural values. While this study will not exclude negotiations between Washington and Ottawa, it will attempt to place them in their more local, borderlands context. One must make a clear distinction between local and regional bilateral relations on the one hand, and national bilateral relations on the other. As this study will show, the two do not always coincide.

The major premise of the borderlands approach is that North America runs more naturally north and south than east and west. While people living near the border may pay allegiance to their respective sovereignties, they sometimes have more in common with their counterparts north or south of the border than they do with Ottawa or

\(^{10}\) Stuart, "Continentalism Revisited," 407-08.
Indeed, Canadians and Americans, particularly in the West, have long interacted without the mediation of their respective central governments, making the border even more a geographic, cultural, and political abstraction. For example, before the belated completion of the Canadian Pacific Railway, access to British Columbia was accomplished most easily and most often through the American Northwest. This north-south connection continued into the early-twentieth century. During prohibition, entrepreneurs, temperance groups, tourists, bootleggers, and law enforcement officials often behaved as if no border existed at all. Not surprisingly, commerce, tourism, smuggling, and common industrial interests continue to tie together Canadians and Americans in the Northwest.

Examining the nature of the relationship between Canadians and Americans during prohibition has much to offer as a window into not only the nature of that relationship generally but also into the subtle but important differences in the way Canadians and Americans approach similar problems. As Carlos Schwantes has pointed out, disparate political, economic, and social systems have often led Canadians and Americans to remedy the same social ills in markedly different ways. While the

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12 As the sociologist Seymour Martin Lipset has pointed out, Americans can learn more about their own country because "Canada is close enough to provide a frame of reference yet different enough to search for different explanations." *Borderlines* 1, no. 7 (1985): 2.

13 Carlos Schwantes, *Radical Heritage: Labor, Socialism, and Reform in Washington and British Columbia, 1885-1917* (Seattle, 1979), x. Regional historians of the Pacific Northwest often refer, usually obliquely, to the geographical, social, cultural, economic, and historical similarities along both sides of the 49th parallel. That few have taken up and developed that theme is most likely due to the tendency, articulated best by Carlos Schwantes, for historians to mistakenly "picture the 49th parallel as a kind of partition across which the researcher need not glance." In doing so, however, they miss the opportunity to ask intriguing comparative questions. As examples of a few historians who have crossed borders (so to speak) in the Pacific Northwest, see Schwantes’ *Radical Heritage* and “Perceptions of Violence on the Wageworkers’ Frontier: An American-Canadian Comparison,” *Pacific Northwest*
purpose of this study is not to provide a detailed interpretive history of the prohibition movement in Canada or the United States, the differences in their respective systems have much to say about the nature of the borderlands relationship. Moreover, these differences also played a crucial role in the Canadian decision whether to accommodate American pleas for enforcement assistance.

The recurring question is whether, during prohibition, the political border in the Northwest reinforced or interrupted natural historic, social, and cultural patterns. Did the 49th parallel dramatize the enmities that sustain separate sovereign loyalties or magnify the similarities that bolster cross-border loyalties? The central paradox of prohibition in the Pacific Northwest is that the very heritage that enabled a smuggling economy prior to prohibition also advocated Canadian and American cooperation in the later enforcement against the illicit liquor traffic. Though a seeming contradiction, a thorough examination of the myriad ways in which Canadians and Americans viewed the border will show that it is not.

For purposes of this study, the Pacific Northwest and North Pacific borderlands will be used interchangeably and refer to that region west of the Rocky Mountains and north from Oregon into British Columbia. While both the American Pacific Northwest and British Columbia are distinct regions in themselves, one need not be a geographical determinist to recognize the innate logic of the Pacific Northwest as a region that

transcends national boundaries. Moreover, it is a term Canadians have applied to their Pacific province with few apparent misgivings.

Finally, while I have attempted to test familiar themes of the Canadian-American relationship in a regional setting, and have found some to be less or more applicable in the Pacific Northwest, I have generally tried to refrain from considering their applicability elsewhere. In many ways, this study is meant to be a microcosm of the Canadian-American relationship generally. It is also the conclusion of this author, however, that the border that separates Canadians from Americans is by no means uniform. There are a number of borderlands regions, each with its own social, cultural, and economic patterns, and each, of course, has its own history.

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14 For his study, Schwantes defined the region variously as the “Pacific Northwest” and the “North Pacific Industrial Frontier,” while Joel Garreau, in *The Nine Nations of North America* (New York, 1982), labeled the region stretching from Northern California to Alaska, “Ecotopia.” Not surprisingly, five of the nine distinct regions into which Garreau divides North American encompass parts of both Canada and the United States. For a contrary view that argues that the border provides too much of a political discontinuity to consider British Columbia part of any binational region, see Raymond D. Gastil, “The Pacific Northwest as a Cultural Region,” *Pacific Northwest Quarterly* 64 (October 1973): 147-56.

CHAPTER I
CREATING THE SMUGGLER'S PARADISE:
THE PACIFIC NORTHWEST TO 1914

British Columbia's response to American prohibition in the 1920s and 1930s was the product of decades of interaction with the province's neighbors to the south. For almost a century, British Columbians and Americans west of the Rocky Mountains had interacted with little regard for the international border. This interaction tied British Columbia less to Canada and more to the American states below the 49th parallel. In the Pacific Northwest, geographic, economic, cultural, and even political patterns helped shape identity more than nationalism. To be sure, British Columbians were not American—they were Canadians. But, as one historian notes, they were Canadians of a different sort.\(^1\) When the time came for British Columbia to weigh in on American prohibition, it did so with these unique historical experiences in mind.

IMAGES AND REALITIES OF THE PACIFIC NORTHWEST

One of the most repetitive themes in the literature of the Pacific Northwest is the relation between its inhabitants and the natural environment. Early travelers and residents on both sides of the border often commented on the region's beauty and resources. Its spectacular natural setting astonished Rudyard Kipling. To those who

\(^1\) Walter N. Sage, "British Columbia Becomes Canadian, 1871-1901," *Queen's Quarterly* 52, no. 2 (1945): 169.
had not the opportunity to visit, he suggested visualizing “all that the eye admires most
in Bournemouth, Torquay, the Isle of Wight, the Happy Valley at Hong Kong, the
Doon, Sorrento, and Camps Bay; add reminiscences of the Thousand Islands, and
arrange the whole round the Bay of Naples, with the Himalayas for the background.”
When Frederick Talbot, another early traveler, set out to explore the economic and
scenic value of British Columbia, he proclaimed it “A territory upon which nature has
bestowed her wealth with so lavish a hand that it is difficult to form comparative
estimates.” Less descriptive, but no less telling, is the Canadian professor and humorist
Stephen Leacock’s perspective on the region: “If I had known what it was like, I
wouldn’t have been content with a mere visit. I’d have been born here.” Though
booster pamphlets for the Northwest suggested one could “have a decent living...
simply by eating gorgeous scenery,” only occasionally did the harsher reality, that men
cannot live on scenery alone, intrude into the regional psyche.3

While all raved about the scenery, the Northwest also symbolized opportunity.
For those of British persuasion, Vancouver Island was a little piece of England. It had
the same climate and was similar in size to Great Britain, while the ocean to the West
added a certain mystique and promise of opportunity. “Were I an intending immigrant,”
Kipling mused, “I would risk a good deal of discomfort to get to the land in British
Columbia; and were I rich, with no attachments outside England, I would swiftly buy
me a farm or a house in that country for the mere joy of it.” For Talbot, British
Canada was the “New Garden,” flowing with “enormous riches—agriculture,

3 Rudyard Kipling, Letters of Travel, 1892-1913 (New York, 1920), 210; Frederick Arthur
Ambrose Talbot, The New Garden of Canada: By Pack-Horse and Canoe through Undeveloped New
British Columbia, (New York, 1911), vii-viii; Leacock quoted in Gary Geddes, ed., Skookum Wawa:
Writings of the Canadian Northwest (Toronto, 197), 46.

3 Stewart H. Holbrook, Far Corner: A Personal View of the Pacific Northwest (New York,
1952), 4.
mineralogical, forestal, industrial—all lying dormant and silently calling for the plucky and persevering." This strong attachment to and identity with the region's natural setting and opportunity gave many Canadians and Americans in the Northwest a common outlook that the natural topography only affirmed.

The historian Jean Barman has commented that any understanding of British Columbia must be firmly grounded in the region's geography. The same must be said of the Pacific Northwest generally, for geography has played a profound role in how Canadians and Americans have thought about themselves, each other, and their relation to their respective sovereignties to the east. Stretching eastward from the Pacific and westward from the Rockies, British Columbia shares a 430-mile land border with the states of Washington, Idaho, and Montana. The province embraces an area as large as France, Spain, Portugal, and the Netherlands combined, while the states to the south encompass a slightly smaller area. Even the interior Kootenay region is significantly larger than most of New England.

As important as size is to the Pacific Northwest identity, so too is its north-south alignment. The region's natural or physiographic boundaries run not east and west, but north and south. The Rockies, Purcells, Selkirks, Monashees, Cascades, and Coastal mountains, along with their interlying valleys, dictate that economic and demographic patterns align north and south as well. These mountains confine communities to narrow and inaccessible valleys, creating cultural and psychological islands that straddle both sides of the boundary.

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4 Kipling, Letters of Travel, 204-05, 210; Talbot, The New Garden of Canada, vix.

5 British Columbia Bureau of Provincial Information, Handbook of British Columbia (Victoria, 1921), 69. The land area of British Columbia embraces an area of 370,000 square miles. By comparison, the states of Washington, Idaho, Montana, and Oregon collectively encompass 390,892 square miles.

Perhaps the most important aspect of this north-south alignment was the implications it had for regional identity. Canadians and Americans in the Pacific Northwest interacted with little regard for the international border. The first Euro-American settlers of the region were fur traders, bent on exploiting the lucrative potential discovered by American and European maritime explorers in the late-eighteenth century. Americans and Canadians formed companies, sometimes jointly, to exploit the region's furs, caring little whether the pelts they trapped were "British" or "American." The cultural residue of these fur empires, which carried over to the missionaries, settlers, and merchant capitalists who followed, was a frontier spirit of individualism and detachment from nationality. Despite the formal division of the Northwest along the 49th parallel, and even despite British Columbia's confederation with Canada in 1867, the border was largely ignored in practice well into the twentieth century.⁷

A lack of transportation nullified whatever illusions British Columbians or Canadians had about early political union. Until the completion of the Canadian Pacific Railroad in the late 1880s, geography determined that British Columbia would look to the neighboring States rather than to eastern Canada.⁸ Without a transcontinental railroad, or even a transprovincial line, trade with Canada remained difficult at best, and so the province's trade aligned more with the United States, Great Britain, Australia,

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⁸ As Donald Warner points out, this north-south geographical alignment also applies to most of the Canadian-American border: "Since the grain of the continent runs generally north and south, each section of Canada was linked to the neighboring section of the United States rather than to the nearest part of Canada." See, The Idea of Continental Union: Agitation for the Annexation of Canada to the United States, 1849-1893 (Lexington, KY, 1960), 61.
Latin America, and Japan. British Columbia's access to eastern North America and Europe remained dependent initially on Pacific sea lanes and then on the American Central Pacific rail line.9

In 1921, the newly completed Pacific Coast Highway opened to traffic, connecting British Columbia with Washington, Oregon, California, and Mexico. At its inaugural ceremonies, speakers proclaimed it a symbol of "100 years of peace between the British Empire and the United States."10 More practically, it greatly improved western British Columbia's access to the States and to the eastern portion of the province. Since most British Columbians lived within easy driving distance of the border, the typical traveler drove south before picking up an east-west road in Washington State. The Associated Boards of Trade of Eastern British Columbia, recognizing this peculiarity, annually reiterated its plea for the completion of a trans-provincial highway. To accommodate the travel and tourism boom that occurred after the First World War, British Columbia did make a concerted effort to invest in its transportation infrastructure. As Maclean's Magazine pointed out, however, road construction in British Columbia was twenty times more expensive per mile than in other provinces.11 Consequently, the province's roads remained primitive at best. In

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10 Canadian Annual Review (1921), 136. Hereafter cited CAR.

the 1940s, a couple journeying from Vancouver to Lillooet—a two-day, 130-mile trek—commented, “Part of the road was built on cribbing and it looked as though you were hanging over the side of a cliff. Actually, in some places, you were.”

Given north-south transportation patterns, it is not surprising that American labor and capital played significant roles in the economic development of British Columbia. Mining accounted for the origin of many British Columbia towns, and the United States for many of the miners. The Fraser River gold rush of 1858 and 1859 brought perhaps 30,000 Americans from California and the rest of the United States into the Fraser Valley. By 1864, fully three-fourths of the 15,000 miners in British Columbia were Americans and half of all business establishments were American. These Americans remained until they had made their fortune or acquired the so-called “Fraser River humbug.” After passage of the Sherman Silver Purchase Act in 1890 promised an increased demand for silver, thousands of American prospectors again found their way to British Columbia, only to leave just as quickly when Congress repealed the Act three years later. By 1899, Rossland had become home for the largest Western Federation of Miners local outside the United States. Reflecting the international idealism of North American labor, one British Columbian miner declared, “There is no 49th parallel of latitude in Unionism. The Canadian and American

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12 Phyllis Knight and Rolf Knight, A Very Ordinary Life (Vancouver, 1974), 143. Richmond Hobson, in his own travels, commented that what British Columbians called a “highway” was actually no more than a “bush road.” See Grass beyond the Mountains (Toronto, 1951), 18. Not much had changed, even forty years later. The Seattle Times commented that BC’s roads, “excluding those in and around Vancouver and Victoria, are basic Wagon Trail Modern: one lane each way, few guard rails, scarred and buckled by tough winters. Vast areas have either dirt roads or no roads at all.” (10 April 1983, 1).

workingman have joined hands across the boundary line for a common cause against a common enemy."14

American investment in British Columbia timber was no less significant. The virgin stands of Oregon, Washington, and British Columbia attracted lumbermen from the logged-over forests of the north-central United States. These industrial capitalists brought with them an inexhaustible amount of capital and, in the words of historian Robert McDonald, "made British Columbia their adopted home." So enamored with the profit potential of British Columbia were American investors that, by 1909, the province had attracted almost half of all American capital investment in Canada. Not until the turn of the century did eastern and central Canadian capital and business interests find their way in significant numbers to British Columbia.15

Communication and cultural patterns closely mirrored the region's north-south transportation and economic patterns. Before the CPR's completion, letters posted in British Columbia—even those destined for eastern Canada—were required to bear American postage.16 As important, British Columbia's newspapers relied on the United States for news of events outside their region. With the prohibitive cost of telegraphing lengthy messages across Canada, Canadian papers remained dependent on the American Associated Press wire, which they tapped at Boston for the Maritimes, Buffalo for central Canada, Minneapolis for the prairie provinces, and in Seattle for British Columbia. As a result, the Associated Press provided much of the content for Canadian newspapers. Not until the 1930s did British Columbian dailies begin to rely on the


16 Sage, "British Columbia Becomes Canadian, 1871-1901," 171.
Canadian Press as their primary news source. Even then, the Canadian Press drew the bulk of its material from American sources, editing out only that which was too "American." British Columbia's daily newspapers generally carried the same sports, news, social, and entertainment content as their American counterparts. American stars became Canadian stars, and American heroes, like Babe Ruth and Charles Lindbergh, Canadian heroes.\textsuperscript{17} Much of the popular culture British Columbians experienced during the 1920s was American. Even notoriously British Victoria procured two-thirds of its periodicals and eighty-percent of its films from the United States. Along with the mainstream press, news organizations with smaller constituencies tended to share information as well. Labor papers in Vancouver, Seattle, Spokane, and Tacoma, for example, established the Western Labor Press in 1914 to share each other's weekly news and cartoons.\textsuperscript{18}

VISIONS OF ORDER, VISIONS OF PROGRESS

With the many geographical factors that tied Canadians and Americans in the Pacific Northwest together, it is easy to assume that the border was inconsequential. Yet a border also obliges the historian to define difference. Though most British Columbians were not strident nationalists, neither were they American. Due partly to a divergence in the way in which British Columbia and the American Northwest were settled and administered, British Columbia had, by the First World War, defined an identity of its own—an identity not completely Canadian and not completely American, but British Columbian.


\textsuperscript{18} Barman, \textit{West Beyond the West}, 244; Schwantes, \textit{Radical Heritage}, 37.
If it was geographically natural that British Columbians should look to the United States, it was culturally natural for them to identify with Britain. While much of Canada revered its British roots, British Columbia was a decidedly British place. As Jean Barman suggests, "British ways were not transplanted into British Columbia simply because they existed elsewhere in Canada. The link was with Britain itself."¹⁹ British Columbia had begun its life as a separate British colony, drew the majority of its settlers from Great Britain, and agreed to Confederation only with material allurement—most notably, the promised completion of the Canadian Pacific. As late as 1918, the British-born accounted for over 30% of the province's population.²⁰ Although the Canadian-born population grew significantly during the first decade of the century, more immigrants continued to arrive from British possessions than from all other parts of Canada.²¹

Many were working-class immigrants who entertained little prospect for opportunity or advancement in the class-ridden Isles. The plethora of advertisements specifically targeted at prospective British immigrants attracted others. The Victoria & Island Development Association described Vancouver Island as "A bit of England on the Pacific," a theme also adopted by the Union Pacific Railroad in its efforts to attract passengers.²² Descriptions provided by popular British travelers informed readers that

¹⁹ Barman, *West Beyond the West*, 345.

²⁰ J.A. Stevenson, "Sectional Factors in Canadian Foreign Policy," *Foreign Affairs* XVI (1938): 677. At the same time those of British origin accounted for approximately 70% of the province's population, including the Native Indian population. See census statistics in Barman, *West Beyond the West*, 379-82.


²² Freeman interview, in Imbert Orchard, *South Pender Island Before 1920* (Victoria: Aural History Programme, 1965), tape T785, BCA; Georgeson interview, in Orchard, *Gulf Island Region B.C.* (Victoria: Aural History Programme, 1966), tape T805-1, BCA; Victoria & Island Development
the region's climate was "never too hot and rarely too cold," that several English newspapers were readily available, and that many of the local papers regularly printed "London Letters." Stewart Holbrook, an American lumberjack and later journalist who bounced between lumber camps in the early 1920s, found Vancouver no ordinary "Yankee city." Unlike the rest of Canada, except Prince Edward Island, its motorists continued to drive on the left, as in Great Britain.

The character of the province determined that British Columbians perceived their neighbors through a British, rather than a Canadian, lens. As Gwen Ronyk discovered in her examination of the Canadian press, the western-most dailies more often made comparisons between American and British institutions than between American and Canadian ones. As a result, the anti-Americanism that so animated eastern-Canadian thought resonated only slightly in the West.

In other ways, being British distinguished quite starkly the outlook between Canadians and Americans on the Pacific coast. The First World War exemplifies this. British Columbians were among the most enthusiastic participants on behalf of Great Britain when war exploded in 1914. By contrast, America's belated participation—occurring only after years of Canadians fighting and dying in vermin-infested trenches—

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The province provided, per capita, more soldiers than any other province. See *Maclean's Magazine*, 1 April 1926, 30.
seemed to many British Columbians a grievous offense.\textsuperscript{27} When Hollywood later compounded the insult by repeatedly portraying the idea that one or two American doughboys had held off the entire Prussian Guard, it only increased the bitterness felt by many north of the border. As Stewart Holbrook discovered, "No matter the complete idiocy of these films, they did not endear us to a people who thought of American soldiers as arriving at the front a full two years late."\textsuperscript{28} Virtually all Canadians resented the way Americans portrayed America's role in the war. However, because British Columbian participation was disproportionately high, British Columbian opinion of the United States suffered disproportionately as well.\textsuperscript{29}

Even geographically there remained an important point of contrast between the images of the region north and south of the border. As Carlos Schwantes notes, "If in time British Columbia became the New Eldorado, Washington became the New Eden, a veritable farmer's paradise."\textsuperscript{30} The establishment of the boundary at the 49th parallel did not uniformly distribute the Pacific Northwest's natural resources. Because so many of the mountain ranges converge in British Columbia, and because of its northerly latitude, much of the land not right along the province's southern border is unsuited for agricultural production. As a result, British Columbia tended to attract a different population than Washington. Where the fertile valleys of Washington and Oregon attracted homesteading families, with promises of free land, British Columbia relied

\textsuperscript{27} It was an offense made more stinging by President Wilson's repeated proclamations of neutrality, a position which seemed to imply that Great Britain and—by extension—British Columbia, were equally at fault for the war with the other belligerents. Angus, \textit{Canada and Her Great Neighbour}, 443.

\textsuperscript{28} Holbrook, \textit{Far Corner}, 30.

\textsuperscript{29} Angus, \textit{Canada and Her Great Neighbour}, 443; Angus, et.al., \textit{British Columbia and the United States}, 386; J.L. Granatstein, \textit{Yankee Go Home? Canadians and Anti-Americanism} (Toronto, 1996), 73.

\textsuperscript{30} Schwantes, \textit{Radical Heritage}, 9.
upon the region’s timber and minerals. The types of persons employed in these extractive pursuits tended to be single, male, and highly transient.  

Although both the Canadian and American governments, along with chambers of commerce, local immigration boards, and railroads, aggressively promoted the region, American and Canadian immigration policy fundamentally differed. In contrast to the national origin-based policy of the United States, Canada utilized a process based on literacy, capital, and aptitude. In 1921, the British Columbia Bureau of Provincial Information recommended that intending settlers should write to the Bureau for authentic information and not rely too heavily on the colorful descriptions that emanated from unofficial sources. The agency indicated that:

The class of immigrant whose chances of success are greatest is the man of small or moderate means, possessing energy, good health, and self-reliance, with the faculty of adaptability to new surroundings. He should have at least $2500 to $3000 on arrival in the Province, sufficient to make his first payment on his land and support himself and his family while awaiting returns.

The province hoped that by attracting a stable class of immigrants, the resulting high standard of living would help minimize population loss to the south.

Perhaps the most important reasons for the different immigration policies were the divergent attitudes held by Canadians and Americans about the frontier generally. As Ken Coates points out, “The periphery had a valued place in the American psyche: it was synonymous with richness, potential, and personal opportunity.... But the

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31 Harrington, “The Kootenay Area of British Columbia,” 199. It was a population notoriously opposed to prohibition, as temperance workers would later learn to their dismay.


33 John Bartlet Brebner, North Atlantic Triangle (New Haven, 1945), 295; Schwantes, Radical Heritage, 68.
frontier held no mythical place in the Canadian mind.” Accordingly, the histories and cultures of British Columbia and the Old Oregon country differed significantly. In the American West, statehood followed the pattern established over a century earlier in the Northwest Ordinance. There, settlement preceded, and was a prerequisite for, the establishment of government. Americans tended to be aggressive and innovative in the pursuit of opportunity, but also more independent and less subject to civil authority. On the other hand, British Columbia was from the start a Crown Colony of Britain, governed by the Hudson’s Bay Company. After the Treaty of Oregon established the western border between the United States and British North America in 1846, the Dominion assumed this role. British Columbia, as a consequence, enjoyed effective government prior to widespread settlement. This had significant consequences, not least of which was the movement of the North West Mounted Police into the region. According to William Robbins, the NWMP had the effect of undermining “the rampant individualism and disrespect for authority that existed in the western United States.” As Robbins concludes, “Canadians moved with greater prudence and caution.”

Greater prudence is a cultural attitude about which Canadians have been particularly smug, and British Columbians are no exceptions. Many contrasted the sleepy, orderly growth of Victoria and Vancouver, with the raucous, hustling growth of

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35 Carlos A. Schwantes, The Pacific Northwest: An Interpretive History (Lincoln, NE, 1989), 47-68.

36 Robbins, Colony and Empire, 44, 53.
Seattle. "Peaceableness" was the characteristic most often pronounced to attract settlers to the province. "The mining camps of British Columbia are as orderly as English villages," asserted the *Guide to the Province of British Columbia for 1877-78.* By contrast, some regarded the region south of the border as one of relative lawlessness. One commented that there were "saloons and gambling dens galore... all out of proportion to the size of the place." Another, revealing his cultural biases, added, "In the Queen's dominions an infringement of the law was really a serious matter, & not a sort of half joke as in California." The belief in British Columbia as a place of order, and the United States as one of disorder, continued to influence British Columbian attitudes about Americans well into the twentieth century. It is not that violence was non-existent in Canada. However, by de-emphasizing violent episodes of their past, and by excluding traits thought to be American, British Columbians defined a component of their Canadianism. "Peace, order, and good government," the Canadian national alternative to "life, liberty,

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37 As Norbert MacDonald points out, "Although original settlement was similar and private initiative was dominant, public authority played a much bigger role in the Canadian setting than in the American one.... The American settlers had a freer hand to choose as they saw fit; their counterparts in Canada faced partial, but nonetheless significant restrictions.", See, *Distant Neighbors: A Comparative History of Seattle and Vancouver* (Lincoln, 1987), 19-20, 42-43.


39 McDougall, *On Western Trails in the Early Seventies*, 144.

and the pursuit of happiness," retained cultural significance in British Columbia as well.\textsuperscript{41}

ON THE MARGIN

To point out that British Columbians found it useful to distinguish themselves from their American neighbors does not obviate one central reality: the most pronounced psychological border in the Pacific Northwest remained not the boundary between the United States and Canada, but the long-impenetrable barrier posed by the Rocky Mountains. The Rockies did more to separate Canadians and Americans from their respective countrymen in the East than the 49th parallel did to separate British Columbians from Americans in the Northwest. The western continental divide placed the Pacific Northwest on the margin and left many on both sides of the border feeling less a part of any nation than part of a shared colony or hinterland.

One of the major reasons for the lack of national identification is the ethnic make-up of the region's population. As noted previously, it was not until after the completion of the Canadian Pacific Railroad that Canadian immigrants would arrive in numbers sufficient to challenge the British character of British Columbia. Even then, it was not that American and British influence diminished, but that Canadian influence strengthened. In 1931, the percentage of American-born, or those of non-Canadian parentage, remained greater in the three western provinces than in the rest of Canada. Whether attracted to free land south of the border, or the economic opportunity available north, many drifted freely back and forth, ignoring boundary and nationality in the pursuit of opportunity. At times the movement was northward, at others, southward; whatever direction, it was movement enough for Marcus Lee Hansen and

\textsuperscript{41} For a statistical study of these attitudes, with a break-down by province, see Angus, Canada and Her Great Neighbor, 431-447.
John Bartlet Brebner to speak of the “mingling of the Canadian and American peoples.”

The Pacific Northwest was the end of the line, both figuratively and literally. Thus, the region attracted a different mix than Canada or the United States generally. Rudyard Kipling noticed the many “Sikhs and Punjabi jats,” while Frederick Talbot observed “furrow-eyed Italians, fair-complexioned Scandinavians, sullen-looking Russians, stolid Germans, raw-boned Americans, husky Canadians, big-built Irishmen, brawny Scots, and devil-may-care English, all rubbing shoulders....” Few overlooked the significant Chinese population that gave Vancouver the largest Chinatown on the West Coast next to San Francisco, but only slightly larger than that found in Seattle. The significant Chinese population gave non-Asian Canadians and Americans a common problem. Unifying other nativists were the many ethnic groups who carefully guarded cultural identities and traditions in urban enclaves. Most significantly, the ethnic variety in British Columbia accentuated a similarity with Americans south of its border while it constituted a point of difference with the rest of Canada. As two historians point out, nationality only vaguely concerned the majority of settlers:

They were settlers who crisscrossed the international boundary looking for the ideal place... [and who] regarded national identity as something for city folks or politicians.... National identification with either country came slowly... not as a single act of Congress or Parliament but as a slow accumulation of

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42 Sage, “British Columbia Becomes Canadian,” 181; Brebner, North Atlantic Triangle, 296-300; Hansen and Brebner, The Mingling of the Canadian and American Peoples, 203. As others have noted, the settlement of Canada and the United can properly be told only in North American (not simply national) terms. See, for example, Donald W. Meinig, “Continental America, 1800-1915: The View of a Historical Geographer,” History Teacher 22 (1989): 200.

43 Kipling, Letters of Travel, 205; Talbot, The New Garden, 2.

44 Holbrook, Far Corner, 32-37; Angus, Canada and Her Great Neighbour, 37-5. The Seattle Times later commented that although British Columbia is officially bilingual—English and French—like all of Canada, “Across the province one can hear almost every tongue in the world including a lot of Russian in the Grand Forks and Castelgar areas along the border.” French, it noted however, “is rarely spoken.” Seattle Times, 10 April 1983, 1.
responsibilities and benefits of political customs, and above all, from long-term residence on one side or the other.45

With few settlers of eastern Canadian origin, there existed in the Northwest very little of the United Empire Loyalist tradition that has historically furnished the tinder for anti-Americanism in other parts of Canada. British Columbians had learned to live with American proximity; for most, it was not that traumatic. As one young woman, visiting Seattle for the first time in 1911, noted, "It is not so very different from our own country except that one sees the American flag flying everywhere and the ladies wear hats to the theatre and one can buy shoes for half the price and one uses gold and huge silver dollars instead of bills."46 Most found Americans generally kind and hospitable.47

Historians have pointed out that sentiment in Canada for annexation to the United States was usually a chimera, used by economic elites for selfish interests. If annexation of any part of Canada were to occur, however, it would have included British Columbia.48 The province had numerous American-born inhabitants, important trade and communication links, and was geographically closer to the United States than Canada. As the London Times pointed out in 1870, the Rocky Mountains were "nature's veto" upon a union between British Columbia and the Dominion. The paper concluded that if British Columbia had any inclination to join the United States, Great Britain should "place no obstacle in its way."49

45 Bennett and Kohl, Settling the Canadian-American West, 36-37.
46 Diary entry of 6 October 1911, in Grace Morris Craig, But This Is Our War (Toronto, 1981), 14-15.
47 Smith, ed., Reminiscences of Dr. John Sebastian Helmcken, 172.
49 London Times quoted in Warner, The Idea of Continental Union, 137. See also, Charles John Fedorak, "The U.S. Consul in Victoria and the Political Destiny of British Columbia, 1862-
To British Columbians, the argument for confederation with Canada paled in comparison. Dr. John Sebastian Helmcken, one of the most prominent residents of British Columbia, argued that confederation would be a confederacy on paper only, since no means of communication with the Eastern provinces existed. "Our trade," he commented, "was either with the United States or England—with Canada we had nothing to do." Although Helmcken opposed annexation, he did wish that the colony be left outside the Dominion. Even British Columbia's most ardent proponent of confederation, Amor de Cosmos, proclaimed himself a British Columbian first and a Canadian second. Many British Columbians regarded eastern Canadians as "North American Chinamen"—thifty, poor, slow, mean people, "who compared very unfavorably with the Americans and our American element." As Joseph Pemberton, the province's Colonial Surveyor and occasional poet, explained in 1870: "True Loyalty's to Motherland / And not to Canada. / The love we bear is second-hand / To any step-mama."

It was not long after Confederation in 1867 that doubts concerning the sagacity of joining the Dominion began to surface. When the rail link failed to materialize as

1870," B.C. Studies 79 (1988): 8-23. Fedorak points out that the American consul in Victoria repeatedly assured Washington, DC that British Columbians were "restless and dissatisfied and thus ever for annexation." Although this spirit probably resonated among only a minority, it nonetheless signified the many geographic, economic, and cultural ties that existed in the Northwest.


31 Even the most ardent confederationists took great pains to assure opponents of their allegiance to British Columbia. Amor de Cosmos made his arguments for confederation "not as a Canadian, but as a British Columbian; My allegiance is due first to British Columbia." 11 March 1870, in James E. Henrickson, ed., Journals of the Colonial Legislatures of the Colonies of Vancouver Island and British Columbia, 1851-1871, vol. V, 467.


promised, the protests became louder. Helmken, in a March 1870 debate on confederation, argued, “No union between this Colony and Canada can permanently exist, unless it be to the material and pecuniary advantage of this Colony to remain in the Union. It is absurd for us to ally ourselves with a people with whom we have, and can have, no communication.” Unlike the Maritimes, which had accepted political union partly because they perceived a security threat from the States, British Columbia did not need the Dominion for protection. Confederation, it seemed, offered few benefits but many frustrations.

Succinctly reflecting the marginalization many felt, British Columbians liked to complain that it was “2,500 miles from Vancouver to Ottawa, but 25,000 from Ottawa to Vancouver.” Much of eastern Canada knew little about the West, only that it did not want the province to fall into American hands. Likewise, British Columbians were not well acquainted with Ontario or the Maritimes, and they knew even less about Quebec. British Columbian concerns were not those of eastern Canada. British Columbians thought little about the War of 1812 or the Fenian raids. They found irksome distinctions made between Canadians and Americans in the East comparatively meaningless in the Northwest. The nationalistic aims of policymakers in Ottawa,

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55 Smith, ed., Reminiscences of Dr. John Sebastian Helmcken, xxiii.


57 This saying is variously attributed to Vancouver’s mayor in the 1930s, Gerry McGeer, and to W.A.C. Bennett. See Barman, West Beyond the West, 347.
Toronto, or Montreal never seemed particularly pressing or relevant on the Pacific coast.58

Finally, British Columbia recognized the disproportionate strength central Canada, especially Ontario and Quebec, exercised in the Dominion. In exchange for its long-sought railway, the Province had relinquished over thirteen million acres of valuable timber and mineral lands to the Canadian Pacific. Their return was a crushing economic burden and a case of absentee Eastern ownership. Even the National Policy, Prime Minister John A. Macdonald’s 1878 effort to promote Canadian development by countering the American economic presence, was not much better. It quickly became suspect as a means for eastern Canada to exploit western wealth. Many British Columbians recognized that, in their improvident bargain for Confederation, they had only traded one dependency for another.59

This sense of marginalization was no less significant south of the border. The American West’s dependence on the Northeast—as a source of capital and as a market for agricultural and resource exports—remains one of the region’s most repetitive themes. Americans in the Northwest regularly compared themselves to other colonial societies, as hinterlands to New York, to Chicago, to Boston, and even to San Francisco. They chafed under prices established by eastern-owned and operated railroads, grain elevators, and bankers.60 The Northwest had lived in relative isolation a hundred years


59 Howard B. Schonberger, Transportation to the Seaboard: The Communication Revolution and American Foreign Policy, 1860-1900 (Westport, CT, 1971), 38; Cody, “The Evolution of Federal-Provincial Relations in Canada,” 55-65; Seager, “The Resource Economy,” 208-09. The initial and major proponents of Confederation argued that a strong central government, along with a railway to the West, would open up the region’s fur, mineral, oil, timber, and grain potential. This, in turn, would spur Ontario’s industrial development. See Robbins, Colony and Empire, 55.

60 Schonberger, Transportation to the Seaboard, xii.
after that isolation had ended on the Atlantic seaboard.\(^{61}\) This remoteness, combined with its role as supplier of raw materials for eastern markets, made the region acutely aware of its colonial status and its vulnerability to forces outside the region and beyond its control.

A SMUGGLER’S PARADISE

Although many welcomed the definition of an international boundary, most Americans and British Columbians were less amenable to restrictions on their trade. For years, they had traded freely along the Strait of Juan de Fuca and along the 49th parallel with little thought of the border or its customs duties. Before establishment of the territorial boundary in 1846 there were no significant restrictions on trade. As soon as Washington became a territory, trade fell subject to duties and the United States established a customs house at Port Townsend. Still, disputes over possession of the San Juan Islands remained, precluding effective control over regional commerce. There were no customs duties between San Juan and Victoria because both were supposedly British. There were no customs duties levied between San Juan and Washington Territory on account of both being American. Not until arbitrated by Kaiser Wilhelm in 1872—when the islands were ceded to the United States—would jurisdictional disputes disappear. Smuggling, however, did not.\(^{62}\)

Smuggling flourishes wherever there are outright prohibitions or high duties on imported goods—the duty saved being clear profit to the smuggler. In the Northwest, many even smuggled non-prohibited and low-duty goods simply to avoid the hassle of


reporting to out-of-the-way customs stations. Yet smuggling occurred for reasons beyond the expense and inconvenience. Geographically isolated from trade with the Dominion, British Columbians had a great need for products produced south of the border. The province was eager to exchange its rum, wool, and silks—goods much in demand south of the border—in return for Yankee cotton and tobacco, which the province did not produce. Conversely, with few exceptions, it had very little need for commercial protection. When Ottawa established tariff schedules—to which British Columbians were subject—it kept in mind not the needs of British Columbia but the protectionist interests of Ontario, Quebec, and the Maritimes. This left many British Columbians believing that the Dominion knew or cared little about the daily realities of life in its Pacific province.\(^6\)

Since smugglers trafficked primarily in complementary, not competing, goods, most settlers were sympathetic to the contraband trade. Residents overlooked smuggling as “a species of law-breaking over which the Ten Commandments have no jurisdiction.”\(^6\) Those who smuggled were not criminals or pariahs but members of “the profession” or “importers of contraband goods.” Indeed, there was a certain romantic aura connected with the intrepid smuggler who plied rough waters in open craft, cached merchandise on secluded beaches, transmitted coded messages by lantern light, and rendezvoused with compatriots late at night—all the while remaining beyond the dogged pursuit of “revenuers.” The region had no lack of those willing to take the risks incident

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\(^6\) Dave McIntosh, *The Collectors: A History of the Canadian Customs and Excise* (Toronto, 1984), 97-99, 230. In contrast to the rampant commercial smuggling along the more eastern border between Canada and the United States, most customs districts in the Pacific Northwest later reported much petty, but little commercial, smuggling. See RCCE, Victoria Evidence, 1677; Vancouver Evidence, 1813-25, 1947, 2086.

to the traffic. Many more were willing to purchase the contraband once it arrived at their doorstep.\textsuperscript{65}

Consequently, few chose to assist the enforcement officer at the smuggler's expense—it was rare indeed for settlers to lodge complaints with authorities. Instead, some residents complained that customs officers regularly overcharged, while others took offense that officials worried about petty smuggling instead of the more frowned upon traffic in Chinese and narcotics. Even Benjamin Ure, one of Skagit County's most prominent pioneers and one-time customs officer, harbored smugglers on his island near Deception Pass.\textsuperscript{66}

One historian has commented that one's view of smuggling depended on one's distance from the border.\textsuperscript{67} It is also true that acceptance depended on the type of article being smuggled. Two cargoes particularly frowned upon were Chinese immigrants and narcotics, which did not enjoy the public approval or enabling that liquor later would. After the 1882 Exclusion Act prohibited Chinese immigration into the United States, human cargoes became the contraband of choice. Having arrived from Asia, the recently completed CPR, or the region's mines, Chinese congregated in British Columbia, where they waited to pay SI 00 or more for the privilege of being smuggled into the promised land. It was a lucrative business for the smuggler. By driving a load of aliens forty or fifty miles, the smuggler could get as much as twice the market value of his eight-cylinder automobile. It was, alternatively, a dangerous business for the Chinese. If intercepted by a patrol vessel on open seas, it was an easy matter for the

\textsuperscript{65} Seattle Post-Intelligencer, 24 July 1904, 8; James G. McCurdy, By Juan de Fuca's Strait: Pioneering Along the Northwestern Edge of the Continent (Portland, 1937), 66.

\textsuperscript{66} Washington Standard, 17 June 1871, 2-3; RCCE, Vancouver Evidence, 1630; Seattle Post-Intelligencer, 29 May 1902, 5.

\textsuperscript{67} David Richardson, Pig War Islands (East Sound, WA, 1971), 256.
unscrupulous smuggler to throw the cargo overboard in weighted burlap sacks and present an empty vessel for inspection.  

Residents particularly frowned upon the opium trade, not coincidentally because many believed the Chinese to be the chief market for the narcotic. Only four years after enacting an anti-opium law in 1914, the American government began complaining of the traffic from Canada. Not prohibited in British Columbia—which became the gateway to the entire United States—it was common knowledge that a tin of opium bringing fifteen dollars north of the border would easily fetch forty-five south. The drug was not particularly difficult to smuggle undetected. It arrived through the mail, under the clothes of attractive women and the false bottoms of steamer trunks, inside walking canes, umbrellas, hat bands and railroad ties, and in floating containers thrown from arriving ships, to be picked up later by a waiting accomplice. One of the more macabre methods was to send opium across the border in coffins. Smugglers were secure in the knowledge that customs officers would be reluctant to check thoroughly the contents.

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68 Seattle Post-Intelligencer, 18 June 1922, 6R; Literary Digest, 29 August 1925, 43-44; McCurdy, By Juan de Fuca's Strait, 209, and “Criss-Cross Over the Boundary,” 191-92.

69 Although a commonly held belief, the truth appears to be otherwise. As the future Prime Minister would report in 1907, “The amount consumed in Canada, if known, would probably appal [sic] the ordinary citizen who is inclined to believe that the habit is confined to the Chinese.” See, “Report by W.L. Mackenzie King on the Need for the Suppression of the Opium Traffic in Canada,” Sessional Papers, Canada, 1907-08, no. 36b; cited in S.D. Clark, The Social Development of Canada (Toronto, 1942), 439.

70 McIntosh, The Collectors, 250; Fred John Splitstone, Orcas: Gem of the San Juans (Sedro-Wooley, WA, 1946), 54.

71 Seattle Post-Intelligencer, 18 June 1922, 6R; Georgeson interview, tape T805-1, BCA; RCCE, Vancouver Evidence, 1946-67; RG 36, box 2, file 1908, NAPNW.

72 William Ross to Deputy Collector—Sumas, Washington, 31 May 1907, RG 36, box 39, file 1907, NAPNW.
Problems of the region’s geography did not escape the attention of federal officials who recognized that conditions for evading the law were especially favorable in the Northwest. Indeed, the Pacific Northwest proved an inviting environment for the smuggler. The Puget Sound and the Georgia and Juan de Fuca straits offered secluded islands, bays, coves, inlets, and channels made to order for the smuggler seeking solace from the law. No less inviting was the rugged land border to the east. One correspondent for the *Victoria Chronicle* recognized the challenges when he observed, “The constables here are all on the ‘qui vive’… but it is of no use; double the number could not properly collect the duty. The country is comparatively open and the smuggler can take his choice of four or five different trails when he wishes to make a break for Uncle Sam’s land.” President Grover Cleveland, in a fit of irritation, is supposed to have commented in 1885, “The Collection District of Puget Sound has been the cause of more discord and annoyance than all the rest of the Districts in the country put together.”

Cleveland’s frustration was due, in part, to the ineffectiveness of the region’s customs and preventative services. The chief enforcement agency on the American side, the Coast Guard, along with its predecessor, the Revenue Cutter Service, annually claimed success in holding most smuggling in check. One observer optimistically commented that a single organization, “if properly trained and equipped with the authority of the United States back of it could close up the holes and make ‘ale’yun [alien] runnin’ as rash as suicide or murder… and make any form of smuggling a

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73 *Seattle Post-Intelligencer*, 21 April 1903.


75 Quoted in McCurdy, “Criss-Cross Over the Boundary,” 182.

76 *Annual Report of the Secretary of the Treasury* (1915), 169.
Such assertions were either official agency reports written to satisfy Washington, or public commentaries designed to criticize failure in those same agencies—neither had much basis in reality.

The reality was that those in charge of smuggling enforcement faced a daunting, almost impossible task, due primarily to the magnitude of the area to be patrolled, a lack of sufficient funds and resources, as well as a revenue code that made enforcement a subjective endeavor. Both the U.S. Coast Guard and its counterpart in British Columbia found themselves in constant need of additional vessels. It was not uncommon for the Coast Guard to patrol Northwest waters with only two cutters. These were large, notoriously slow, ungainly vessels, clearly outmatched by the more numerous, smaller, and speedier launches used by smugglers. It was not difficult to keep tabs on the few enforcement craft. For every smuggler caught, another twenty, thirty, or hundred slipped by undetected.

Finding and retaining officers in a region abounding with opportunity proved equally daunting. Life was difficult for those who guarded the border. Most served in remote frontier posts, received a meager salary, and enjoyed little time away from official duties. When the Fraser River gold rush exploded in 1858, every man aboard the revenue cutter Jeff Davis deserted the vessel to rush off to the mines. One preventative officer, William Carmichael, summed up the plight felt by many when he wrote to request leave:

77 Literary Digest, 29 August 1925, 43-44.

78 J.H. McLeod to Commissioner of Customs, 19 May 1914, RG 16, vol. 790, file 1058, NAC.

79 Seattle Post-Intelligencer, 24 July 1904, 8; McCurdy, “Criss-Cross Over the Boundary,” 184.

80 McCurdy, By Juan de Fuca’s Strait, 66.
Before coming here I made enquires [sic] as to conditions at this place, and from what information I could procure, found there was no school and probably no accommodations for my family.... It will be five years in October since I have had a vacation, and during that time think I can safely say that I have not been away from work for more than two or three days.81

Two weeks later a reply from Ottawa arrived. His request was denied.82

It was only inevitable that officials enforced laws along the border somewhat erratically. Occasionally it was due to the complex laws and tariff schedules that regulated traffic across the border. American inspectors lost themselves in the myriad complexities of appraisals, bonds, drawbacks, appeals, invoices, registers, licenses, circulars, manifests, vouchers, and abstracts of disbursements. With some literary flair, one commented on the customs officer's guide, *Gordon's Digest of the Revenue Laws*:

I looked into [*Gordon's Digest*] and became satisfied that the Creator had not gifted me with any capacity for understanding that species of writing. For Mr. Gordon, who had digested those laws, I felt a very profound admiration. His powers of digestion were certainly better than mine.... Whenever there was a tangible point to be found, it was either abolished, or so obscured by some other law made in conformity with the progress of the times that it became no point at all.83

Lacking clear guidelines, customs officers found it difficult to apply the laws uniformly. Further, since many officers served long terms of service at one port—as many as fifteen years for one collector—they were also members of border communities and naturally reluctant to treat neighbors as smugglers.84

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81 W. Carmichael to Commissioner of Customs, 9 September 1914, RG 16, vol. 790, file 1058, NAC.
82 Commissioner of Customs to W. Carmichael, 22 September 1914, RG 16, vol. 790, file 1058, NAC.
84 RCCE, Calgary Evidence, 8026.
Of course, where profit existed, so too did outright corruption. The customs service’s dependence on the spoils system—in both the United States and Canada—meant that many officials were political appointees, more interested in personal profit and advancement than in enforcing customs laws. As Roland De Lorme notes in his study, the Puget Sound had a particularly poor record in this regard. Although the United States stationed preventative and immigration officers in Vancouver, and at other points along the British Columbia side of the border to check smuggling, it was common knowledge that “with some it was said to be made all right.”

Even before passage of the Eighteenth Amendment, the Canadian-American Northwest had grown and developed in ways that would make enforcing national prohibition difficult at best. Smuggling had grafted itself not only into the daily life of the Northwest’s inhabitants, but into its politics as well. Moreover, fueled by geographical proximity and necessity, popular convention and apathy, Canadians and Americans in the region operated with little regard for the international boundary. They

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86 Smith, ed., Reminiscences of Dr. John Sebastian Helmcken, 208; Seattle Post-Intelligencer, 21 April 1903. As Herbert Foote Beecher discovered, it was sometimes “made all right” at the highest levels. President Cleveland appointed Beecher as a collector for the Puget Sound region in April 1885 to repay an election debt owed to Beecher’s father, the popular minister Henry Ward Beecher. After taking office, Beecher commenced an aggressive assault on the organized opium and Chinese smuggling rings that operated from British Columbia ports. So unusually successful were his initial seizures that he quickly found himself under attack in the Senate by friends of the smuggling combines. Having not yet confirmed his nomination, the Senate ultimately rejected it. Cleveland, however, pleased with Beecher’s efforts, immediately by-passed the Senate by naming him a Special Agent of the Treasury Department for the region—a position which he held until April 1889, when the administration changed. See H. K. Hines, An Illustrated History of the State of Washington (Chicago, 1893), 718-19; McCurdy, By Juan de Fuca’s Strait, 59-60; McCurdy, “Criss-Cross Over the Boundary,” 186; and De Lorme, “The United States Bureau of Customs and Smuggling on Puget Sound, 1851 to 1913,” 76-88.
paid even less attention to regulations and restrictions established by their respective sovereignties to the east. Nevertheless, prohibition would also bring to the surface the latent, but deeply ingrained, cultural attitudes that had helped to shape British Columbia’s identity vis-à-vis the United States. The province’s response to American prohibition, then, would be a product of both its history and identity.
The scene resembled a sporting event more than a prohibition rally. Throngs crowded the streets around Vancouver’s Rink Arena on a warm August evening in 1916. Since neither taxi nor special-service streetcars could accommodate the ten thousand eager to see this American wonder, many came on foot. They came to hear the ex-baseball player turned itinerant evangelist, Billy Sunday, excoriate the evils of liquor. And he did not disappoint them. He climbed on tables and chairs, flailed his arms in outrageous gesture, and much to the crowd’s delight, pitched imaginary strikes to emphasize his more dramatic points. Each slide into second base or dive into home plate met with appreciative cheers. “I am a sworn, eternal, irrevocable enemy of the liquor traffic,” he started. “I ask no quarter and I give none, and I shall never sheath my sword in the fight against this curse and against the whisky gang until I am put in embalming juice.” “Whiskey is all right in its place,” he shouted, “but its place is hell and the sooner it gets there the better!” It was, reported the Vancouver World, “the largest audience ever addressed under one roof in the Dominion of Canada.”

The traffic that Billy Sunday railed against had presented the Northwest with problems long before America nobly experimented with national prohibition. Throughout the nineteenth and early-twentieth centuries, independent traders and fur companies, saloon-keepers and moonshiners, kept the Northwest awash in whiskey,
even while missionaries and temperance organizations proclaimed its evils. Like much of the interaction in the region, reform on one side of the border often mirrored similar reform on the other. The border served as a sort of interface where reformers shared a common goal, as well as the methods and materiel necessary to achieve that goal. Temperance in the Northwest was, from the start, a binational crusade, spread by organizations and individuals, like Billy Sunday, who moved back and forth across the border as if it did not exist at all. By the First World War, prohibition had taken root in both Canada and the United States. However, varying demographics, varying types of federalism, and varying attitudes about the government’s role in regulating society contributed to different liquor control systems. These differences, in turn, would have significant implications for Canadian-American cooperation after passage of the Eighteenth Amendment.

"THIS NEFARIOUS TRAFFIC"

The trade in liquor, what one observer called "this nefarious traffic," was not indigenous to the Northwest. The earliest Euro-American explorers, traders, and observers in the region were unanimous regarding the natives' aversion to drink prior to European contact. Washington Irving, in one of his many travels, professed admiration for the Columbia region's inhabitants who, in their abstinence from ardent spirits, "showed superior judgment and self-command to most of their race." Ross Cox, a member of John Jacob Astor's expedition to Astoria, also observed the disgust with which Indians regarded a drunkard.3

1 W.F. Tolmie to H.M. Ball, 16 October 1866, GR 332, Great Britain Colonial Office Correspondence with the Hudson's Bay Company, vol. VI, 150, BCA. Hereafter cited, Colonial Office Correspondence; Washington Irving, Astoria, or Anecdotes of an Enterprise Beyond the Rocky Mountains (Norman, OK, 1836, 1964), 337.

2 Ross Cox, The Columbia River: Scenes and Adventures During a Residence of Six Years on the Western Side of the Rocky Mountains (Norman, OK, 1957), 173.
Through much of the early-nineteenth century, liquor was more a commodity than a staple. Fur traders usually offered a dram of liquor with the more traditional trade goods such as blankets, cloth, and various other sundries. While there was initial difficulty prevailing upon the Indians to accept the liquor, it was not long before a bottle of rum would fetch ten skins. Traders soon recognized that being liberal with liquor was the easiest, cheapest, and quickest means to acquire influence over the Indians. Indeed it quickly became axiomatic that the best way to trap a pelt was with a bottle. As George Simpson, Governor of the Hudson's Bay Company in the Northwest, noted in 1822, liquor had become the *sine qua non* of the trade:

[Liquor] is... the grand Stimulus to call forth the exertions of the Indians and I have often heard them reason thus, “It is not for your Cloth and Blankets that we undergo all this labor and fatigue, as in a short time we could reconcile ourselves to the use of skins for clothes as our forefathers did, but it is the prospect of Drink in the Spring... that carries us through the Winter and induces us to Work so hard.” This I believe is really to be the case, and that if Spirits were withheld it would materially discourage them....

Within two years, however, Simpson had concluded that the introduction of spirituous liquors had been a most short-sighted policy. Liquor had proved counterproductive. After drinking away the value of the furs just trapped, many Indians did not have the faculties or resources to procure additional pelts. Moreover, liquor tended to make Indians less manageable and more insistent in future negotiations. Moral arguments also interjected. To accommodate the demand and to reduce bulk in transport, traders had begun manufacturing liquor themselves. They diluted pure

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alcohol with salt water, then flavored it to suit the Indian taste using creosote, camphine, and even sulfuric acid. It was a recipe that only broadly resembled brandy, rum, or whiskey. Herbert Beaver, the first English missionary to the region, criticized the Company's approach to liquor, arguing that of the articles the Company bartered, "over half may be classed as useless, one quarter as pernicious (ardent spirits), and the remainder of doubtful utility."  

In 1823, the Hudson's Bay Company cut the amount of liquor to the fur trade in half and, after 1827, prohibited the sale of liquor outside the Red River Settlement. Though officials recognized that prohibition might disrupt trade temporarily—perhaps for a year—they thought such a restriction would ultimately prove beneficial to the Indians and, more important, to the Company's bottom line. Central to the success of this policy, though, was the adherence to it by the other powers in the region, most notably the fur companies of Russia and the United States. In February of 1825, Dr. John McLoughlin, Chief Factor of the Columbia Division of the HBC, negotiated a short-lived agreement with the Russian Fur Company prohibiting the trade of liquor to Indians.  

The company made similar efforts to negotiate an accord with the American Fur Company, but without any practical success.

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6 Merk, ed., Fur Trade and Empire, 110; Governor Kennedy to Mr. Cardwell, Victoria, 3 September 1866, Colonial Office Correspondence, vol. VI, 128. One historian, while affirming McLoughlin's occasional use of liquor, attributes this charge more to personal animosity between Beaver and the chief factor. See J.S. Galbraith, "The Hudson's Bay Company Under Fire, 1847-62," Canadian Historical Review 30 (1949): 324.


8 McLoughlin to Peter Skene Odgen, 15 December 1831, in Barker, ed., Letters of Dr. John McLoughlin, 237; William Smith to William B. Astor, 3 March 1830, in Merk, ed., Fur Trade and Empire, 320-21. Indeed, agreements with fur companies of either Russia or the United States proved less than binding, with each nation reverting to the use of liquor when the alternative meant losing furs to competing powers. How ineffective was the agreement with Russia is evident by the fact that the Hudson's Bay Company had to make an identical agreement in 1842. See Merk, ed., Fur Trade and Empire, xlvii.
Over the next twenty years, McLoughlin did what little he could to limit or abandon the trade in liquors entirely. On several occasions he even purchased the entire liquor stocks of vessels trading in the area to keep them out of American, and hence Indian, hands. This also meant keeping it from his officers and servants, so McLoughlin exercised very strong control over the disbursement of liquor to all his subordinates. Nevertheless, although the chief factor remained adamant in his desire to exclude liquor from the fur trade, he remained equally pragmatic. If the Americans or Russians chose to trade liquor, McLoughlin decided, the Hudson’s Bay Company must do the same or abandon the fur trade altogether. Simpson agreed. By 1837, the latter had concluded that along the Northwest coast, “Where we have to contend with the Americans and Russians... our utmost efforts to check [the liquor traffic] have been unavailing.”

If whiskey was important to the fur trade, it was equally a part of the culture of the early Northwest, north and south of the border. The ineffectiveness of McLoughlin’s and Simpson’s efforts to limit liquor’s abundance can be gauged by the perceptions of those who visited or lived in the region. One Scottish immigrant, Robert Melrose, commented in 1854, “It would take almost a line of packet ships running regular between here and San Francisco to supply this Island with grog, so great a thirst prevails among its inhabitants.” Under the employ of the Puget Sound Agricultural Company—a subsidiary of Hudson’s Bay—Melrose came to Vancouver Island in 1852.


11 “Diary of Robert Melrose: Royal Emigrant’s Almanack concerning Five Years Servitude under the Hudson’s Bay Company on Vancouver’s Island,” *British Columbia Historical Quarterly* VII, nos. 2-4 (1943): 199.
His diary remains a testament to his own proclivity toward drink and to that of Northwesterners generally. Melrose regularly categorized drunkenness—his own or others—by degree: "one-quarter," "one-half," "three-quarters," or "whole" drunk. Perusing his diary it appears that on any given day somebody was at least partly drunk, usually "three-quarters" or more. One might easily dismiss Melrose's comments as exaggerations were they not corroborated by so many others.

The mining, lumbering, and railroad camps that made up much of the region were notorious for their heavy drinking. By 1892, statistics suggest that British Columbians imbibed at an annual rate one-and-a-half times that of Canadians in any other province.\textsuperscript{12} The \textit{Colonist} reported drunkenness and disorderly conduct rampant among Canadian Pacific Railway camps.\textsuperscript{13} One observer of the rail camp at Yale commented that "Tattered, dirt-bespattered drunkards rolled about the streets, wallowing in the mud, cursing and fighting, and driving all respectable people into the recesses of their homes, while saloon after saloon was added to the number, already terribly in excess of the needs of the community."\textsuperscript{14}

From the earliest gold rushes on, no social institution proved more prolific, or more important, than the saloon. Early Victoria reputed no fewer than eighty-five

\textsuperscript{12} Although it is difficult to substantiate the claim of the \textit{Victoria Colonist} (9 October 1877) that British Columbians consumed twenty-seven gallons of liquor per capita, that the province did drink at least one-and-a-half times that of other provinces per capita, is well-documented. The per capita figures for liquor consumption in 1892 for the various provinces were: Prince Edward Island, 0.20; Nova Scotia, 0.41; New Brunswick, 0.49; Ontario, 0.81; Quebec, 0.90; Manitoba, 0.95; and British Columbia, 1.51. See Robert E. Popham and Wolfgang Schmidt, eds., \textit{Statistics of Alcohol Use and Alcoholism in Canada, 1871-1956} (Toronto, 1958), 15-23. F.S. Spence corroborates the trend of these figures in calculating the average per capita annual liquor consumption for the three years ending in 1893 (in gallons): Prince Edward Island remains the lowest at 0.15, followed by Nova Scotia, 0.31; New Brunswick, 0.36; Ontario, 0.65; Quebec, 0.67; Manitoba, 0.67, and British Columbia at 1.26, twice the Dominion average of 0.60. F.S. Spence, \textit{The Facts of the Case: A Summary of the Most Important Evidence and Argument Presented in the Report of the Royal Commission on the Liquor Traffic} (Toronto, 1896), 20-21.

\textsuperscript{13} \textit{Victoria Colonist}, 15 September 1881, cited in Harold Tuttle Allen, \textit{Forty Year's Journey: The Temperance Movement in British Columbia to 1900} (Victoria, 1981), 81-82.

\textsuperscript{14} Herbert H. Gowan, \textit{Church Work in British Columbia} (London, 1899), 45.
licensed public houses and twenty wholesale or "gallon" houses. 15 Emily Carr recalled that in her childhood there were saloons on almost every corner, in the middle of every city block, and every few miles along the roads. 16 By 1905, Everett, Washington had one saloon for every 600 residents while Walla Walla offered one saloon for every 348 of its (even thirstier) inhabitants. 17

For many wage workers, the saloon filled a necessary void in the region's otherwise bleak cultural milieu. The saloon was more than a drinking and eating establishment. It was a club for the working man, a place where one could renew acquaintances, make new ones, keep abreast of daily news—both of the local region and the outside world—and talk in a "democratic" way. The billiards, card tables, boxing matches, magic shows, and stage plays helped ameliorate the dreary existence to which many workers were subject. The saloon served, on occasion, as the community hall or center of charity. During a particularly harsh winter in 1894, the saloons of Spokane fed some five hundred unemployed wageworkers. The saloon sometimes even proved necessary to the orderly administration of small communities. It served as courthouse, meeting hall, or even temporary jail, where prisoners awaited trial or punishment chained to the walls. In 1901, when Snohomish County, Washington announced the need for additional jail space, it proposed a $100 increase in the saloon's annual license

15 Governor Kennedy to Cardwell, 3 September 1866, in Colonial Office Correspondence, vol. VI, 132.

16 Emily Carr, The Book of Small (Toronto, 1942), 86.

fee. Since there were forty-seven saloons in the county, the increase would easily finance two additional jails.18

EARLY TEMPERANCE EFFORTS

One can find the origins of regional temperance in the actions of John McLoughlin. Although the HBC demonstrated its pragmatic willingness to use liquor when in competition with American traders, most observers credited the Company's general ban on liquor and encouragement of missionary activity as being the reason for the region's relative tranquillity.19 Two members of the Methodist Episcopal Church commented, "It is due to say that Dr. McLoughlin seconded the efforts of the missionaries and the friends of temperance, and that the course he has taken in regard to spirituous liquors has done much to preserve the general order and harmony of the... community."20

Among the first to dedicate themselves to the temperance cause in the Pacific Northwest were the missionaries invited by McLoughlin and Simpson who believed that the best way to preach the gospel was to fight the traffic amongst a people "being destroyed, soul and body" by strong drink.21 After the border's establishment in 1846, rarely did missionaries confine themselves to one side. Rather, they circulated freely, depending on local needs and circumstances. When hostilities between whites and

19 John McDougall, On Western Trails in the Early Seventies: Frontier Life in the Canadian Northwest (Toronto, 1911), 11.
20 Daniel Lee and Joseph Frost, Ten Years in Oregon (New York, 1844), 140.
21 Rev. Thomas Crosby, Among the An-ko-me-nuns, Or Flathead Tribes of Indians of the Pacific Coast (Toronto, 1907), 132.
Indians erupted in the Washington Territory between 1847 and 1857, for example, the Catholic Missionary Oblates of Mary Immaculate transferred their work from Walla Walla across the border to Esquimalt, where they remained committed to the temperance cause.22

What attracted the energy of most temperance zealots was the saloon. To middle-class reformers, the saloon symbolized the most disturbing aspects of the liquor traffic. The pleasures and services it proffered came with a community price. Often open twenty-four hours a day, saloons contributed to the region’s high liquor consumption, where men “drank to get drunk, and the quicker the better.”23 It was a center for drunkenness and physical violence, and was closely associated with other vices, such as gambling and prostitution, that led men away from family and conjugal fidelity. It was even common for saloons to feature private boxes, or “wine rooms,” complete with a couch. Rarely did saloons limit services to adults, much to the horror of one Spokane alderman who, in 1888, discovered that seven young boys had enjoyed the atmosphere of one saloon.24

By the mid-nineteenth century, a disparate group of missionaries, ministers, social reformers and even labor leaders had united to attack the saloon in a more organized fashion. The Sons (and Daughters) of Temperance, the International Order of Good Templars, the Dashaways, the Women’s Christian Temperance Union, and the Anti-Saloon League were but a few of the entities organized specifically to promote the temperance cause. Later, even labor organizations like the Industrial Workers of the World became active in the anti-saloon movement. It was the saloon, organized labor

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22 Kay Cronin, Cross in the Wilderness (Vancouver, 1960), 52-54, 90.

23 Smith, “Bibles and Booze,” 2;

24 Spokane Spokesman-Review, 12 November 1901, 6; Spokane Falls Morning Review, 4 October 1888, 3.
argued, that robbed the workers of hard-fought earnings and made workers unfit for the class struggle.25

By century’s close, the anti-saloon movement became part of the effort to reform society generally. This progressive campaign included not only temperance, but female suffrage, the amelioration of working conditions for men, women, and especially children, the regulation of trusts, and reform of the local and national political system. So interrelated were many of these issues that it was common for reformers to be active in more than one. Reformers often linked temperance and suffrage, for example, because most thought women were more likely than men to support prohibition at the polls.26 As an adjunct to its prohibition efforts, the WCTU supported such reforms as sex hygiene, anti-smoking legislation, and sanitation, as well as the Americanization and Canadianization of recent immigrants. It also supplied literature and other comforts to the lumbermen, railway employees, fishermen, lighthouse-keepers, and miners of the Northwest; these populations, reformers contended, were the greatest obstacle to regional temperance.27

When the Washington Standard proclaimed, “Like a great tidal wave the temperance reform is carrying everything before it, from California to British Columbia,” it reflected not only the temperance movement’s fervor, but the paper’s

25 Clark, The Dry Years, 62, 76.

26 For many women prohibition was the most popular route to social action. Since organizations like the WCTU could not convince men to institute prohibition, the most effective recourse seemed to be the acquisition of suffrage, after which they could vote to implement prohibition themselves. See Robert A. Campbell, Demon Rum or Easy Money: Government Control of Liquor in British Columbia from Prohibition to Privatization (Ottawa, 1991), 15. In the United States, the eleven states which adopted female suffrage prior to the Nineteenth Amendment in 1917 were all in the West. Seven of these were prohibition states while the other four had substantial areas under local option. See Andrew Sinclair, Prohibition, the Era of Excess (Norwalk, CT, 1962), 95. This belief proved unfounded in the British Columbia context, however.

27 CAR (1923), 506.
belief that temperance should recognize no borders. Indeed, it did not. Reform on one side of the boundary often mirrored, or cross-pollinated, reform on the other; temperance and prohibition efforts proved no exception. The Sons of Temperance, for example, founded in the United States in 1842, moved into Canada by the end of the decade and pioneered efforts for temperance in both countries. In 1859, a San Francisco mutual-aid organization, known as the Dashaways, opened a house for the inebriate in Victoria. A decade later, the International Order of Good Templars organized the Grand Lodge of Washington Territory and British Columbia, which met annually in cities like Vancouver, Victoria, Seattle, Olympia and Tacoma. It even had its own temperance organ, The Weekly Echo. Similarly, the rapid spread of the Women's Christian Temperance Union across the United States encouraged American leaders to organize a worldwide movement. Canada was the first nation outside the United States to organize a national union when, in 1875, Letitia Youmans founded a chapter in Ontario. Chapters then spread to most states and to all provinces. By 1929, the WCTU had become an international organization, encompassing at least fifty-three nations, and it predicted a "dry world" by 1930.

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30 Unlike all other chapters of the IOGT, which appear to have been organized by province or state, the Pacific Northwest chapter was organized binationally. It seems that, at least initially, this was due to the smaller population of the region. Composed of both Canadians and Americans, the chapter frequently recognized its uniqueness, believing that it, "like the principles of our order, are such that it cannot be contained by national limits." Later, as occasional suggestions were made that British Columbian members form their own chapter, most decided that the international liquor traffic on the Northwest coast could be best countered with a binational temperance organization. See Journal of Proceedings: Grand Lodge of Washington Territory and British Columbia. Third Annual Session, 1872 and Seventh Annual Session, 1876. Special Collections, University of Washington, Seattle.

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Francis Willard, the founder of the WCTU, later wrote of the importance of the "Reciprocity Treaty" between Canadian and American temperance leaders. It was common for the Canadian temperance movement to rely heavily upon the United States for arguments and ammunition. The Canadian WCTU imported printed temperance materials from the United States, Canadians newspapers opened their columns to WCTU propaganda from the United States, the Canadian Woman's Journal frequently published American advice, and binational conventions frequently occurred. Of course, pro-American sentiment did not always go uncontested. Many Canadian members of the WCTU—though united with their American sisters in the temperance cause—remained suspicious of American cultural penetration, fearing that American materials would surreptitiously "disseminate disloyalty." This concern, however, seems to have limited itself to the Eastern provinces, particularly Ontario. Youmans predicted the continued harmony of "women tying together... the Union Jack and Stars and Stripes with ribbons that are total abstinence badges, while the Yankee eagle soars above and the British lion crouches beneath."33

British Columbia, uniquely isolated from the Dominion, remained particularly dependent on assistance from the temperance movement south of the border. Although it was Letitia Youmans who started WCTU chapters in the other provinces, it was the American, Frances Willard, who founded the British Columbia chapter in 1883. Thereafter, the Washington and British Columbia chapters remained quite close, sharing

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32 Frances S. Willard, Woman and Temperance: Or the Work and Workers of the Woman's Christian Temperance Union (Chicago, 1897), 603; Canadian Woman's Journal, January 1891, 3; February 1891, 8; and March 1891, 5, cited in Ian Tyrell, Woman's World/Woman's Empire: The Woman's Christian Temperance Union in International Perspective, 1880-1930 (Chapel Hill, 1991), 77; CAR (1922), 386-88.

33 Tyrell, Woman's World/Woman's Empire, 77; Willard, Woman and Temperance, 602-03.
publications and other support. Young British Columbian girls even became “Willard Y’s,” members of the province’s Young Women’s Christian Temperance Association.34

While it was also quite common for itinerant speakers from one country to speak on behalf of temperance in the other, their reception depended largely on whether one was wet or dry.35 The lumberjack-journalist Stewart Holbrook spoke particularly eloquently for those who retained a certain antipathy against those who would prohibit drink. Years later, he commented on Billy Sunday’s visit:

The only boredom I can recall was when I sat as a reporter through six endless evenings of the Reverend Billy Sunday’s revival orgies in Portland. My only satisfaction was that the big and especially built tabernacle was not once filled to capacity. Being by choice a resident of Portland, this gave me pride in my town. Any place where Billy Sunday could not draw a full house must be more civilized than most.36

British Columbia’s reception proved equally mixed. Invited by the Provincial Prohibition Association, Sunday was to be the highlight of the 1916 prohibition campaign. Although his rallies proved highly popular—attracting some 10,000 in Vancouver and another 7,000 in Victoria—four of every five members of the audience were women. The Daily News-Advertiser, consequently, decided that his address did “not prove a sensation.” More sensational was the debate that raged days before his arrival. The Daily Province ran advertisements suggesting, “The blood of every true Canadian and Britisher will boil with indignation at the attempt to stampede the


35 Allen, Forty Years Journey, 30, 36, 37. Those opposed to prohibition often imported speakers from the United States as well. The already famous Clarence Darrow was one. See Gray, Booze, 94. After observing the success American temperance workers had in Canada, Stephen Leacock warned his British brethren that “If they come among you, pick them up and throw them into the sea, and throw them good and far.” Victoria Daily Colonist, 6 May 1920, 21.

36 Holbrook, Far Corner, 10.
electorate by hysterical outbursts of fanaticism. The British principle is to settle our affairs in the British way, and without outside interference." One letter to the paper's editor declared that Vancouver should be “disinfected” after Sunday's visit. Labor labeled Sunday a “capitalist stooge,” and others questioned his support for the war against Germany. In both his Victoria and Vancouver addresses, Sunday denounced these attacks, with some accuracy, as efforts by the liquor industry to prevent him from speaking in Canada. Nevertheless, many continued to question whether Sunday's way was the Canadian way.38

FROM LOCAL OPTION TO NATIONAL PROHIBITION

Early temperance workers initially had sought to reform society by first reforming intemperate souls. The conventional wisdom, offered primarily by the church, was that Christianity offered the most likely solution to problems of vice, intemperance, unemployment, labor violence, and inequality of wealth. Those who believed that society was no better than the sum of its individuals rejected any concept of collective regeneration. Ironically, however, moral reformers soon sought to legislate sobriety when individual temperance failed to produce a temperate society.

With common problems plaguing both sides of the border—and with muckrakers and their shocking exposés circulating on both sides of the border—legislatures in both Washington and British Columbia passed strikingly similar measures between 1890 and 1920. Reformers crafted laws for civil service reform and workman's compensation, to provide for police and fire protection, to insure pure food and meats, to prohibit habit-


38 Vancouver B.C. Federationist, 18 August 1916; Vancouver World, 10 August 1916, 2; Vancouver Daily News-Advertiser, 11 August 1916, 2; Vancouver Daily Province, 9 August 1916, 13, and 10 August 1916, 5.
forming drugs, and to restrict red-light districts. When women in Washington gained the
right to vote in 1910, well before the nation as a whole, suffragettes from the state
supported their British Columbian sisters, who also achieved the vote in 1917.
Prohibition movements in Canada and the United States were noticeably similar as
well.³⁹

Before the First World War, local option laws proved to be the most popular
form of temperance legislation in both countries. Local option gave the power to
prohibit, or limit, liquor to the city, county, state, or provincial governments. The
populace would presumably select the form of liquor regulation best suited to its needs,
without impinging upon the freedom of other localities or the nation. Accordingly, local
option helped bridge the widening gap between those who believed that temperance
meant moderation and those to whom temperance meant complete prohibition.

In 1878, the Canadian Parliament passed the Canadian Temperance Act, more
commonly known as the Scott Act. Based in part on early successes in Maine, Ohio,
and Michigan, the purpose of the act was to enable any county or city in the Dominion
to prohibit the retail sale of alcohol when approved by a simple majority of the electors.
When adopted, the act would remain in force for three years, after which the populace
could again vote to retain or abolish the system. Hoping to replicate the successes of
local option, Parliament followed with the McCarthy Act, providing for federal
licensing of liquor Dominion-wide. However, as Section 92 of the British North
America Act gave provinces the power to license taverns and saloons and to raise
revenue, the courts promptly declared the McCarthy Act ultra vires, or
unconstitutional. As a consequence, local option in Canada remained protected by

³⁹ Electoral History of British Columbia, 1871-1986 (Victoria, 1988), 530. The binational
campaign for female suffrage had begun as early as 1871, when Susan B. Anthony made an important
appearance in Victoria. See Nation, April 1925, 460-62; CAR (1922), 133-34; and Barman, West
Beyond the West, 211.

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constitutional mandate. By 1889, twenty-eight of forty-two counties and two cities in Ontario had adopted prohibition, as had most of the Maritimes. Prohibition proved less popular in French Catholic Quebec, where only six counties had accepted prohibition. Still, by 1907, all provinces operated with some form of local option prohibition, except British Columbia.40

Many localities in Canada adopted or rejected prohibition based on observations of its operation elsewhere in Canada and the United States. Sometimes those observations were casual accounts taken from the American press; in other cases, they were more systematic. In 1891, the House of Commons appointed a commission of inquiry to examine the operation of liquor and temperance systems throughout North America and to determine the degree to which these systems had curtailed intemperance. Over the next year, the Royal Commission on the Liquor Traffic held hearings in all Canadian provinces as well as in nine American states. The majority report concluded that license laws, not prohibition, were the most effective remedy to intemperance.41

British Columbia remained particularly attuned to both the Commission's report and prohibition in the United States generally. Drys extolled conditions in Maine, where the state's personal savings rate had risen by $80.77 since dry laws took effect. The province closely followed news of conflicting trends when votes for prohibition in Oregon failed resoundingly in 1887.42 Likewise, the eventual victory of statewide prohibition in Washington and Oregon in 1914 attracted widespread interest.


41 Victoria Daily Times, 3 April 1924, 1; Spence, Facts of the Case, 13, 117; Royal Commission on the Liquor Traffic, Minutes of Evidence: California, 2–3 December 1892, in Sessional Papers, vol. 27, no. 14 (Ottawa, 1894), 2–4, 9, 13.

42 Victoria Colonist, 10 May 1874, 12 November 1887, 5 May 1888, and 25 September 1898, cited in Allen, Forty Years Journey, 33, 77, 87, 90. Abraham Lincoln received editorial prominence when the British Columbian reported on his speech celebrating the twenty-first anniversary of the Sons of Temperance. See the New Westminster British Columbian, 19 December 1863, 4.
Washington voted for prohibition on November 3, 1914, over 94.6% of the electorate voted, making it the largest vote in the state's history—a record that remains unsurpassed.\(^4\) By the time Congress voted by a two-thirds majority for the Eighteenth Amendment and the necessary three-quarters of the states had ratified it, twenty-six states had already adopted state prohibition and three others were on the verge of doing so. Indeed, forty-five of the forty-eight states eventually ratified the amendment, including Washington in January 1919, where the vote was unanimous.\(^4\)\(^4\)

Local prohibitionists in British Columbia obviously took delight in seeing their neighbor adopt state-wide—and then national—prohibition. More pragmatically pleased, however, were the province’s wets, who recognized the profit potential of the province’s contiguity to a dry state. The *Saturday Sunset* of Vancouver commented:

> Looking at the question from the point of view of how it will affect British Columbia, it may be taken for granted that prohibition in Washington and Oregon should cause a business revival in this city.... It is considered probable that the brewing interests will establish themselves in British Columbia, with a consequent interest in payrolls. Whatever may be said for the moral effect of prohibition, it is certain that the business effect has not been found good [for America].\(^4\)\(^5\)

Nonetheless, most British Columbians found it difficult to visualize Seattle as a dry city. Seattle’s population was not very different from British Columbia’s. The *Victoria Daily Colonist* commented, “In Seattle more perhaps than any other part of the United

\(^4\) Richard C. Berner, *Seattle, 1910-1920: From Boomtown, Turbulence, to Restoration* (Seattle, 1991), 190-93. This vote had its own history. In 1855, the Territory of Washington had prohibited the sale of liquor to Indians and, three years later, extended that prohibition to Kanakas, or native Hawaiians. The Territory further restricted sales to minors, to anyone within one mile of Northern Pacific railway construction and, in 1895, to anyone within two miles of the University of Washington. Finally, in 1909, Washington joined the list of states that secured local option laws allowing counties and cities to institute prohibition in their jurisdictions. Between 1909 and 1912, 220 local option elections in the state resulted in 140 prohibition victories. See Clark, “The Hell-Soaked Institution,” 9-10. Spokane *Spokesman-Review*, 16 November 1914, 4. Anna Sloan Walker, “History of the Liquor Laws of the State of Washington,” *Pacific Northwest Quarterly* 5, no. 2 (April 1914): 116-120.

\(^4\) Literary Digest, 12 July 1919, 33-34; Clark, *The Dry Years*, 142.

\(^4\)\(^5\) *Vancouver Saturday Sunset*, 7 November 1914, 1.
States, where prohibition has been attempted, legislation against the sale of liquor will receive a severe trial.... Those who have watched prohibitory legislation in operation will be greatly interested in observing how our sister city on the Sound deals with it."

Reports of social gains began to circulate throughout the Canadian provinces soon after Washington prohibition took effect in 1916. Dispatches from Seattle reported that merchants had sold more eggs, meat, and other foodstuffs in the first seventeen days of prohibition than they had in the previous three months combined.46

Though prohibition was secure in Washington, it is unlikely that British Columbia would have ever gone dry were it not for the First World War. Compared to Seattle, British Columbia’s population was even more urban, more male, more transient, and consequently, more attached to its liquor.47 So concerned about the proposed Prohibition Act of 1917 were the region’s miners that, in only four days, they were able to acquire over 6,000 signatures against it. Armed with petitions, representatives of the Cumberland local argued that beer was essential to the region’s miners who had to “endure strains of the most arduous and strenuous nature.” The robustness of the average British Columbian miner, the delegates contended, “was partly due to reasonable use of beer as a stimulant.”48


47 In 1891, over 60% of non-native British Columbians lived in the four coastal cities of Vancouver, Victoria, Nanaimo, and New Westminster, while only 29.8% of Canadians, nationally, lived in cities of 1000 or more. By 1931 the figures had converged slightly: British Columbia remained 62.3% urban while Canada as a whole climbed to 52.5%. Not coincidentally, the Canadian provinces which held onto prohibition the longest were the Maritimes, which remained only 39.7% urban. See Table 2.2 in Leroy Stone, Urban Development in Canada (Ottawa, 1967), 29; and Barman, West Beyond the West, 189.

48 Lest this argument prove insufficient, the miners added a not-so-veiled threat: The province should make every effort to avoid labor strife, argued the union, since industrial activity in British Columbia “was made effectual only by the influx of workingmen from “dry” states across the International boundary line.” See Victoria Daily Times, 16 August 1917, 3.
Fortunately for drys, temperance efforts were at their peak just as war broke out in Europe in 1914. Prohibition and patriotism instantly became synonymous, especially in a province that sent troops in such great numbers. The war provided irrefutable ammunition to drys. Who could refute that liquor would befuddle the minds of soldiers, making them unfit for the defense of the country? Who could deny that grains used for liquor could be better used as foodstuffs for the troops? Who could deny that it was unfair that young British Columbians fought and died while those at home merrily imbibed in home and saloon? The *Christian Guardian* railed against the brewers, distillers, and saloon keepers who had become, it argued, the “worst pro-Germans we have in Canada today.” All the Kaiser’s legions were no more menace than “King Alcohol.” For British Columbians, to sacrifice their liquor for the benefit of those who fought in the trenches of Europe was no burdensome sacrifice. On 1 October 1917, the British Columbia Prohibition Act took effect, prohibiting the sale of liquor except for sacramental, industrial, or medicinal purposes.

As a result of the war, by 1917, the temperance forces had won their battle in each of the provinces except Quebec. There, a modified version of prohibition limited the sale of liquor to light beer and wines. In November 1918, the Dominion government passed an Order-in-Council, the War Measures Act, prohibiting the shipment of liquor into any province that forbade its purchase. The order was for the duration of the war and for one year thereafter. For a time then, as Canadian drys liked to proclaim, it was Canada, not the United States, that was the true home of prohibition.

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30 *New York Times*, 22 December 1919, 1; 18 April 1920, sec. 7, 16; *Literary Digest*, 12 March 1919, 22; *CaR* (1919), 686-89.
BRITISH COLUMBIA AND THE MIDDLE WAY

The high point for national prohibition in Canada would remain the First World War. Like many other nations around the world, Canada was more interested in watching national prohibition in the United States than in trying it on themselves. Over the next ten years, each of the provinces gradually went wet. British Columbia and Quebec were the first, in 1921, followed in short order by the prairie provinces, then Ontario and New Brunswick in 1927, and finally Prince Edward Island and Nova Scotia in 1930. Neither British Columbia nor the other provinces were choosing to abandon temperance. Gradually recognizing the failures of prohibition to promote temperance, the provinces instead chose a middle way. The answer to the liquor traffic lay not in the extremes of complete control or no control, but in government control. So popular was the idea in British Columbia that, when adopted by plebiscite in 1920, only two cities, Penticton and Nelson, opposed it. The larger cities, like Vancouver and Victoria, endorsed it with substantial majorities.31

Why was British Columbia so quick to abandon prohibition? And why did the rest of Canada gradually follow suit? The answers lay not only in British Columbia’s demographics, but also in fundamental differences between the federal systems of both countries, and in cultural attitudes about government’s role in regulating social and individual morality.

Other historians have noted the relative success prohibition enjoyed in regions where the population was rural, homogenous, or middle-class.32 Demographics account

31 Literary Digest, 8 March 1919, 21; New York Times, 6 June 1920, 6; 22 October 1920, 13; Reginald E. Hose, Prohibition or Control? Canada’s Experience with the Liquor Problem, 1921-1927 (New York, 1928), 124-27. Although government control varied among each province, it can be defined broadly as a system under which the retail sale of liquor is a government monopoly. In the United States government control was often called the dispensary system. See Outlook, 19 May 1926, 98-100.

32 Gray, Booze, 2, 59; Kenneth D. Rose, "The Labbe Affair and Prohibition Enforcement in Portland," Pacific Northwest Quarterly 77, no. 2, (April 1986): 50. Portland was particularly successful with prohibition partly, Labbe argues, because it was unique in that its immigrant and ethnic populations were small. Only 18% of whites were foreign-born. In Seattle, this number was 23% and in San Francisco, 28%. In British Columbia, this number was over 50% in 1921. See Census of Canada,
for part of prohibition’s abandonment, as most British Columbians did not fit well into any of these categories. When British Columbia voted for prohibition in 1916, it had done so ostensibly on behalf of its many young soldiers in Europe. These soldiers returned home, however, as wet as when they had left. Finding a dry province made them as unhappy about the lack of beer as they were concerned about the lack of jobs. Common among grievances was that prohibition had been “put over” on the Army by a group of “busy-bodies.” “Slackers” had voted the country dry while patriotic soldiers died, ironically, in a fight for “democracy.” After the war, young, male, unmarried, transient wageworkers employed in the region’s resource industries continued to dominate British Columbia’s population. As late as 1920, a large proportion was foreign born, and many had recently arrived from countries where prohibition had not taken root. Conspicuously absent were the “old-stock” middle-class that made up much of the population south of the border.33

Religion also played a factor in the province’s quick abandonment of prohibition. To the degree that temperance was a religious movement, it was dominated by the evangelical denominations—the Methodists, the Baptists, and the Presbyterians—and not by the Anglicans and Roman Catholics who dominated the ruling circles of British Columbia. Anglicans, for example, accounted for one in four British Columbians in 1911 and one in three a decade later. Although Anglicans did

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organize a temperance society in 1877, they, like Roman Catholics, generally favored “true temperance,” or moderation, rather than total prohibition. 54

British Columbia also saw in prohibition an effort by eastern Canada to extend its political hegemony to the moral character of the province. Any prohibition legislation created at the Dominion level tended to alienate British Columbians who already felt marginalized or ignored by the rest of the Dominion. When Parliament passed the Lord’s Day Act in 1906, a law to close the saloon on Sundays, the common sentiment expressed in British Columbia was, “We don’t want any eastern code of morals thrust upon us.” Such paternalistic reformism offended many who argued that it was the moral reformers—those who sought to “do unto others things others do not wish to have done”—who needed reform. 55 In the end, provincial authorities did little to enforce the Sunday closing law.

Federal-provincial enforcement difficulties proved a hindrance to prohibition in Canada, where both the federal and provincial governments shared jurisdiction over the liquor trade. This division, left unclarified even by numerous court decisions, proved confusing at best. While provinces could restrict or prohibit the retail sale of liquor, only the federal government could prohibit its manufacture, its wholesale trade, or its interprovincial trade. Thus, even if British Columbia had continued prohibition, it would have remained vulnerable to the bootleggers whose sources were the distilleries, breweries, and export houses located in the province but beyond the purview of provincial authorities. Although these producers ostensibly produced liquor only for other wet provinces or the states to the south, it was well-known that much of it naturally seeped into British Columbia. Eventually, as the profit potential of the

54 Victoria Colonist, 18 July 1877, cited in Allen, Forty Years Journey, 36; Spence, Facts of the Case, 298-303. Elsewhere in Canada, Anglicans accounted for one in five in Ontario and only one in seven in the Maritimes.

55 Quotes in Schwantes, Radical Heritage, 41-42.
American market became evident, the Dominion government became even more reluctant to encourage liquor’s decentralization. It was common instead for the Dominion, British Columbia, and the other provinces to blame each other for enforcement failures.  

In typical Canadian fashion, wet interests took advantage of this fractured federalism, playing one level of government against another in furtherance of self-interest. Protected as they were by federal charter, brewers and distillers proved to be a particularly strong and effective lobby in Canada. Although the liquor industry would have preferred no control to government control, they also recognized the fate of their counterparts to the south who with national prohibition had become divided and all but extinct. Instead, as A.E. Cross, the President of the Calgary Brewing and Malting Company learned, the best way to combat the side-effects of prohibition was to “educate” the public, broadly defined. He and other brewers spared no opportunity to hammer at public attitudes. They pointed out the large capital investments, the yearly payrolls, the purchases of barley, lumber for barrels, glass for bottles, and the freight paid to railways. Especially attractive were the taxes paid to provincial and federal coffers. The more liberal provincial or federal governments were, brewers and distillers promised, the greater the share of liquor revenue they could anticipate.

For British Columbia, experience proved the final straw. The province recognized early the difficulties associated with enforcing prohibition. Negligent prohibition commissioners, bootleggers, and doctors who wrote too many prescriptions

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56 No province is more illustrative of this irony than Ontario. Remaining dry itself until 1927, the majority of Canadian brewers and distillers nonetheless operated from Ontario. With creative shipping, it was not difficult for Ontario to become the major source of trouble for other dry provinces and the United States; a pattern British Columbia followed as well, albeit to a lesser degree. See Literary Digest, 2 March 1919, 22; Warsh, ed., Drink in Canada, 25; Campbell, “Liquor and Liberals,” 51.

57 Campbell, Demon Rum or Easy Money, 32. The lobby was much stronger in Canada than in the United States where, after 1920, American brewers and distillers quickly became divided and all but extinct. See Sinclair, Prohibition, 111-12.

were the mirror image of future American failures. On January 1, 1920, the day federal prohibition ended, British Columbians once again began importing liquor legally from outside the province. By early 1920, the Victoria Daily Times was able to report that there was “no point at which liquor could not be obtained.... The prohibition law today is more in disrepute than any other law on the statute books of this Province.” As a result, even female suffrage—one tied so closely to the temperance cause—failed to produce majorities for continued prohibition. Defying conventional wisdom in their first access to the polls, women joined most British Columbians in endorsing government control on October 20, 1920.59

The last province to vote for prohibition had become the first English province to abandon it. The public that had supported the ideal of prohibition during the war was no longer behind the reality of it. Reforms that had seemed so attractive during the war had, with time, proved hollow. Most British Columbians had tired of ineffective reform and sought some semblance of “normalcy.” Although questions about the morality of government control would persist for decades, revenue would—at least temporarily, it seemed—substitute for the dry millennium.60

Underlying these differing demographic, political, and financial realities, British Columbians—and Canadians generally—differed fundamentally from Americans in their beliefs concerning the role government was to play in regulating society. Reforms that in the United States carried broad ideological appeal were, for Canadians, matters to be dealt with by parliamentary action, not by fundamentally altering the foundation of government itself. As Carlos Schwantes points out, “Being citizens of a nation that

59 Victoria Daily Times, 6 February 1920, in British Columbia Legislative Assembly Sessional Clipping Books: Newspaper Accounts of the Debates, 1890-1972, BCA; Seattle Post-Intelligencer, 21 October 1920, 1; 22 October 1920, 1, 14.


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represented, in a sense, the rejection of the claims of the American Revolution, Canadians were hardly likely to... attempt implementation of broad humanistic goals such as were embodied in the Declaration of Independence. In short, Canadian political culture has been much less utopian than its American counterpart and without any expectation that its politicians would legislate the millennium. Richard de Brisay, a Canadian editor widely followed in both countries, commented that the problems liquor would later present between both countries were the result of fundamental differences in the moral attitudes of Canadians and Americans. “The Americans, as a nation, believe their souls can be saved by prohibitory laws. With Canadians it is not so...,” de Brisay argued, “We do not believe there can be salvation by legislation for anyone, anywhere, any time.”

Canadian tradition also dictated that reform should be an individual act of will, not of national policy. Accordingly, the idea of national prohibition irritated the sensibilities of most Canadians who believed that moral reform should occur, if at all, at the local or provincial level. Canadians were quick to point out the irony of the Eighteenth Amendment for the United States. One editor wrote:

Some American states were totally opposed to prohibition, anticipating its abuses and scandals... but had to submit to the situation because a certain number of States decreed it.... Let us felicitate ourselves in the possession of the true liberty which gives the greatest autonomy to each province and does not require any to submit to the influence of others.... The Statue of Liberty would be better placed at the entrance of the Saint Lawrence River than in the Port of New York.

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61 Schwantes, Radical Heritage, 72.
62 Canadian Forum, January 1929, 111. For the intriguing argument that Canadian political culture has been much less utopian its American counterpart, see Erwin C. Hargrove, “On Canadian and American Political Culture,” Canadian Journal of Economics and Political Science 33, no. 1 (February 1967): 107-11
63 Le Canada, 28 February 1922, quoted in Halstead to Secretary of State, 6 March 1922, RG 59, 842.114/49, NARA. See also, Fabian Franklin, What Prohibition Has Done to America (New York, 1922), 7.
These general attitudes help explain why Canada's experience with liquor control was so different from that of the United States. It also helps explain why Canada would be so reluctant to assist American enforcement over the following decade.

While the border served as a sort of interface between the prohibition movements in both countries, it also helped to distinguish quite starkly the ultimate approach each took to achieve the similar objective of temperance. In the meantime, and only twelve months after prohibition took effect in the United States, the Seattle Post-Intelligencer seemed optimistic about its ultimate success. The election of 1920, the paper commented, had dashed the hopes of "unreconstructed wets that some relief from the aridity of the prohibition amendment" would be possible after the election. The paper agreed—along with most prohibitionists—that the longer prohibition continued, the farther away the people would be from any desire to repeal the law.\(^6\)

The problem was that Americans were, in fact, uncomfortably close to a nation which had already repealed the law.

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\(^{6}\) *Seattle Post-Intelligencer*, 21 December 1920, 6.
C.D. Smith, a columnist for the *Victoria Daily Colonist*, called them “refugees from Volstead.” He likened the American tourist during prohibition to the refugees of Belgium during the war and the Israelites in their exodus from Egypt. But none of these, he writes, “exceed in sympathetic interest the refugees from Volstead, driven forth by the Eighteenth Amendment.” He continued:

Their appearance does not at all suggest privation in the sense of their being starved, hollow-eyed, with haggard faces, torn feet and bleeding hands caused by the dangers and privations of the journey. Neither are they attired in conventional garb of harassed wanderers.... They are mostly clothed in plus-fours and their one look is of assured triumph and anticipation. They have ‘got there.’ Nothing else matters.¹

Though written tongue-in-cheek, and with some exaggeration, Smith’s commentary was not far from the mark. With the failure of world prohibition, drys in the United States determined that if they could not protect prohibition elsewhere, at least they would protect it at home. While drys clung determinedly to their new isolationism, however, wets adopted a more internationalist perspective. As wartime prohibition in British Columbia gave way to government control, Americans suffering under the Eighteenth Amendment headed north in droves. For thirsty Americans, just beyond the border lay a wet refuge, a sanctuary from the restrictive shackles of Volstead.

¹ *Victoria Daily Colonist*, 30 August 1925, 14.

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THE EVERGREEN PLAYGROUND

During prohibition, the concept of Canadian-American "relations" invariably brought to the American mind the vague reminder that Canada was sort of a northern extension of the United States, a "delightfully wet place for a vacation." It was the one country into which American tourists could drive their own motor cars and, save for a brief examination at a customs station, barely know that a border had been crossed. The American tourist could continue to drive on the same side of the road, speak in English, use American money, buy American magazines, and drink "drinks that were his own once but are so no longer." As the Literary Digest pointed out, the American may well have [had] more trouble getting back into his own country, if... he [did] not carry his Americanism on his face.

Nowhere was this more true than in the Pacific Northwest where Americans had long viewed British Columbia as a sort of northern playground. Travel pamphlets, newspapers, and other periodicals routinely described the region encompassed by Washington and British Columbia as the "Evergreen Playground." "International Circuit Tours" routinely ferried the tourist between Seattle, the San Juan islands, the Olympic Peninsula, Victoria, and Vancouver. It was rare to find an American tour company that did not include British Columbia in its itinerary or a British Columbian company that did not include the Puget Sound region in its. In almost any Sunday edition of the local papers, one could find suggestions for border travel routes, such as the scenic Bee Line

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3 Literary Digest, 6 September 1924, 19.

4 Ibid.

5 Only recently have historians of American foreign relations begun to recognize the value of studying tourism as a transmitter of social and cultural values. In the Canadian-American context, the offerings are surprisingly few. The best introduction to the topic can be found in Edward J. Hart, The Selling of Canada: The CPR and the Beginnings of Tourism (Banff, Alta., 1983). See also, David Mattison, Projected Image: Provincial Government Travel Films, 1920-1984 (Victoria, 1986).
highway that stretched between Banff and Spokane, or the Pacific Highway between Seattle and Vancouver.⁶

That Americans viewed British Columbia as a sort of northern extension was no accident. It was the product of a conscious effort by business and government officials to facilitate travel across the border. Local travel agents and travel pamphlets routinely advertised the lack of “red tape” at the international border. Local boards of trade distributed literature about local cities to tourists arriving in Canada by rail.⁷ Agents in British Columbia prominently offered information on attractions in Seattle, confident that once in Seattle, tourists would naturally find their way to British Columbia.⁸ Provincial and state authorities routinely met to discuss uniform motor vehicle traffic laws and enforcement measures, while auto clubs offered reciprocal towing and emergency services. So closely linked were American and British Columbian efforts to promote tourism that, early in the decade, chambers of commerce in Washington and Oregon united with their counterparts in British Columbia to form the Pacific Northwest Tourists Association.⁹

The most obvious symbol the region’s cross-border outlook was British Columbia’s adoption of driving on the right side of the road in 1922. Brought about mainly through the efforts of local automobile clubs and chambers of commerce, the

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⁷ W.R. Dobbin to Deputy Collector (Sumas), n.d., file 237-1, box 12, RG 36, NAPNW.

⁸ Puget Sounders and British Columbians Associated, Evergreen Playground of Puget Sound and British Columbia (n.p., 1927), BCA; Victoria & Island Development Association, The Call of Victoria (Victoria, 1918), BCA; Parks, W.S., Tourists’ Guide of Vancouver, British Columbia: The Sunset Doorway of the Dominion (Vancouver, 1905), BCA; Victoria & Island Publicity Bureau, Vancouver Island and its Holiday Resorts (Victoria, 1925), BCA.

⁹ Portland Oregonian, 22 August 1922, 11; CAR (1926/27), 229; House of Commons, Debates, 18 May 1925, 3314.
decision to begin driving on the right was not uniformly popular. As Stewart Holbrook observed, numerous letters to the province’s dailies denounced the change as a “traitorous adoption of ‘Yankee notions,’” and predicted a profusion of collisions and wrecks. Other Canadians, however, knowing that the flood of American tourists was inevitable, decided that it would be safer to accommodate the notoriously reckless, and now inebriate, American driver than it would be to confuse him or her with the traditional British practice of driving on the left.10

Prior to the 1920s, tourism remained the pastime of the relatively wealthy who could afford to travel by rail. The automobile made it possible for those of more moderate means to enjoy travel as well. Businessmen in the western states and provinces recognized the profit to be had in attracting tourists of all social classes and launched vigorous campaigns for road construction. They reasoned that in developing auto travel between the provinces and the states, they would promote closer social and economic ties as well.

As the Spokane Daily Chronicle noted in 1929, “The international boundary at 49 [degrees] separates communities under different flags, but with many mutual interests and eager for more frequent association. Sections of poor highways on both sides of the boundary are the real barrier, not the international line.” Responding to these concerns, British Columbia added over 250 miles of new trails and over 500 miles of paved roads in 1925 alone and similar improvements occurred in Washington. The most important north-south connection between British Columbia and the States was the newly completed Pacific Highway, which stretched from California to Vancouver.

As the final section was completed between Seattle and New Westminster in 1923, one observer noted simply that the highway was "magnificent."11

Government and private business collaborated to offer a range of tourist facilities, from rest areas and automobile campgrounds to bungalow camps (the predecessor of motels) and upscale hotels that would appeal to a broad spectrum of society. By mid-decade, it was not uncommon to see long processions of American automobiles inexpensively touring Vancouver and lower British Columbia from Central Park Auto Camp at Burnaby or Hastings Park in Vancouver. For British Columbians touring in Washington, Seattle's Woodland Park offered space for over 600 cars at a mere fifty cents per day.12 For the more wealthy American tourist, Victoria offered the palatial Empress Hotel for two dollars per night.13

A WET OASIS

Once British Columbia became the wet oasis in an otherwise dry North America, thirsty Americans intensified their efforts to seek recreation and relaxation in the wet province. To be sure, the spread of the automobile most certainly would have sent American tourists across the border, if only for the "'foreign' touch which is part of the joy of travel."14 Nevertheless, the Eighteenth Amendment certainly hastened the invasion.

11 Howard Palmer and Tamara Palmer, Alberta: A New History (Edmonton, 1990), 224-29; Spokane Daily Chronicle, 27 October 1929, 4; CAR (1925/26), 525; Piers, Sport and Life in British Columbia, 116.

12 Seattle Post-Intelligencer, 21 August 1924, editorial page; Vancouver Sun, 8 July 1925, 1.

13 Victoria & Island Development Association, Tourists' Map and Guide to Victoria (Victoria, 1918), BCA.

14 New York Times, 24 February 1930, 20. Americans continued to be particularly intrigued with the quaintness of Victoria, the most British city in British Columbia. The city's most recent addition was the Crystal Gardens with its heated salt-water swimming pool and artificial ice rink. So enamored with the city was Lucy Robinson, a tourist from Spokane, that in the guest book for the Dominion Hotel she wrote, "This is Victoria! / This is that old-world town, / More English now than
Ardent drinkers who lived near the Canadian border knew exactly what to do. They followed the advice of a popular refrain, “Forty miles from whiskey / And sixty miles from gin, / I’m leaving this damn country / For to live a life of sin.”15 No sooner had prohibition taken effect in the United States than the Seattle Post-Intelligencer began to joke about the northward migration. “One thing about prohibition, you don’t need surveyors to find the boundary line of Canada.” The trail left by migrating tourists clearly marked the way.16 Soon, even those who did not live near the border, and who may never have visited Canada before, found the trek to Canada irresistible. Americans sought Canada because of the freedom it afforded them, not only to drink, but to drink without worrying about spies or “stool pigeons.” Tourism and the comforts of tourism—the garages, filling stations, roadhouses, and snack bars—created a new method of escape from American temperance run amok.17

Historically, Canada has always been a sanctuary of sorts for refugees fleeing some sort of ill-treatment in the United States. In Harriet Beecher Stowe’s Uncle Tom’s Cabin, Canada was “these shores of refuge” for escaping slaves. Likewise, bands of persecuted Native Americans routinely fled across the border, ahead of pursuing American troops. As Wallace Stegner describes in Wolf Willow:

The medicine of the line of cairns was very strong. Once it had been necessary to outrun your pursuing enemy until you were well within your own country where he did not dare to follow. Now all you had to do was outrun him to the Line, and from across that magical invisible barrier you could watch him pull to a halt, balked, helpless, and furious....”18

England, more American / Than Iowa itself; born of the mated lands / Whose frontiers command the western sea.” See, Dominion Hotel, Information for Our Guests (Victoria, 1929), BCA.

15 Quoted in Sinclair, The Era of Excess, 335.

16 Seattle Post-Intelligencer, 6 December 1920, 6; 13 December 1920, 6.


The tourist during prohibition was merely another example (albeit, a less-persecuted example) of an American who found that by crossing the border they might avoid, or at least alleviate, the more uncomfortable aspects of being American.

In 1930, the Literary Digest reported that more people crossed the Canadian-American border every year than passed across any other international border. Ottawa calculated that some 13 million Americans visited Canada in 1929, a figure which represented approximately one-tenth of the total American population. One historian has suggested that the number of Americans visiting Canada was even greater. During the depression year 1931-32, John Bartlet Brebner estimates the figure to be closer to 20 million. In 1929, some 181,798 cars reported at British Columbia ports of entry alone. While this figure cannot account for the number that crossed the border without reporting, it was a number sufficient to require the United States Customs department to issue instructions to its officers to discontinue the practice of counting the number of automobiles that crossed into Canada. Their energies were more desperately needed for inspecting incoming traffic. For similar reasons, Canadian officers soon gave up trying to record the license plate number of every American car entering the Dominion.

American entrepreneurs eagerly packed up and moved north to serve their fellow citizens on Canadian soil. As with the earlier gold rushes, these entrepreneurs recognized that the real profits lay not necessarily in liquor sales, but in providing comfortable places for Americans to drink. Hotels, roadhouses, and personal residences

American Revolution and Vietnam-era draft dodgers are a couple of the other more obvious examples of how Canada has served as a sort of relief valve for American social unrest.


21 Annual Report of the Secretary of the Treasury (1927), 115; (1928), 82.

22 McIntosh, The Collectors, 338.
owned by Americans or financed with American money sprang up all along the international border. H.L. Sawyer was the proprietor of the International Hotel and Bar located just ten feet north of the border and 100 feet north of the American customs house at Eastport, Idaho. As one Treasury agent reported, "Eastport is not a city or town, and can scarcely be called a village. It is simply a point where the railroad crosses the international boundary line." Just as blatant an attempt to circumvent prohibition was the St. Leonard Hotel located just across the border from Blaine, Washington. Senator Wesley Jones of Washington complained that the hotel was nothing more than a "grog-shop," for no other businesses were located within miles.

Canadian entrepreneurs, hotel proprietors, brewers, distillers, railway officials, boards of trade, mayors, and premiers were likewise eager to pamper the American tourist. As Simon Fraser Tolmie, a member of Parliament from British Columbia, noted to his colleagues, "I come from a province where we cater to the tourist trade, and we have tens of thousands of visitors to that part of the country. They leave a lot of money there every year, and we are beginning to think that the work of inducing tourists to come to British Columbia and enjoy themselves is becoming quite an industry." When one dry legislator, hoping to minimize drunkenness, introduced an amendment restricting liquor purchase permits to non-residents, it was quickly dismissed. When, three months later, the legislature passed a law making liquor permits easier for Americans to obtain, it was wildly cheered. Although American tourists needed to secure a permit before purchasing liquor in British Columbia, the permit cost a mere

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23 *Vancouver Sun*, 4 April 1925, 1.

24 Assistant Secretary of the Treasury to Secretary of State, 4 August 1927, 842.114/14, RG 59, NARA. Hereafter State Department consular files cited by decimal number only (e.g. 842.114/14).

25 Wesley Jones to Secretary of State, 1 September 1913, 842.114/7.

26 *House of Commons, Debates*, 3 June 1921, 4495.
$2.00, after which they could buy whatever quantity they desired. The Minister of Customs at Ottawa even issued instructions to customs officers to assist visitors in making out their tourists permits and to do so free of charge. Prior to this, enterprising individuals had made it a practice to open offices near border points where, for a fee of fifty cents, they offered to fill out the necessary paperwork.

Finding liquor once north of the border was not particularly difficult to do. The first thing that greeted Americans as they crossed border on the Pacific Highway at Blaine were large signs advertising the virtue of a particular brand of whiskey or beer. Not coincidentally, pictures of these advertisements that lined the Pacific Highway were widely circulated in the American press, one with a caption that read, “A bit of B.C. scenery that helps one to forget the bad roads.” Even the provincial government made sure that it was not too difficult for American tourists to find government liquor stores. One Conservative member of Parliament from New Westminster, William Garland McQuarrie, reflected frustration about this when he noted:

The first idea that motorists from the other side of the line get is, naturally, that he can buy whiskey, beer and other liquors in British Columbia.... He does not have to go very far before he finds a liquor store. We had one at New Westminster, but that was about 18 miles from the border; it was not near enough. Although New Westminster is the first place of any consequence on the road from the border to Vancouver, the government, in order to help the poor individuals from the other side who might feel the necessity for liquor, put in another vendor’s place on the south side of the New Westminster Bridge, where there is no population at all. There are perhaps three or four houses in that neighbourhood; practically nobody lives there.... The same applies all over the province.

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27 Victoria Daily Times, 17 March 1921, 1, 3; American Consul (Prince Rupert) to Secretary of State, 26 August 1930, 811.114Canada/4349; New York Times, 13 July 1928, 2.

28 Seattle Post-Intelligencer, 3 October 1920, sec. 5, 1.

29 House of Commons, Debates, 2 May 1923, 2415.
There were many reasons that Canadians so eagerly facilitated the tourist trade. Most, of course, related to economics. First, American tourism in Canada favorably affected Canada's balance of trade with the United States. While Canadian tourists continued to travel to the United States during the prohibition years, their numbers nowhere approached the number of American tourists traveling north, for obvious reasons. Many British Columbians looked upon a journey to the United States with, in the words of the American consul in Vancouver, "about the same enthusiasm as a camel regards a trek across the Sahara Desert. The oases are few and far between—and then the thirst destroyer is mostly ice water." 30

Between 1922 and 1928, for example, Canada's trade deficit with the United States hovered between $100 million and $300 million annually. But these figures did not include American tourists expenditures, which estimates placed at $140 million to $275 million. Thus, tourism was a valuable "invisible export." If Americans spent $150 million in Canada, it was like Canada sending to the United States goods of an equal value. At its high point in 1929, Commerce Department statistics suggest that American tourists spent $300 million in Canada, and Canadian Department of Trade and Commerce figures place that value at an even higher $309 million. By the late 1920s, the American tourist trade was so important that it ranked among the top three largest industries in the Dominion. 31 Naturally, the Great Depression had a chilling effect on tourism. By 1932 the figure had shrunk to a relatively meager $183 million and, by 1933, to and even smaller $117 million. Still, because Canadian tourists continued to

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30 Seattle Post-Intelligencer, 15 July 1923, sec. D, 1; American Consul (Vancouver) to Secretary of State, 30 September 1927, 842.114/290.

spend lesser amounts in the United States than Americans spent in Canada, tourism continued to favorably affect Canada's balance of trade.  

The economic value of tourism was not lost on the province. British Columbians considered tourism a "renewable resource." When the province sold $20 million worth of lumber one year, the province finished the year with $20 million less timber. On the other hand, after American tourists spent $20 million in the province, the province still had the same scenic resources that had attracted the tourists in the first place. In 1924, city authorities estimated that tourists spent an astounding $40 million in Vancouver alone. Provincial legislation that made liquor more difficult for American tourists to obtain usually faced stiff opposition from local businesses in British Columbia. No tourist resort would ever vote to dry up its means of attracting patrons. The British Columbia Hotelman's Association long remained one of the chief advocates for the right to sell beer by the glass in British Columbia. It rightly argued that without the ability to sell beer in hotels, Americans simply chose to stay in auto camps outside town, where they could buy their liquor from conveniently located liquor stores.

Thus, when the United States began to plead with Canada to assist in the enforcement against bootleggers and rumrunners, it came as no surprise that those most sympathetic were Canadian businesses that profited from American tourism. Many British Columbians were concerned that the province's reputation as the center of

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32 To put these values in relative terms, American tourist receipts were more than twice the value of Canada's wheat exports to the entire world. See New York Times, 15 March 1933, 13. For further prohibition period tourism statistics that corroborate these general trends, see New York Times, 14 April 1932, 38; 15 March 1933, 13; 23 September 1934, sec. 4, 4.

33 Victoria Daily Times quoted in House of Commons, Debates, 16 April 1925, 2096.

34 New York Times, 15 February 1925, sec. 8, 18. Indeed, some of the chief advocates for government control in British Columbia had argued against prohibition on the basis of the "drawing card" regulated sale would be for promoting tourism. See British Columbia Legislative Assembly Clipping Books, 17 February 1920, BCA.

35 Vancouver Daily Province, 15 December 1928, 1; Victoria Daily Times, 8 November 1930, 4
bootlegging to the United States would so tarnish its reputation that tourists would no longer come, even for a drink. 36 Others were concerned that bootlegging made it unnecessary for Americans to come to the province at all. One Canadian commented, "Even our more mercenary citizens had far rather see an American come up here to get [liquor], spending fifty dollars in hotel bills, ten in souvenirs, a hundred in furs, and whatever may be left in diamonds—than to have night-riders with silent trucks convey it to the American victim in his home town. Then we only get the money for the liquor." 37 In early 1929, the president of the Canadian National Railways echoed this sentiment when he petitioned the Prime Minister. "I think our policy should be to assist the Government of the United States in every way to make that country bone dry...," he wrote. "The dryer it is the better it will be for us." 38

Yet aside from economics, there was one other reason why Canadians actively courted the American tourist. Travel had a secondary influence that was more subtle but perhaps more far-reaching in its effects. As one member of the House of Commons noted in 1925, it "builds up the good-will and understanding and opens the eyes of the visitor to the possibilities of the country." 39 Anything that made Americans more conscious of their neighbors to the north was seen as important by Canadians who had long felt neglected or overlooked by the United States. This was one of the reasons why the prohibition era was so important for Canadian-American relations generally, for it gave Americans a view of Canadians that they would not otherwise have had. 40

36 Vancouver Daily Province, 17 November 1924, 6.

37 Literary Digest, 23 September 1922, 21.

38 H.W. Thornton to Minister of Railways and Canals, 7 January 1929, RG 25, D1, vol. 742, reel T1758, frames 514-16.

39 Canada, House of Commons, Debates, 16 April 1925, 2094.

40 If Canadians left with a greater affinity for things Canadian, so much the better. King George V of England, an outspoken critic of American prohibition, was apparently delighted by the contemporary rhyme: "For and twenty Yankees, / Feeling mighty dry, / Took a trip to Canada / And bought a case of
Cognizant of the opportunity to make a good first-impression, the Customs department ordered inspectors to be on their best behavior. A 1928 circular threatened the officer "who allows his temper to show itself, and acts in a discourteous manner... will be sent to the freight yards or manifest room where his peculiar temperament will not offend others." In 1929, the department further directed: "When a tourist drives up to a Customs office on the frontier, it is the duty of the examining officer to go outside and interview the visitor. The Department has been advised that at certain offices the Customs officer sits at his desk at waits for the caller to come to him. It need hardly be stated that this treatment savors of discourtesy and must be abandoned forthwith."  

THE LIMITS OF HOSPITALITY

American perceptions, such as the American tourist's, that depict Canada as a sanctuary or refuge are one of the few places where the American view of Canada corresponds with the Canadian one. As Russell Brown points out, however, this apparent similarity actually arises from an important cultural difference. For Americans, border has always represented a place across which one may escape when pressures in the United States become too great. For the Canadian, on the other hand, the border is what makes Canada a sanctuary from American cultural excess. Northrop Frye has noted that Canada's national identity is characterized by a "garrison state" mentality. While this may seem extreme, the underlying sentiment, that Canada is somehow a shelter from the United States, has always been an important component of Canadianism.  

During the American experiment with national prohibition, American rye. / When the case was opened / The Yanks began to sing—/ "To hell with the President! / God save the King!"" Quoted in Sinclair, Era of Excess, 335.

41 McIntosh, The Collectors, 336-37.

42 For Canadians, the Dominion has always served as a refuge from American cultural debauchery, whether it be crime, American magazines, movies, or television, or, in the case of...
tourists who saw British Columbia as a wet refuge were seen by British Columbians with a certain amount of ambivalence. While most British Columbians remained enamored by the profits to be had, many were also wary about the negative effect tourists had on the Canadian social and cultural fabric.

The fact that Americans had to head north for liquor naturally led British Columbians to question the farce which prevented Americans from buying the same liquor at home. Most found it mildly amusing that while British Columbians spent their leisure time hiking, playing cricket, or enjoying an afternoon tea, the American tourist was usually at a local hotel “guzzling” Scotch. British Columbians, unlike their American counterparts, did not have to waste time hunting for liquor or waste brain power thinking of ways to cheat the government. It certainly reaffirmed the belief that the British Columbian approach to liquor control was manifestly better.43

Still, if all American tourist behavior was so benign, few Canadians would have given it much thought. Unfortunately, not all Americans who came north in search of drink were congenial to Canadians of the steadier sort. In one case, the Vancouver Province reported that sailors from American halibut vessels at port in Prince Rupert were regularly seen “intoxicated” or “semi-intoxicated,” and that one had maliciously broken several hundred dollars’ worth of store-front glass with a chair.44 Sir Charles Piers, a contemporary observer, added, “Our American friends coming from a dry country, are perhaps a trifle too much out on the spree, and the nights are in consequence somewhat hectic with their jazz songs, while the water in the early morning resembles a battlefield, so strewn is it with the corpses of dead bottles, all of


43 New York Times, 1 June 1930, sec. 3, 2; Seattle Argus, 22 August 1931, 2.

44 American Consul (Prince Rupert) to Secretary of State, 3 December 1929, 842.114Liquor/73.
which have undoubtedly done their duty.” Naturally, the *Province* disregarded the fact that sailors on leave, whether Canadian or American, were usually anything but sedate. For his part, Piers failed to allow that many British Columbians quite appreciated American jazz and many other aspects of American culture. Nevertheless, British Columbians viewed evidence of American misbehavior as a challenge to the “peace, order, good government” mantra that Canadians held so dear.

At times, even the economic argument proved less than convincing. Thirsty Americans often made short day-trips across the border, purchased liquor, and returned across the border without otherwise contributing to the Canadian economy. Doing so confirmed in the minds of many British Columbians, the long-standing belief that Americans were “cheap.” Apparently after one too many admonition to treat American tourists with deference, one customs officer made up a ditty to describe the typical American:

A machine rolls in from the U.S.A.—a family on the trail;  
They carry a tent to save on rent, they have extra gas by the pail,  
They carry their food, they carry their oil, they have blankets and pots;  
They are rarin’ to go and will spend their dough on the gratis parking lots.  
You open the door, they put up a roar, you hand them a free permit,  
They whine of red tape and call you a ape but you mustn’t mind a bit;  
You dig up their gats from under the mats and insist that they check the rods;  
If your temper they try, you mustn’t reply, they are tourists and therefore gods.45

Between Americans being cheap and mischievous, some British Columbians began to regret the invitation they had extended to the baser elements of the American population.46

British Columbians also resented the commonly held assumption that Americans came to British Columbia only for the liquor. Most would have preferred to believe the

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45 Quoted in McIntosh, *The Collectors*, 337.


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naive pronouncement made by Assistant Secretary of the Treasury Lowman that “It’s not the supposed American thirst but the lure of Canada’s beautiful scenery, fine hospitality and good roads” that led Americans to cross the border.47 British Columbians facilitated tourism because they believed that, in doing so, they were helping Americans to learn more about Canada. In an interesting bit of irony, however, because provincial authorities located liquor stores so close to the border, American tourists sometimes did not need to learn anything about British Columbia at all. One of the more thoughtful observers noted, “The Americans come with plenty of money, and stay at the much-advertised hotels, gulping down the Rockies in predigested doses, then race through in a Pullman car to the next big hotel on the coast. And how can they know anything of the province?”48

No more pleased about the migration of American tourists were drys on both sides of the border. The British Columbia chapter of the WCTU constantly railed against the provincial government which, the temperance organization believed, was in the liquor business only to make money even if it debauched American tourists in the process.49 Likewise, the WCTU chapter at Blaine, Washington angrily protested to the American Consul in Vancouver that roadhouses located close to the international border received little attention from provincial authorities.30 Spokane’s two dailies, the Spokesman-Review and the Daily Chronicle, made informing their readers about the supposedly detrimental effect of British Columbia’s liquor system on tourism a regular part of their coverage. In an article titled “Another Angle on Canadian Booze,” the

47 American Consul (Prince Rupert) to Secretary of State, 26 August 1930, 811.114Canada/4349.
49 Victoria Daily Times, 29 September 1929.
50 American Consul (Vancouver) to Secretary of State, 26 February 1925, 811.114Canada/181.
Chronicle endorsed the sentiments of one reader who wrote, "I’m not going up to British Columbia for any of the holidays this year. I know many others who will not go because the roads are filled with drunken drivers as the result of the spree over the line. I don’t like to go up there because on all the holidays the streets of the ‘beer cities’ are filled with drunken men." 31 The Vancouver Daily Province promptly responded, chastising the Spokane paper for drawing "what is essentially a false picture of government liquor control in this province." It went on to comment: "The Chronicle is either a fanatical Dry, or it has some other obscure motive for discouraging people in Washington form visiting us here in British Columbia."52 Indeed, both Spokane papers were fanatically dry.

Short of revoking the passports of Americans seen drinking in Canada—a policy William Jennings Bryan actually advocated—there was little that committed drys or American authorities could do to discourage the flow of tourists northward. As Andrew Sinclair points out, it was "such suggestions of petty coercion" that ultimately ensured the Eighteenth Amendment’s demise.33 In the meantime, Americans continued to head north of the border. Perhaps most important for the path prohibition would eventually take in the United States, American tourists who traveled to British Columbia witnessed the workings of government control. When the failures of American prohibition became more apparent later in the decade, this experience proved an important factor in the effort to repeal national prohibition in the United States. The Canadian system offered a legitimate and realistic approach to temperance.


32 Vancouver Daily Province, 4 June 1928, 6.

CHAPTER IV

THE HALCYON DAYS OF RUMRUNNING

Roy Haynes, the second United States Commissioner of Prohibition and an astute observer of the border's effect on the liquor traffic, once remarked that it was impossible to keep liquor from dripping through a dotted line. Indeed, there probably was no greater symbolic evidence of the permeability of the U.S.-Canadian border than the success rumrunners and bootleggers enjoyed during prohibition. The border itself provided a lucrative opportunity. For thirteen years, professional rumrunners supplied liquor to thirsty Americans. Collectively, both challenged the vow of John Kramer, Haynes' predecessor, that the law would be obeyed "in the cities large and small" and that liquor would not be manufactured "nor sold, nor given away, nor hauled in anything on the surface of the earth nor under the sea nor in the air." As Kramer soon discovered to his dismay, rumrunners and bootleggers succeeded precisely because they operated with the support of so many people. The same sentiment that had enabled smuggling prior to prohibition at least initially supported the liquor traffic during prohibition. In the Northwest, the smuggler's paradise became the rumrunner's paradise and the early years of the 1920s, the halcyon days of rumrunning.


2 Kramer quoted in Charles Merz, *The Dry Decade* (New York, 1931), 123.
THE RESPECTABLE CRIME

The principal supply of liquor, particularly of unadulterated whisky, came from Canada, the Bahamas, or the French islands of St. Pierre and Miquelon. Beyond geographical propinquity, Canada enjoyed great advantages as a potential supplier. Canadian brewers and distillers were eager to replace the markets lost when the various provinces and municipalities went dry in the years of, and just after, the First World War. Accordingly, the Dominion government refrained from banning the export of liquor and chose instead to take full advantage of the lucrative, thirsty, and captive American market. Not until 1930 would Canada make any serious effort to prohibit liquor exports to the United States.3

Assuaging the great American thirst quickly adopted the mantle of respectable enterprise, with bootleggers and rumrunners attaining a social station not generally enjoyed by outlaws. Many a grateful consumer regarded the liquor smugglers to be a romantic breed of modern day Robin Hoods. Few bootleggers were likely to argue with such a characterization. Fraser Miles, one British Columbian rumrunner, considered himself part of an “international drought relief project.”4 Those who supplied liquor were public philanthropists who brought prosperity to British Columbia while providing a valuable service to thirsty Americans. It is, of course, hard for the historian to separate sincerity from the self-rationalization used to justify illicit activities; many rumrunners certainly claimed a greater social conscience than they really had.

Nevertheless, at the heart of these rationalizations were certain truths. Rumrunners liberated the consumer from some of the more perilous domestic alternatives, especially diverted industrial alcohol and moonshine. Following the chemical industry’s expansion during World War I, new products like rayon silk, anti-


4 Fraser Miles, Slow Boat on Rum Row (Madeira Park, BC, 1992), 214.
freeze, and photographic films required vast amounts of denatured alcohol. As a consequence, the production of industrial alcohol increased fourfold during the 1920s, and it was not particularly difficult to divert to bootleg channels. To discourage its diversion, the Prohibition Bureau insisted that manufacturers add any one of seventy-six denaturants. Many, like lavender or soap, were harmless; others, such as sulfuric acid, iodine, and wood alcohol, however, were poisonous. These additives did not always deter the less scrupulous bootlegger who mixed industrial alcohol with caramel and prune juice to make “Scotch,” then bottled their concoctions with forged labels, suggesting it came from England or Canada.\footnote{Vancouver Daily Province, 20 January 1929, 6; Ernest W. Mendeville, “The Sources of the Booze Supply,” Outlook, 15 July 1925, 400-02; Merz, Dry Decade, 66-67; Louis M. Hacker, “The Rise and Fall of Prohibition,” Current History (September 1932): 667.}

The hazards to public health from this “rot-gut” or “coffin varnish” soon became evident in the rising incidence rates of alcohol poisoning. As the Post-Intelligencer commented in 1920, the “trouble with the spirit of the times is that it’s often full of wood alcohol.”\footnote{Merz, Dry Decade, 196-97; Seattle Post-Intelligencer, 28 November 1921, 6.} Liquor smuggled from Canada, on the other hand, provided the American consumer closest to the border with the purest, most unadulterated spirits. It was even common knowledge nationally that the best brands were available in the upper Puget Sound region due to its proximity to British Columbia.\footnote{New York Times, 22 March 1926, 1-2.}

At least initially, few Canadians expressed any qualms about their role as supplier to the liquor traffic. As one exporter commented, “The people of the United States want whisky and they are ready to pay for it. I see no reason why we should not do business.”\footnote{Maclean’s Magazine, 1 December 1928, 5. One Washington daily unappreciatively called Canada’s participation “A National Indulgence Toward the Export Trade.” See Spokane’s Spokesman-Review, 30 July 1922, 1.} The Dominion agreed; indeed, it tacitly condoned the rumrunner’s

\footnote{Vancouver Daily Province, 20 January 1929, 6; Ernest W. Mendeville, “The Sources of the Booze Supply,” Outlook, 15 July 1925, 400-02; Merz, Dry Decade, 66-67; Louis M. Hacker, “The Rise and Fall of Prohibition,” Current History (September 1932): 667.}

\footnote{Merz, Dry Decade, 196-97; Seattle Post-Intelligencer, 28 November 1921, 6.}

\footnote{New York Times, 22 March 1926, 1-2.}

\footnote{Maclean’s Magazine, 1 December 1928, 5. One Washington daily unappreciatively called Canada’s participation “A National Indulgence Toward the Export Trade.” See Spokane’s Spokesman-Review, 30 July 1922, 1.}
activities. So far as Canadian law was concerned, exporting liquor to the United States was legal. In 1920, deciding to take advantage of the market opened by the Eighteenth Amendment, the Dominion levied a special $20 per case export duty on liquor destined for American ports. Thereafter, customs officers routinely cleared liquor cargoes to the United States where its receipt was in clear violation of the Eighteenth Amendment. To further assist distillers in taking advantage of the American market, the government reduced the required aging time for distilled spirits from twenty-four months to twelve. As the historian James Gray notes, somewhat playfully, rumrunning was at least tacitly accepted in Canada as a legitimate enterprise, if “one that fell somewhat short of an international aid program.”

The “respectability” of rumrunning also stemmed from the knowledge that many officials were willing to look the other way. It was no secret that the antipathy held by much of the American public toward the Eighteenth Amendment extended to those who legislated or enforced the law. Even many otherwise dry Republicans recognized that the business of rumrunning flourished because of popular demand. Unduly vigorous efforts to enforce the liquor laws would, they assumed, threaten party interests. That public officials occasionally moonlighted as rumrunners—including, for example, a member of the British Columbia Legislative Assembly, a former Washington state legislator, and numerous members of the Seattle police—no doubt contributed to the belief in rumrunning as an acceptable, if not a truly noble pursuit.

To be sure, not all British Columbians or Americans endorsed rumrunning. Many churches, especially Baptist and Methodist, equated rumrunning with sin. In fact, it was the churches and dry organizations like the WCTU that, in later years, most

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10 Portland *Oregonian*, 11 November 1923, 9; Richardson, *Pig War Islands*, 309; Campbell, *Demon Rum or Easy Money*, 24.
actively lobbied the Canadian government for cooperation with American enforcement. To dry interests, rumrunning was a logical extension of the liquor industry to be opposed with the same fervor applied to the campaign for prohibition. Nevertheless, many who would not participate in the rum trade directly were more than happy to sell supplies, old boats, or equipment at bargain prices. Only later, as the moral and criminal costs of rumrunning became evident, would the general public begin to take a dim view of the liquor traffic.

Put simply, one can attribute the birth of rumrunning to an entrepreneurial response to public demand. The end of the Great War hit the Northwest economy particularly hard. As soldiers returned from the front and war-related industry came to a grinding halt, small businesses failed and the number of unemployed in the region skyrocketed. According to one authority, during periods of recession or depression, fisheries had generally served as the “employer of last resort.”11 After the war, even this industry faced problems. Newly established regulations prohibited Canadian fishermen from landing their catches in American ports, and the Fordney-McCumber tariff added new duties to fish products. Under these conditions, unemployed fishermen naturally gravitated to rumrunning.12 Later, when the Depression struck the province’s resource-dependent economy, asking anyone if he wanted a job was, according to one rumrunner, “as relevant a question as asking the Pope if he wanted to go to heaven.”13

Even for the lowest of rumrunners, it was lucrative employment. A case of liquor wholesaling for $16 in Vancouver could fetch as much as $80 in Seattle. Ship

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12 RCCE, Victoria Evidence, 1205-07; Vancouver Evidence, 6140.
13 Miles, Slow Boat on Rum Raw, 96.
captains who before prohibition made between $110 and $175 per month now found themselves netting $500; first officers could expect $350, second officers, $250 and third officers, a still enviable $125. Fraser Miles, who operated on more than one vessel in the latter capacity, found the pay especially good. Routinely transporting more than 800 cases per month, his sixteen-cents-per-case salary was “more than a living in 1932 in Vancouver—it was damn near close to prosperity!” Enjoying even more lucrative profits was the independent runner acting as a middleman who could net as much as $11 per case. A relatively small boat, carrying no more than 75 cases, might leave Victoria Harbour at 10:00 a.m. one morning and return by 10:00 a.m. the next, fetching a tidy $825 in the process. Needless to say, the proceeds from rumrunning accounted for more than one of the mansions lining the exclusive neighborhoods of Vancouver, Victoria, Seattle, or Portland.

Despite the legends of flamboyant bootleggers, fast cars, and easy money, most rumrunners personified restrained circumspection. Flamboyance attracted the attention of the law and so meant a short career as a rumrunner. Most chose to maintain a low profile instead, remaining unknown to all but their customers. Likewise, cooperation more than conflict characterized the early relations between rival rumrunners. While violence existed, those involved in the liquor traffic on the West coast were not Capones, and the gangster syndicates never developed to the degree they did in Chicago.

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14 Marinoff testimony, in “Notes from the Court Book of The Honourable Mr. Justice Morrison, Trial Judge,” RG 13, vol. 1536, file 1-4, NAC; American Consul (Victoria) to Secretary of State, 30 November 1926, 811.114Chris Moeller/2; RCCE, Victoria Evidence, 1203-06.

15 Miles, Slow Boat on Rum Row, 3, 128, 141, 160.


17 An unfortunate characteristic for later historians seeking to tell the rumrunner’s story.
or New York. Most found it more profitable to divvy up territory than to fight over it. In March 1922, recognizing the feeble efforts of law enforcement, more than one hundred booze runners and wholesale dealers openly convened in a downtown Seattle hotel to establish rules and regulations for their traffic. They adopted resolutions fixing fair prices, condemned narcotics smuggling, and established a code of ethics to guide transactions. Acknowledging that rules could occasionally be broken and prices occasionally cut, the organization expected liquor dealers and rumrunners to stay "within the limits of approved business methods." Indeed, most rumrunners distinguished themselves from the common smuggler, believing they were part of a higher social order. When Johnny Schnarr, an American rumrunner operating from the Canadian side, was offered as much as $25,000 to smuggle dope, he turned it down flat, as he "didn't see it as the same business at all."

There was also a certain unwritten set of rules, or code of conduct, that guided relations between rumrunners and the police. One of the principal tenets was that so long as rumrunners acted like legitimate businessmen, they were generally left alone. This meant, for example, that the rumrunner should avoid narcotics smuggling, should refrain from stealing cars for transportation or from stealing liquor from legal outlets. This was especially true on the Canadian side, where customs officers often remained on friendly terms with the rumrunners, particularly when those runners were Canadian. Operating "legitimately" also meant refraining from violence if caught. During the first years of rumrunning the contest remained a gentleman's game, with law

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18 Deputy Collector (Sumas, WA) to Deputy Collector in Charge (Puget Sound Collection District), 4 January 1924, RG 36, box 22, file 410, NAFNW.

19 Portland Oregonian, 10 March 1922, 7.

20 Parker and Tyrrell, Rumrunner, 218.

21 Bittancourt interview, in Imbert Orchard, Saltspring Island Recollections (Victoria: British Columbia Aural History Programme, 1965), tape T798-1, BCA; Parker and Tyrrell, Rumrunner, 167.
enforcement and bootleggers all "playing by rules under which no one got hurt."\textsuperscript{22} Failing to follow this precept often proved fatal. In 1922, Emilio "Emperor Pic" Picariello, a well-liked hotel operator and rumrunning kingpin from Fernie, British Columbia, allowed a confrontation with an Alberta provincial police officer to get out of hand. The incident resulted in the officer's death and following one of Alberta's more sensational trials, Pic and his bookkeeper, Florence Lassandro, were hanged.\textsuperscript{23}

**THE RUMRUNNING KING OF PUGET SOUND**

Much of the Northwest's reputation for peaceable rumrunning can be attributed to Roy Olmstead, generally regarded as the "Rumrunning King of Puget Sound."\textsuperscript{24} Olmstead had begun his career with the Seattle Police Department in 1906, at the age of twenty, and quickly rose through the department's ranks. He was a sergeant in the force by 1910 and made lieutenant by 1916, the same year Washington State voted for state prohibition. A keen observer of the fledgling liquor traffic, Olmstead observed the untidy, disorganized operations conducted by two rival rumrunning gangs. One was headed by a former policeman, Jack Marquett; the other, by two brothers, Logan and Jake Billingsley. Within a few years, the futile competition between Marquett and the Billingsleys had led to the arrest and breakup of both organizations and left the liquor traffic in the Northwest in desperate need of consolidation.\textsuperscript{25}

\textsuperscript{22} Lonsdale, "Rumrunners on Puget Sound," 29.


\textsuperscript{24} The *New York Times* (1 April 1928, sec. 3, 2) called Olmstead the "King of the Bootleggers in the Pacific Northwest," The *Vancouver Sun* (14 January 1926, 1) called him the "reputed King of the Pacific Coast Rumrunners," and the *Seattle Star* (18 November 1924, 1), "The King of the Bootleggers."

\textsuperscript{25} For the best analysis of Olmstead's career, see Norman H. Clark, "Roy Olmstead, A Rumrunning King on Puget Sound," *Pacific Northwest Quarterly* 54, no. 3 (1963): 89-103.
Olmstead was thirty-four when national prohibition took effect in 1920. Married, with two daughters, and the youngest lieutenant in the Seattle Police, his future appeared bright indeed. Nonetheless, bored with his career and cognizant of the lucrative profits to be had under the Volstead Act, Olmstead decided to fill the vacuum left by the demise of Marquett and the Billingsleys. Certainly by design, the Seattle public heard little about Roy Olmstead for the first few months. In the early morning hours of March 22, 1920, however, just as Olmstead and his associates completed unloading liquor from a boat near Meadowdale, Washington, federal prohibition agents sprang from the woods and began firing wildly at the boat and Olmstead's men. Olmstead himself escaped immediate capture, leaving behind the largest shipment of liquor ever seized in the Northwest. Agents, however, had identified the "baby lieutenant" and apprehended him at his home later the same morning.26

While the arrest seemed likely to end Olmstead's short-lived rumrunning career, quite the opposite occurred. Dismissed by the police department, Olmstead found that he now was free to pursue his new career full time, unhindered by official duties. He promptly assembled an empire of investors, attorneys, bookkeepers, boatmen, dispatchers, loaders, and salesmen. To avoid the special $20 per case export duty Canada levied on liquor bound for the United States, Olmstead hired ships that loaded in Vancouver but cleared for Mexico. This method allowed Olmstead to undersell his competitors by as much as 30 percent, requiring many to give up the business, resort to piracy, or join Olmstead's organization. In what the New York Times called one of the largest rumrunning conspiracies in the country, it was a rare month that Olmstead's intricate empire did not clear $200,000.27

26 Seattle Union Record, 22 March 1920, 1; Seattle Daily Times, 22 March 1920, 1, 5.

27 Seattle Union Record, 22 March 1920, 1; New York Times, 26 May 1930. Before Olmstead got around the $20 per case duty, the going rate for a quart of whisky was as high as $24; afterwards it dropped to as low as $7 per bottle. The retail price charged by bootleggers did, of course, fluctuate according to supply and demand. As the industry became more and more competitive and more
Olmstead quickly became a fixture of Seattle society and enjoyed a prestige not enjoyed by most other rumrunners. Elaborate parties thrown at his exclusive Mt. Baker residence were attended by Seattle's elite. Yet Olmstead's prominence was due to more than his flamboyance. As the Seattle Post-Intelligencer later editorialized, Olmstead's unique code of conduct endeared him to many thirsty citizens. "Roy was a 'good' bootlegger. He prided himself on the genuiness of his labels....Right or wrong... he served a social purpose and satisfied an appetite existing in many of the most respectable throats or palates or stomachs." Perhaps more important, especially to the higher social orders, Olmstead operated within the established rules. He never participated in the narcotics traffic, prostitution, or racketeering that characterized the liquor traffic in other large cities. He never allowed his subordinates to arm themselves because he believed that no amount of money was worth a human life. As a result of his integrity, many felt that Olmstead was the best thing that could have happened to the liquor traffic in the Northwest.

Olmstead's popularity proved to be his downfall. His very public successes and popularity only served to publicize the prohibition department's glaring failures, and so that office spared no effort and no expense to bring down his organization. Their labors proved futile until one day in October 1924, when Canadian officials seized one of Olmstead's boats, the Eva B, with 784 cases of liquor on board. After the three crewmen aboard the vessel talked, prohibition agents redoubled their efforts. One evening in November they raided Olmstead's home, arrested him, his wife Elsie, and fifteen guests, including two former Royal Northwest Mounted policemen. Olmstead's organized, the profit margins decreased. See Seattle Post-Intelligencer, 2 April 1924, 11; Parker and Tyrrell, Rumrunner, 107-08; and Lonsdale, "Rumrunners on Puget Sound," 33.

28 Seattle Post-Intelligencer, 16 May 1931, editorial page.

guests had gathered that night to read bedtime stories to Seattle children over the radio station which the Olmsteads operated from their house. Contributing to one of the more delightful myths of prohibition-era Seattle, federal officers claimed that Mrs. Olmstead’s “bedtime stories” were, in reality, cleverly worked-out codes that warned radio-equipped rumrunners in the Puget Sound of the positions of Coast Guard vessels. It is more likely that Olmstead purchased the radio station as a public relations measure. In any case, federal officers were never able to prove their suspicions about the bedtime stories in court.30

Although the raid failed to produce liquor, federal agents posing as Olmstead and his wife used the Olmstead’s phone to call suspected bootleggers to deliver liquor to the house. When they arrived, federal officers promptly arrested them as well. Olmstead and his attorney, Jerry Finch, cried foul, convinced that the prohibition office had violated their civil liberties. Not only had federal agents impersonated Roy and Elsie Olmstead, but also, and more importantly, they had tapped Olmstead’s phone lines to secure evidence. It was the first time in United States history that a federal case had rested on wiretapping evidence. The case quickly became known in the Northwest, then later in the entire nation as the “whispering wires” case. It promised to be “one of the most sensational cases in the history of Seattle,” as well as one of the most important liquor trials under the Eighteenth Amendment.31

On January 19, 1925, Olmstead and ninety other defendants were indicted for conspiracy to violate the National Prohibition Act. Many of the defendants, released on bail, quickly retreated to Canada, secure in the knowledge that violations of American liquor laws were not offenses subject to extradition. Others plead guilty and testified on

30 New York Times, 1 April 1928, sec. 3, 2; Seattle Star, 18 November 1924, 1

31 Seattle Daily Times, 19 November 1924, 1, 4; New York Times, 1 April 1928, sec. 3, 2; Seattle Argus, 27 February 1926, 1; Seattle Post-Intelligencer, 21 Jan 1925.
the government's behalf. To bolster their case, the prosecution subpoenaed a number of witnesses from British Columbia who could testify about Olmstead's Canadian connections. On March 9, 1926, of those who did not flee to Canada, twenty-three, including Roy Olmstead, were convicted and sentenced. For his part, Olmstead was sentenced to four years hard labor at McNeil Island Penitentiary. Convinced that a higher court would find the use of wiretaps illegal—a sentiment held even by the Assistant Attorney General of the United States, Mabel Walker Willebrandt—he remained unperturbed.

Olmstead's optimism proved unfounded. When the appeals court failed to overturn Olmstead's conviction, Olmstead, et. al. v. The United States proceeded to the United States Supreme Court. There, in a 5-4 decision, it met a similar fate. Heard in February 1928, Chief Justice William Howard Taft spoke for the majority when he concluded that wiretapping evidence was admissible. Justices Louis Brandeis, Oliver Wendall Holmes, Harlan Stone, and Pierce Butler dissented, with Holmes calling the government wiretapping "ignoble," "a dirty business," and an "odious crime."

For many local residents, the "odious," or "ignoble" methods the Prohibition Department used to combat rumrunning contrasted quite unfavorably with the "respectable" methods of Roy Olmstead. Even more endearing to the public was Olmstead's willingness to accept responsibility for his actions. As he later commented to one newspaperman from his cell at McNeil, "I'm not complaining, I violated the

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31 Recognizing that they did not have enough evidence to convict Elsie Olmstead (a Canadian citizen) immigration authorities instead sought, unsuccessfully, to deport her.

33 Seattle Post-Intelligencer, 19 November 1924, 1, 6; 21 November 1924, 1, 4; 21 January 1925, 1, 3; Vancouver Sun, 14 January 1926, 1. So thoroughly did Willebrandt disapprove of the practice of wiretapping that she refused to argue the case against Olmstead. Consequently, the Solicitor General of the Justice Department had to appoint outside counsel to present the United States' case. See Mabel Walker Willebrandt, The Inside of Prohibition (Indianapolis, 1929), 231-32, 237.

Perhaps most significant was the effect the Olmstead decision had on the public perceptions of prohibition generally. Dr. Nicholas Murray Butler, an aggressive participant in the fight against Eighteenth Amendment, called the Olmstead case one of the four “moving influences which hastened repeal.” Many residents of the Northwest, disposed toward a favorable view of Roy Olmstead and the service he provided, tended to agree. Although the Seattle Argus did not condone breaking the law, it said, “There is but one way to prevent this crime and that is by repealing the law. The attempted enforcement is getting us nowhere.”

TIN CORSETS AND LEAKY LUMBER

Wet goods came across the border by every possible conveyance—in automobiles, boats, airplanes, and trains; under loads of coal, scrap iron, or lumber; and in coat pockets, suitcases, hubcaps, and backpacks. Not surprisingly, rumrunners and bootleggers used many of the same methods that smugglers had used for decades. Will Rogers once quipped that there were people “who, if they put in half the time studying on some mechanical invention that they do how to smuggle booze, why they would be as great as Edison.” The judge who tried the federal case against Roy Olmstead in 1926 apparently agreed when he admonished, “As to you, Roy Olmstead, I’ll say this…. If the same constructive force [and] organizing ability, which was devoted to

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35 Olmstead quoted in Clark, “Roy Olmstead,” 98.
36 Seattle Daily Times, 26 December 1932, sec. 2, 18.
37 Seattle Argus, 27 February 1926, 1.
38 Customs Circular, 29 December 1919, RG 36, box 5, file 135, NAPNW; RCCE, Vancouver Evidence, 7608.
this enterprise, had been used legitimately, in harmony with the laws, the final result would have been marvelous and you... would have harvested a big reward.\textsuperscript{40}

The means by which rumrunners and bootleggers transported liquor across the border was limited only by imagination and ingenuity. One man devised a method he thought foolproof. Fabricating a double-lined tin container shaped like a corset, he filled the considerable space between the two sides full of liquor. Although the tactic worked a couple of times across the border, the inventor one day neglected to fill his contraption completely and, unfortunately, the sloshing of the contents gave him away. Another bootlegger managed to tunnel under the border at Boundary Bay. That too was apparently quite successful until "Slim" Cameron, a game warden on routine patrol, accidentally fell through the tunnel's roof.\textsuperscript{41} Not to be outdone, a resident of Metaline Falls, Washington trained his horse to become a booze runner. The owner would ride the horse to Canada, load it up, and then allow it to find its way home. The logic seemed quite appealing, as it was doubtful the police would arrest or fine the horse. The \textit{New York Times} even reported that a former American submarine, transferred to the Canadian government and sold as surplus, had been seen bringing large shipments of liquor into Seattle from British Columbia.\textsuperscript{42}

Finding new places to hide liquor where inspectors were least likely to look turned into something of a cottage industry. A Mounted Police inspector, examining a refrigerated car load at Tête Jaune Cache, Alberta in 1922, was surprised to find eight undigested bottles of rye whiskey neatly sewn-up in hog carcasses. (This, of course,

\textsuperscript{40} Seattle Daily Times, 8 March 1926, 4.

\textsuperscript{41} New York Times, 13 June 1920, sec. 7, 1; Cameron interview, in Bill Ward, \textit{A B.C. Game Warden's Recollections} (Victoria: Aural History Programme, 1982), tape T4029-3, BCA.

gave a whole new meaning to the term "blind pig."\textsuperscript{43} The Idaho State Police arrested one Albertan when customs inspectors found he had hidden a large quantity of Scotch whisky in the ladies' toilet of the Calgary-Spokane sleeping car. Authorities stumbled upon a much larger find in 1931 when 14,094 bottles were seized near Indianapolis. Apparently, the liquor was being sent by rail car from a distillery in Vancouver to Chicago. Packed tightly in burlap sacks between two-by-fours and other lumber, the liquor attracted the attention of authorities only when the lumber was found "leaking."\textsuperscript{44}

There was one method of smuggling never before used. Concurrent with prohibition, the 1920s began the golden age of aviation and it was only natural that a few of the thousands of pilots trained during the war would seek employment piloting an international liquor route. Even as law enforcement cracked down on water shipments, King County, Washington Sheriff Matt Starwich discovered that aerial rumrunners could transport liquor at will. High above inquisitive police and vicious hijackers, the only danger to the pilot was mechanical failure and the subsequent forced landing. In initial outlay, airplanes usually cost less than the speedboats that plied the Puget Sound. While it was not uncommon for a small rum boat to exceed $20,000, the cost of an infinitely faster Wright-powered biplane was only $8,500 and the more spacious Hornet cabin plane could be had for as little as $18,000.\textsuperscript{45} One of Olmstead's associates, Cecil Langdon, recognized the potential and took leave of his career as a racer and barnstormer to found the Olympic Aeronautic Corporation. Organized ostensibly to provide flight lessons and charter services, Olympic Aeronautic was instead, according to one prohibition agent, simply a front "formed for the clear purpose of

\textsuperscript{43} "Blind pig" was a commonly used synonym for speakeasies, or underground saloons.

\textsuperscript{44} Maclean's Magazine, 15 June 1922, 15; Spokane Spokesman-Review, 14 January 1920, 11; Victoria Daily Times, 12 March 1931, 4.

\textsuperscript{45} Literary Digest, 4 April 1925, 77; Seattle Argus, 27 June 1925, 1, 4; Maclean's Magazine, 1 November 1929, 6-7.
smuggling liquor into the United States.\textsuperscript{46} Nonetheless, the combined romance of rumrunning and airplanes did not escape one journalist who quipped, "Prohibition and patriotism go, sometimes, hand in hand.... If they seem to be doing a certain violence to the law, still they are keeping alive a craft, so that if China or Guatemala or Switzerland invades us by the air, we shall be ready."\textsuperscript{47}

In both British Columbia and the United States, rumrunners benefited from the government's increased expenditures on public roads and highways after World War I. Improvements that facilitated international motor traffic aided not only regional tourism and legitimate commerce, but criminal enterprise as well. There was some truth in Will Rogers' joke that bad roads broke more bottles of booze than did authorities. While water routes traditionally proved the most cost-effective form of regional transportation, good roads allowed illicit goods to travel with greater speed and less likelihood of detection. The enlarged network of roads also made it possible for the rumrunner to deliver directly to the consumer, eliminating the costly middleman usually required in waterborne smuggling.\textsuperscript{48}

In the early 1920s, it was a poor man who could not buy at least a second-hand Model-A Ford or Chevrolet. The automobile made it possible for even the smallest of rumrunners to take part in the lucrative traffic. Those seeking to conceal the whiskey did so in a spare tire, under false limousine tops, and in double-lined gas tanks. The space available under the cowl of one Anderson-Six, accessible upon removing the speedometer, was capable of carrying 50 or 60 quart bottles. Moving the car's front

\textsuperscript{46} Hargrove to Commissioner of Prohibition, 1 May 1928, RG 56, box 3, file 97S, NAPNW.

\textsuperscript{47} Nation, 31 May 1922, 637.

\textsuperscript{48} Rogers, The Cowboy Philosopher, 14; RCCE, Vancouver Evidence, 2007; Sessional Paper 5d, 5 January 1927, RG 14, D2, Volume 171, NAC; CAR (1924/25), 87.
seat forward eight inches allowed for an additional three or four cases, and a few more bottles lay hidden in a false top.⁴⁹

In practice, those truly serious about the rumrunning business made little effort to conceal their loads but relied instead on speed and durability. They required large, powerful automobiles fitted with heavy-duty auxiliary leaf springs. On the trip north, most of these cars carried sandbags so that the car did not ride suspiciously high when empty. They had to be fast enough to elude the persistent, but usually poorly equipped, law officers they sometimes encountered. They also had to be well-armored to protect against the bullets of would-be hijackers. It was, therefore, a paying proposition for the rumrunner to invest in a Packard, a McLaughlin Buick, a Hudson-Harmon, or an Anderson-Six. When modified, the value of these so-called “Whiskey-Sixes” routinely exceeded a thousand dollars.⁵⁰

While not exclusively so, the actual running of booze across the border was usually conducted by Americans. Adventurous Canadians occasionally drove loads as far south as Utah or Colorado, but the main problem for the Canadian was finding buyers at his destination without running afoul of local authorities. Many preferred to earn a still-profitable two dollars per case to transport liquor to the Canadian side of the border, make the exchange to an American runner, and leave it to the American to incur the risks inherent in getting it across the line.⁵¹

Rumrunners transporting by auto in the Northwest faced challenges their peers in the prairies did not. One could casually meander across the border in the prairies at

⁴⁹ Special Deputy Collector (Seattle) to Deputy Collector (Sumas), 16 December 1920, RG 36, box 5, file 135, NAPNW.

⁵⁰ Literary Digest, 22 October 1921, 44-45.

⁵¹ Gray, Booze, 156; Deputy Collector in Charge (Blaine) to Deputy Collector (Sumas), 2 August 1924, RG 36, box 22, file 410, NAPNW; RCCE, Calgary Evidence, 8204; Vancouver Evidence, 6141, 6150.
any convenient point. On western runs from the British Columbia interior, however, steep mountain ranges funneled roads to a relative few border crossings. Were enforcement officials so inclined, these roads would have been easy to blockade. Nonetheless, exporters often transferred their loads to American drivers in full view of Canadian and American customs authorities. Canadian authorities were not very interested in duty-paid liquor and it was usual for rumrunners to have paid a “duty” of fifty cents per case to a Canadian export company to “take care” of American customs.52

The hospitality and organization offered by Canadian individuals and export companies undoubtedly facilitated the American liquor smuggler. In the coal-mining town of Fernie, British Columbia one “Mister Big” operated a two-story brick garage that contained not only liquor storage, but a repair shop and sleeping area for tired customers. Cars usually began pulling in about 3:00 in the afternoon. While the vehicles were loaded and serviced, their drivers spent the afternoon in the pool hall or at a card table playing high-stakes poker with local businessmen. In other cases, ranchers living close to the border made available, for a modest commission, their barns or haystacks, which rumrunners used to conceal caches of liquor. The illicit product could then be smuggled to its final destination at the runner’s convenience.53

The single most important factor professionalizing and streamlining the liquor traffic in the Northwest was the organization of the liquor export companies. In August 1922, sixteen of the largest liquor wholesalers in the province of British Columbia amalgamated in Vancouver under the name of Consolidated Exporters Corporation.54

52 RCCE, Calgary Evidence, 8101, 8114, 8206-07.
53 Wilson, Honky-Tonk Town, 48, 55, 74.
54 Seattle Post-Intelligencer, 29 November 1924, 4; Annual Report of the Liquor Control Board, in Sessional Papers of British Columbia (1923), B11; RCCE, Victoria Evidence, 1272.
Licensed by both the Dominion and British Columbian governments, the liquor wholesalers decided to merge their activities when the province increased its annual license fees from $3,000 to $10,000. As the largest of the "Big Three" exporters which operated from British Columbia—the others being Manitoba Refineries and Joseph Kennedy, Ltd.—Consolidated established export warehouses not only in Victoria and Vancouver, but also in Greenwood, Grand Forks, Creston, Cranbrook, and Fernie. Even a cursory examination of a map confirms that these interior export warehouses existed for the sole purpose of smuggling liquor into the United States.  

Along with providing liquor at convenient border locations, Consolidated brought to the rumrunning trade an organization and efficiency that would have been the envy of any business. Consolidated controlled, directly or by proxy, virtually the entire liquor traffic in the Northwest, from its production in the breweries and distilleries of British Columbia to its delivery in the American states. It sent "land agents" to the United States, whose duties, as regional representatives, were to drum up business and to organize the purchase of Consolidated products. The American Consul in Vancouver was particularly impressed with this system. He suggested the United States government place land agents in British Columbia "with as effective contacts here as the exporters have in the United States" to furnish American authorities with dependable information concerning the movement of illicit shipments.  

55 Canada, Royal Commission on Customs and Excise, Final Report (Ottawa, 1928), 23-24; American Consul (Prince Rupert) to Secretary of State, 4 May 1926, 811.114Canada/1670, RG 59, NARA; RCCE, Victoria Evidence, 927, 1273; Vancouver Evidence, 2016; Annual Report of the Liquor Control Board, B10; House of Commons, Debates, 2 May 1923, 2405-06.  


57 American Consul (Vancouver) to Secretary of State, 15 September 1927, 811.114Canada/3763, RG 59, NARA.
As the decade progressed, and as the stakes for rumrunning increased, Consolidated also created insurance and finance schemes for its rumrunners. If the liquor was seized by the authorities enroute, Consolidated would replace it. If the rumrunner’s automobile was seized, Consolidated would provide the bond required by Customs to get it back. If the rumrunner was arrested, Consolidated would provide bail money and an attorney to represent him in court. The export company also served as lender to rumrunners, since most found securing loans from banks somewhat problematic. When Johnny Schnarr discovered that replacing his first boat would require between twenty-three and twenty-four thousand dollars, he went immediately to Consolidated. For a forty percent commission on every delivery made until the loan was repaid, Consolidated provided Schnarr with the necessary funds. (As a testimony to the lucrative nature of rumrunning, Schnarr cleared his debt within the first year.)

As with rumrunning by land, Consolidated Exporters also facilitated smuggling by water. Vancouver and Victoria naturally served as the principal bases for smuggling liquor by water into the United States, but there were significant differences in the functions of both ports. As the largest, Vancouver was the main source of liquor destined for the Pacific coast to customers in southern Oregon and California. Victoria, on the other hand, because of its more southerly locale, tended to be the staging center for liquor destined for the Puget Sound.

Rumrunning by water was usually a three-ship process. At the top of the rumrunning hierarchy were the “mother” ships owned by Consolidated Exporters—such as the Malahat, the Stadacona, the Quadra, the Lillehorn, the Coal Harbour, and the Federalship—that could carry a fortune in their holds. Many of these vessels had colorful pasts even before they became the nucleus of the Pacific’s “Rum Row.”

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58 Gray, Booze, 153; Parker and Tyrrell, Rumrunner, 116, 119, 167-79.

59 Miles, Slow Boat on Rum Row, 145.
Stadacona, whose name was later changed to Kuyakuzmt, had once been the flagship of the New York Yacht Club. Another, the beautiful three-masted schooner, Marechal Foch had a large brass-plate on the quarter-deck wall, proclaiming her the former fishing yacht of Zane Grey. It was not uncommon for these schooners or steamers to leave Vancouver with a million-dollar cargo, hover along the coast of California for days, deliver their load to smaller “contact” ships, and then return to Vancouver to repeat the process.60

The Washington and Oregon coastal traffic generally did not use mother ships. To place the largest ships, with their valuable cargo, in American waters was a risky proposition; it was also unnecessary. With Victoria a mere fifteen miles across the Juan de Fuca or Haro Straits from the American market, speed assumed more importance than size. Instead, intermediate-sized vessels picked up loads from Consolidated’s export docks in Victoria. They, in turn, distributed their cargoes to even smaller and speedier American vessels for the final run into the Sound.

Unable to keep up with the initial demand, the region pressed into service every available boat. Later, as time and profits allowed, rumrunners turned to increasingly sophisticated and speedier vessels capable of eluding the growing number of Coast Guard cutters. Powered by surplus engines that had been used to power fledgling aircraft during World War One, some of these boats achieved astonishing speeds. One rumboat used by Olmstead, the Three Deuces, broke the Lake Washington speed record of 40 knots using Liberty engines. Soon, boatyards were cranking out sleeker and faster vessels to meet the rumrunners’ demand. Ironically, it was well-known that the Coast Guard procured boats (albeit slower ones) from the very same yards.61

60 American Consul (Vancouver) to Special Agent Charles Emery (Seattle), 12 July 1928, RG 56, box 1, file 7A, NAPNW; Miles, Slow Boat on Rum Row, 216-17.

Like Kuyakuzmt, rumrunners often christened their new vessels—or re-christened old ones—with names intended to confuse Coast Guard pursuers. There was Ououkinish and Kitnayakwa, Ouitachouan and Taiheiyo. Schnarr named the Kitnayakwa after a river in northern British Columbia, only because “It was a word that I thought people would have a hard time remembering if they only saw it once.” His other vessel, Revuocnav, would also stymie the prospective observer who might not realize that it was simply “Vancouver” spelled backwards.

Rumrunners used other, more creative ways to lessen attention from American or Canadian authorities. For example, vessels that were members of Canadian yacht clubs were not generally required to report to customs when crossing the border. It was presumed that a reputable yacht club would not keep in good standing members reputed or known to be involved in illicit activities. Taking advantage of this loophole was Frank Turner, a former member of the Victoria police force and member of the Royal Victoria Yacht Club, who profited in retirement with his vessel, Wandering Lass. As an alternative to transferring loads on open water, rumrunners made some exchanges using an island cache. They were particularly fond of D’Arcy Island, just northeast of Victoria in the Haro Strait. For most of the 1920s, D’Arcy served as a leper colony and so was avoided by local authorities. The station-keeper there was on friendly terms with most rumrunners, probably because he profited by guarding cargoes for more than one.

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62 American Consul (Victoria) to Commander, U.S. Coast Guard (Port Townsend), 19 December 1925, 811.114Canada/1139; Miles, Slow Boat on Rum Row, 255-70.
63 Parker and Tyrrell, Rumrunner, 129.
64 American Consul (Victoria) to Captain F.G. Dodge (Seattle), 16 February 1925, 811.114Canada/164; Seattle Post-Intelligencer, 2 April 1924, 11; Ed Starkins, “Rum Running,” in H. White, ed., Raincoast Chronicles: First Five (Madeira Park, BC, 1976), 15; Richardson, Pig War Islands, 311.
Consolidated Exporters was particularly important to the waterborne liquor trade. At the most basic level, Consolidated organized the exchange of liquor between vessels. Because the American demand for unadulterated Canadian whiskey far-outstripped the supply, it was common for independent rum boats to approach Consolidated “motherships,” falsely claiming to have made arrangements for a liquor transfer. To insure that the liquor was delivered to the proper consignee, who had paid for the liquor in advance, export companies worked out a simple, yet very effective, arrangement. When a bootlegger from the United States arranged for a shipment from Consolidated, a Consolidated representative would tear in half a dollar bill. On each half was written the amount to be delivered; one half was given to the consignee and the other to the skipper of the rum ship. Only if the two halves matched at the point of transfer was the liquor released. This process nicely eliminated the need for the letter of credentials and not until late in the decade would the dollar-bill method be replaced by wireless-radio release.65

When rumrunners pulled up to the Consolidated docks in Victoria or Vancouver, they generally did so in the middle of the day. As far as the Canadian government was concerned, there was no problem exporting liquor to the United States so long as it received the appropriate $20 dollar per case export duty.66 If exporters wanted to avoid paying it, however, they had to prove that the liquor was bound for someplace other than the United States. Accordingly, vessels cleared for Mexican or Central American ports, “lost” their cargo somewhere between Vancouver and California, yet returned with properly made-out papers—signed by Mexican or Central American officials—affirming that the liquor had been off-loaded at Ensenada or La Libertad. One local

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65 Ford et al. v. United States, in U.S. Reports, 273 U.S. 593, 624; Seattle Post-Intelligencer, 29 November 1924, 4; Miles, Slow Boat on Rum Row, 194.

66 Parker and Tyrrell, Rumrunner, 66.
resident remarked that these were “the fastest boats in the world. They could leave from Vancouver one day and be back the next, and they had the customs stamp to prove it.” Even the Attorney General of British Columbia found “quite remarkable the facility with which ships can make the trip say from Vancouver to Ensenada.”

It was the land agents for Consolidated Exporters that secured these papers and they did so either by forgery or by providing a trifling mordita, or “small bite,” to a corrupt Mexican or Central American official. Early on, many American and Canadian officials failed to recognize the true nature of these shipments. Wayne Wheeler, president of the American Anti-Saloon League, believed the liquor actually reached Ensenada. He was concerned only because he thought it was then smuggled north into California. Not until the Royal Commission on Customs and Excise convened in 1926 and 1927 would the full degree of Consolidated’s participation in the liquor traffic—and the extent to which its practices defrauded Dominion revenue—become evident.

THE COAST GUARD AND OTHER MINOR IRRITANTS

Problems enforcing national prohibition did not take long to make themselves apparent. On January 15, 1920, the day the Eighteenth Amendment took effect, the deputy collector at the border station of Sumas, Washington wrote to his superior: “Conditions are becoming so bad along the border in this vicinity with respect to the smuggling of liquor that it is deemed advisable by this office to request that another inspector be allowed this port for a period of about six weeks or two months in order to

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67 Roe interview, in Imbert Orchard, Reminiscences of Pender Island, 1896-1930 (Victoria: Aural History Programme, 1965), tape T787, BCA.
68 RCCE, Victoria Evidence, 919.
This collector reflected two sentiments common among early thinkers of the rumrunning enforcement issue. The first was the surprise expressed at the degree to which the prohibition law would be violated; the second, the misperception of the amount of resources necessary to combat the traffic.

With perhaps some exaggeration, the American Consul in Vancouver proclaimed the Northwest "the bootlegger's paradise on the North American continent." The same factors that had long made the Pacific Northwest a smuggler's paradise now made the region a rumrunner's paradise. The protected bays and channels of the Puget Sound afforded the rumrunner ideal locations for concealment and rendezvous, while numerous trails, known by few customs or border patrol officers, criss-crossed the boundary on the rugged land border to the east. With the island-dotted Strait of Georgia adjacent to the similarly adorned Puget Sound, it is unlikely that a rumrunner could have hoped for more than what nature created. The avenues for leakage were so immense that the New York Times repeatedly commented on the region's geographical problems. It finally determined the Twentieth United States Prohibition District—the region encompassing Washington, Oregon and Alaska—to be the most difficult to patrol in the country.

Donald A. McDonald, Washington state's first prohibition director, was one of the few to recognize the problems inherent to enforcing laws against liquor smuggling in the Northwest. In one of his first public pronouncements, he warned:

There are about fifty passable auto and wagon roads crossing the boundary line between this state and British Columbia. In order to watch these highways the federal force in the State of Washington would have to be nearly ten times larger than it is at present. With liquor obtainable in practically limitless quantities in

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70 Deputy Collector (Sumas) to Collector (Seattle), 15 January 1920, RG 36, box 5, file 135, NAPNW.

71 Harris to Secretary of State, 23 April 1926, 811.114Canada/1600, RG 59, NARA.

72 American Consul (Vancouver) to Secretary of State, 5 September 1928, 811.114Canada/4082; Parker and Tyrrell, Rumrunner, 68; New York Times, 22 March 1926, 1-2; 21 April 1927, 26; 30 March 1930, sec. 9, 4.
British Columbia... the task of enforcing the dry law in this state will be one with which the present force will be powerless to cope.73

Yet, the plethora of roads and lack of officers did not seem to concern most observers. To the editors of the Post-Intelligencer, the outlook was not as bleak as McDonald suggested. Partly tongue-in-cheek, the paper wrote:

By placing the officers three feet apart all along the boundary and keeping them there, even the most persistent bootlegger might be discouraged in time. If they decide to dig in on the other side, it will mean a long war, but in the end victory will be with the officers. It is well known that the bootlegger is lacking in patience. It is not his nature to lie low until danger has passed, so that all that is necessary is to bring the entire customs and prohibition forces of the Pacific Coast here and wait until they make a break across the border. The plan may leave the Mexican boundary somewhat unprotected, but it would enshroud British Columbia bootlegging in gloom.74

It was partly because of such optimistic but misguided solutions that enforcement faced so many unanticipated obstacles during the early years of prohibition.

At the most basic level, many of the problems officers faced were the result of fundamental flaws in the wording of the Eighteenth Amendment or that of its enforcement mechanism, the Volstead Act. The Amendment did not forbid the purchase or use of liquor, only its manufacture, sale, and transport, and it called for the "concurrent power" of the federal and state governments in enforcing the law. Under Volstead, purchasers could not be held for conspiracy; cars, boats, planes, or other vehicles could not be seized if their owner could plead ignorance to their illegal use; and, most importantly, not until the Jones Act in 1929 were the penalties for breaking the law very serious.75 A number of these deficiencies proved instrumental in undermining the efforts to combat rumrunning in the Northwest.

73 Seattle Post-Intelligencer, 22 October 1920, 14.

74 Seattle Post-Intelligencer, 18 November 1920, 6.

Enforcing a law that nearly half of the population did not support placed the police in a contest for public sympathy. It was not a contest they often won. Many enforcement officers were no more interested in seeing the law enforced than was the general public. Police attitudes toward “legitimate” rumrunners ranged from reluctant enforcement to tolerance and, eventually, to active participation. Even those who did not actively participate in rumrunning were not always opposed to buying liquor from those who did. (Johnny Schnarr even claimed to have once made a delivery to a Coast Guard cutter!) Also hurting police popularity were the occasionally embarrassing, ill-timed seizures that achieved widespread notoriety. In one case, the Coast Guard stopped a suspected rumrunner between Everett and Port Townsend only to find thirty-three co-eds from the Washington State College Glee Club whose belongings contained nothing incriminating.76

Achieving the cooperation of local authorities was, to most rumrunners, a recognized cost of doing business. Johnny Schnarr remembered that most of the people to whom he delivered had contacts in the police department. Quite often, he was tipped off to impending raids when federal prohibition agents requested assistance from the local police. “There were,” Schnarr rationalized, “plenty of people who just didn’t believe in the Prohibition laws, even on the police forces, so a guy didn’t have to be a crooked cop to help out the bootleggers and rumrunners.”77 Moreover, widely-circulated reports that bootleggers offered agents as much as $15,000 to find it convenient to be away from his post for a few hours made the more unscrupulous officer insistent on some sort of honorarium.78 As game warden Slim Cameron recalled,

76 Seattle Post-Intelligencer, 8 December 1920, 1; 8 June 1922, 1; Parker and Tyrrell, Rumrunner, 122; New York Times, 3 March 1926, 8.

77 Parker and Tyrrell, Rumrunner, 79-80.

"If American [police] weren't getting their cut on everything [then] they didn't play, and a hell of a lot of the B.C. police were the same way."  

A local officer unsympathetic to the dry cause generally meant that the law went unenforced. Most North Idaho residents knew that Henry Trane, Sheriff of Bonner County, opposed the Eighteenth Amendment. Insofar as he was able, complained prohibition agent A.E. McFatridge, Trane afforded "protection" from arrest. In one interview, a resident of Sandpoint alleged that this "protection" required a monthly payoff of $50. Another interviewee, Nels Nelson, commented that, in nearby Newport, bootlegging was going on all the time. Although in his second term as sheriff, Trane had never, according to Nelson, "raided a place in that section of the county, nor arrested a bootlegger."

Even without the public apathy or police indifference, law enforcement units charged with enforcing the Volstead Act faced an insurmountable lack of resources. When Congress allocated to the federal government funds for the enforcement of national prohibition in 1920, they did so very conservatively. Without adding to either the Coast Guard or to the number of Customs officers, Congress allocated funds sufficient only to create a Bureau of Prohibition with a force of 1550 agents. As Charles Merz points out, simple math exposes the inadequacy of this meager allotment. Combined, the sea borders of the United States encompassed some 12,000 miles; the land border with Canada accounted for 3700 miles, not including the 3000 miles of the Great Lakes; and another 3700 miles defined the southern border with Mexico. Even if the entire staff of 1550 agents had been relieved of all interior responsibilities and placed

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79 Cameron interview, tape T4029-3, BCA.

80 A.E. McFatridge to Director of Prohibition, 8 August 1931, RG 56, box 19, file 948M, NAPNW.

81 A.E. McFatridge, Sandpoint Memorandum, 7 June 1931, and Newport Memorandum, 25 May 1931, RG 56, box 19, file 948M, NAPNW.
along the border, each agent would still have had over twelve miles to patrol. With over 1000 roads bisecting the border between Canada and the United States alone, the inadequacy of the Prohibition Bureau quickly became apparent. As one observer commented, the liquor supply “operated like a garden hose with four outlets. If you put your thumb over one it simply came out the other three with even greater force.” On the one hand, drys in Congress opposed allocating more money to enforce prohibition because to do so would suggest that their estimates had been naively low and that the law would not be easy to enforce. On the other hand, congressional wets opposed allocating more because a failure of enforcement meant the failure, and ultimate repeal, of prohibition.

The outlook in the Northwest could be no more optimistic. The twenty agents who comprised the Twentieth District of the Bureau of Prohibition were not nearly adequate for a region encompassing over 800,000 square miles. The administrator of the district was the one-time librarian and real-estate salesman, Roy C. Lyle, who received his post as a patronage appointment of Senator Wesley Jones of Washington. During his decade-long tenure, Lyle had a public image that varied from the comical to the pathetic. When asked what he intended to do about rumrunning from the air, Lyle replied, in all seriousness, that he was working on a lecture on the topic and would present it in his address to an upcoming convention of sheriffs. To be fair to Lyle, for a number of years he did not even have an automobile for work on land or a boat to patrol the waters of the Puget Sound. As Norman Clark has concluded, there was probably a

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82 Merz, *Dry Decade*, 67-68.
84 *Outlook*, 15 July 1925, 400.
85 *Vancouver Daily Province*, 20 January 1929, 6; Merz, *Dry Decade*, 114.
86 *Seattle Argus*, 27 June 1925, 1, 4; *Portland Oregonian*, 11 November 1923, 9.
great deal of truth in Lyle's repeated plea, "We are doing as well as we can." The Oregonian found Lyle's plight pitiful enough that it concluded there was "some plausibility to the argument that political capital might be made out of this helplessness."87

Indeed, the single most repeated plea heard from the prohibition administrator or those who worked under him were for additional officers, equipment, or increase in salary. The deputy collector at Sumas, Washington complained about the daily routine with which those under him were unable to cope. He protested, "Work at this point covers an average period of fourteen hours during which time there are some twenty-seven trains besides the highway and automobile traffic to look after."88 Agents earned meager salaries that rarely rose above $1680 per year, and it was not uncommon for them to have to use their own money to secure information from informants. When two prohibition agents, Ballard Turner and Ernest Valsich, were found murdered in Vancouver, Washington, the pleas for assistance only grew louder. A rather alarmed editor of the very dry Spokesman-Review asked Senator Jones to station federal troops along the Canadian border. Jones' subsequent request to President Harding, however, elicited the reply, "There are other matters of more immediate importance at the present time."89

Like the customs and prohibition agents who worked on land, the Coast Guard also suffered from severe shortage of resources. When the Eighteenth Amendment took effect, Congress added to the Coast Guard's traditional responsibility—lifesaving and rescue operations—the task of enforcing national prohibition along the nation's coasts.

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87 Lyle quoted in Clark, The Dry Years, 153; Portland Oregonian, 11 November 1923, 9.
88 W. Baud to Collector of Customs, Port Townsend, n.d., RG 36, box 39, file 1913, NAPNW.
Unfortunately, Congress provided no extra vessels, equipment, or manpower. During the first half of the decade, the entire fleet of the United States Coast Guard numbered fewer than one hundred vessels. Most were old Navy surplus cutters unsuited for the rum war and not until 1925 would Congress appropriate funds sufficient to modernize the force and make rumrunning a risky proposition. Until then, the Coast Guard patrolled the waters of the Puget Sound and Pacific with only two tugs, the Arcata and the Scout. Barely able to make twelve knots, they compared quite unfavorably with the much speedier and more numerous rumrunners.90

Surprisingly, the Arcata proved fairly successful, due primarily to the ingenuity of her captain, Lorenz A. Lonsdale. Only five feet tall, Lonsdale nevertheless developed a reputation for his tenacious pursuit of Puget Sound rumrunners. Known on both sides of the law as “Grandad,” Lonsdale plotted his strategies carefully and followed them up with forceful action. By 1924, he had become something of a local legend, a feat not overlooked by his superiors in Washington who promoted him to command of a new 110-foot vessel in Baltimore. When Senator Wesley Jones, champion of Northwest dry forces, heard of the plan to transfer Lonsdale, however, he promptly wrote to the commandant of the Coast Guard: “I have been informed that Lonsdale is likely to be transferred to an Eastern Port. If such be the case, the last man in our pay who is wise to rumrunning in the [Puget] Sound will be sent out of the district. Without him our chances of preventing the rum traffic will be nil.”91

Yet even Lonsdale understood that the Coast Guard was fighting a losing battle in the Northwest. With only two slow enforcement craft to patrol the entire Sound, the Coast Guard pursued far more rumrunners than it captured. In one incident, Captain

90 Lonsdale, “Rumrunners on Puget Sound,” 29, 32. By 1928, twenty-two Coast Guard vessels patrolled the Puget Sound. Most were seventy-five footers, also powered by aircraft engines, capable of seventeen knots.

Lonsdale and the *Arcata* commenced pursuit of the rumrunner *M-220* in the Juan de Fuca Strait. Unable to keep up, Lonsdale ordered two shots be fired across the *M-220*'s bow. The rum boat's captain, apparently deciding that discretion was the better part of valor, surrendered near Port Townsend. Before Lonsdale caught up to the vessel, however, the crew managed to throw the entire liquor cargo overboard.

This was not an uncommon practice. Without the liquor as evidence, conviction on a rumrunning charge was unlikely, so losing a cargo was not a terribly high price to pay. Moreover, rumrunners did not always have to write-off the liquor as lost. They often threw their liquor overboard in burlap sacks weighted with enough rock-salt to sink to the bottom. Hours or days later, after the salt dissolved, a buoy popped to the surface indicating where the liquor could be retrieved. In the case of the *M-220*, without the liquor, Lonsdale was unable to hold the captured crew for more than a day. He later returned to the location of the seizure only to find that independent “bottle-fishers” had been grappling in the vicinity. What liquor he found was insufficient to warrant the crew’s arrest.92

In some cases, the agencies charged with enforcing the Eighteenth Amendment were the victims of their own success. After prohibition took effect, those charged with liquor violations swamped both police and the courts. Although authorities might arrest a violator, because prior cases clogged the court system, the suspect was usually freed on bail. Meanwhile, he returned to the trade sometimes being caught repeatedly before being tried for the initial violation. As frustrating to officers was the revolving door through which automobiles or boats seized in enforcement of the liquor traffic passed. These vehicles accumulated until political pressure would mount for public

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92 *Seattle Times*, 30 April 1961, magazine section; *Seattle Post-Intelligencer*, 13 June 1922, 3; 14 June 1922, 2; 16 June 1922, 3.
auctions. To the dismay of officers, they usually sold for paltry sums, sometimes even to the original owner at a price mutually agreed upon by the rumrunners in advance.\textsuperscript{93}

The proximity of the Canadian border did not help matters. Secure in the knowledge that rumrunning was not an extraditable offense under any existing Canadian-American treaty, bootleggers simply dashed to the Canadian side when pursued by American officers. This practice left those in pursuit the frustration of breaking off a sometimes lengthy chase or, alternatively, violating Canadian territorial sovereignty. In the latter case, courts usually ruled the seizures illegal and sanctioned the arresting officers. Frustrated by such technicalities, the \textit{Spokesman-Review} concluded, "The sound and right procedure would be to convict them on the unmistakable evidence before the court and then discipline the offending arresting officers if they exceeded their authority."\textsuperscript{94}

Finally, hindering enforcement in the Northwest, as in the rest of the nation, was the disorganization of prohibition enforcement. Common sense suggested that a single-unified agency charged with enforcing prohibition would increase overall effectiveness. The reality, however, was that far from combining and cooperating, many distinct agencies worked at cross-purposes, often spending more time in jurisdictional disputes and deliberate instances of non-cooperation than in attacking the liquor traffic. At the federal level alone, the Prohibition Bureau, Customs, the Coast Guard, Immigration's border patrol, and the Department of Justice all fought over resources and responsibilities. Added to this were the far more numerous state and local officers, who, according to the Eighteenth Amendment were given concurrent jurisdiction over enforcing its provisions. Nonetheless, many states decided that it was the federal


\textsuperscript{94} Spokane \textit{Spokesman-Review}, 3 October 1927, 4.
government and not the state governments that had to enforce federal statutes, especially when the federal agencies seemed to have no interest in cooperating with the states. G.B. Kennedy, the sheriff of Island County, Washington, wrote chidingly to the prohibition agent assigned to his region, “I was very sorry to have missed you last Sunday when you called, partly because you are the first Prohibition Agent that has called on me during my two years in this office.”

When, in December 1920, the *Seattle Post-Intelligencer* had made the prediction that few would risk “long chances of punishment” by smuggling liquor across the Canadian-American boundary, it was predicated on the belief that American enforcement would present a sufficient deterrent. To the contrary, it seems that the border was simply too porous, enforcement too sparse, and the public too sympathetic. Just eleven months later, the *Post-Intelligencer* changed its outlook completely. “The American bootlegger is now the best customer British Columbia has...,” the paper wrote, and that short of British Columbia going dry, it was likely that “prohibition will continue to be more or less a farce.” By the mid-1920s, many in the United States began to consider the possibility that the answer to America’s liquor problem was to be found not in its own efforts, but in that of its neighbors to the north.

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95 American Consul (Vancouver) to Secretary of State, 25 July 1929, 811.114Canada/4221; Willebrandt, *The Inside of Prohibition*, 234-35; *Nation*, 18 September 1929, 291.

96 Kennedy to Koehler, 30 November 1928, RG 56, box 3, file 132S, NAPNW.

97 *Seattle Post-Intelligencer*, 21 December 1920, 6.

CHAPTER V

THE LIMITS OF DIPLOMACY

By early 1922, few believed that enforcement of the Eighteenth Amendment could be successful without Canadian assistance. American efforts had proved ineffective, not only because much of the public considered bootlegging a "respectable" crime, but also because those charged with enforcing the law were not given the necessary tools to defend the porous "undefended" border. Barring a change in one or the other, attacking the problem at its source seemed a more promising strategy. Throughout the remainder of the decade, American diplomats made repeated overtures for assistance from the Canadian government. Most resulted in failure. While economics help to explain Canada's lack of interest in assisting American enforcement, achieving Canadian cooperation proved difficult for other reasons as well. Prohibition in the United States, and efforts to persuade Canada to enforce it, brought to the fore deeply ingrained political and cultural attitudes held by Canadians toward the United States. At a time when Canada was seeking to establish its identity as an independent nation, the border represented the sovereignty so many Canadians sought. Cooperation with the United States would not be a popular option.

EARLY DIPLOMATIC OVERTURES

Initially, the most pressing dilemmas American diplomats faced were the complications that arose when the United States sought to exercise jurisdiction over foreign vessels caught participating in the liquor traffic. Daily, fully loaded ships
departed ports in British Columbia in the West, from the Maritimes in the East, and from the Bahamas in the South, to points along the Pacific, Atlantic, and Gulf coasts. These vendor boats, or "mother vessels," usually remained just outside American territorial waters. From there, they transferred their cargoes to the smaller, speedier vessels that assumed the risk of transporting the liquor to land. Because these so-called "Rum Rows" remained beyond the internationally recognized three-mile limit, nothing they did violated either American or international law. Consequently, any attempts by the United States to enforce Volstead beyond its waters attracted prompt protest from the British and Canadian governments.1

To the United States, the central objective was to enforce the Eighteenth Amendment by stopping the flow of liquor from Canada. To Great Britain and Canada the issue was more complicated. To the British it was an issue of preserving their rights on the high seas, an issue dear to British governments "from time immemorial."2 While also concerned about protecting its vessels on the high seas, even more was at stake for Canada. Beginning in the 1920s, Canadian external affairs underwent a significant transformation. During the William Lyon Mackenzie King administration, Canada made a concerted effort to define a Canadian foreign policy independent of the British Foreign and Colonial offices. To do so, meant it had to face the United States alone, without compromising its sovereign rights or 

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2 Alex I. Inglis, "The 'W.H. Eastwood' Affair," *External Affairs* 22, no. 2 (1970): 55. Only concerning liquor shipments from the Bahamas did American and British interests regarding prohibition enforcement intersect directly. Indirectly, however, as a Dominion in the British Empire, Canada's external policy was tied very closely to that of Great Britain. Until 1927, the British embassy represented the Canadian government in Washington. For an excellent analysis of Anglo-American diplomacy during this period, see Lawrence Spinelli, *Dry Diplomacy: The United States, Great Britain, and Prohibition* (Wilmington, DE, 1989).

American enforcement required Canadian cooperation on three major fronts. First, the ease with which American boats re-registered as foreign vessels stymied enforcement efforts. Consistent with long-established international practice, American-flagged vessels remained subject to search and seizure by American authorities even on the high seas. Foreign vessels, on the other hand, were subject to this authority only while within three miles of the shore. Realizing this, many American rum boats promptly re-registered as British or Canadian vessels. Second, to prevent the ease with which foreign vessels took refuge beyond the three-mile limit, American diplomats sought to extend that limit to twelve miles. Finally, they hoped to persuade Canada to deny liquor clearances to the United States altogether, on the grounds that liquor exports inherently violated American law. Prohibition Commissioner Roy Haynes believed that if the Dominion agreed to these requests, it "would practically control the Canadian border smuggling problem and would prevent the entrance into this country of a very substantial quantity of Canadian liquor."\(^4\)

Accordingly, in June 1922, Secretary of State Charles Evans Hughes petitioned Great Britain and Canada to refuse registry to vessels owned by Americans and requested the extension of the right of search and seizure from three to twelve miles. The first issue did not prove difficult to resolve. Although British and Canadian authorities were initially reluctant to refuse registries to vessels owned by Americans—believing that to do so would place an undue administrative burden on British or Canadian officials—the extent to which American rumrunners abused the protection of the British merchant flag soon awakened their concern. They agreed that whenever a transfer request was not accompanied by a United States Shipping Board authorization—which, presumably, rumrunners would be unable to acquire—its non-production would place in question the *bona fides* of those seeking the transfer. In such

\(^4\) *Aide-Mémoire, Department of State to the British Embassy, 27 June 1922, FRUS (1922), 563.*
cases, Canadian authorities agreed to forward the requests to the “appropriate” department of the Canadian government. The delay necessitated by this procedure would, in itself, be sufficient to discourage transfer requests.5

The second issue proved far more problematic because it threatened to undermine centuries of precedent regarding the rights of search and seizure over foreign vessels. Some Americans, committed to improving the nation’s ability to enforce prohibition, believed that the United States should unilaterally extend its right of search and seizure from three to twelve miles. Such advocates pointed out that the significance of three miles was that it had been the distance required for nations to protect their territory against the cannon shot of a foreign enemy. The absurdity of such a policy in 1922—when ships were capable of firing projectiles fifteen to twenty miles—seemed obvious. Nonetheless, Hughes considered the rule, irrespective of origin, “so well established that the United States cannot depart from it, until a general agreement respecting its alteration shall have been reached among the nations of the world.” He did concur, though, that exceptions to this policy might be achieved through bilateral agreements with Canada or Great Britain.6

When Hughes made such a request in late 1923, Canada immediately recognized the international implications. In light of its desire to act independently on diplomatic issues, Canada ironically chose to defer the issue to Great Britain. As Prime Minister Mackenzie King admitted, “We would recognise in a moment that here is something which affects the entire British Empire.”7 Not unexpectedly, the British remained cold to the suggestion. Although Great Britain recognized the obstacles a three-mile limit

5 Secretary of State to Ambassador Geddes, 26 June 1922, DCER, vol. 3, 946-48; Ambassador Geddes to Secretary of State, 13 October 1922 and 6 December 1922, FRUS (1922), 578-81, 589-90.

6 Senator Thomas Sterling to Secretary of State, 28 July 1922; Secretary of State to Sterling, 16 August 1922, FRUS (1922), 564-74.

7 Mackenzie King (Address to Imperial Conference), 8 October 1923, DCER, vol. 3, 236.
posed to American enforcement, it was also cognizant that to extend rights of search and seizure to twelve miles—even if limited to vessels involved in liquor trafficking—would "form a precedent for the conclusion of similar treaties until finally the principle would become a dead letter." For the meantime, extending the three-mile limit was out of the question and every questionable seizure by the United States drew immediate protest from London or Ottawa.

Aside from the registry issue and the right of search and seizure, the third issue of most importance to the United States was the Canadian practice of issuing clearances to liquor vessels destined for the United States. Although they intended to violate American law, these vessels broke no Canadian law and so Canadian customs collectors routinely cleared liquor shipments to the United States. Foreshadowing the difficulties this issue would present for the remainder of the decade, the Canadian response to Hughes' request on this matter was prompt and emphatic. Ambassador Geddes pointed out that, so long as the appropriate duty or bond was paid, the export of liquor broke no Canadian law. Just because the United States prohibited its entry did not warrant the refusal of clearances. To make such a concession would be to imply that it was Canada's responsibility to refuse clearance to any good bound for any port that so prohibited its entry. From the Canadian perspective, this would require its customs officers to enforce an American law. Moreover, the Dominion had already instructed its customs officers not to clear liquor except during their official hours and only when it was shipped in bond. As an alternative, the chargé d'affaires at the British Embassy,

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8 Aide-Mémoire, Colonial Secretary to Governor General, 6 September 1923, DCER, vol. 3, 962.

9 Secretary of State to Ambassador Geddes, 7 March 1923, FRUS (1923), 228-29.

10 Chilton (for Ambassador Geddes) to Secretary of State, 19 June 1923, DCER, vol. 3, 958.

11 CAR (1922), 141.
H.G. Chilton, invited the United States to send a representative to discuss ways Canada might otherwise assist the United States, particularly in the matter of sharing information. Seeing a valuable opportunity to press Canada on other liquor-related issues as well, Hughes agreed to send a representative to Ottawa in November, 1923.¹²

Hughes appointed McKenzie Moss, an assistant secretary in the Treasury Department, to lead the American delegation. He instructed Moss to seek Canada's cooperation in a number of areas: first, that the Dominion pass an Order-in-Council prohibiting the clearance of liquor to the United States; second, that it refuse clearances to all liquor vessels under 250 tons since (despite claims to the contrary) such vessels were incapable of making voyages to any destination except the United States; and third, short of denying clearances, that Canada notify American officials of all liquor shipments cleared to the United States. On lesser matters, Hughes instructed Moss to secure the right of search and seizure on the Great Lakes, a treaty providing for the extradition of persons apprehended in Canada who were accused of violating American liquor laws, and an arrangement allowing the attendance of Canadian officials as witnesses in American courts.¹³

Hughes understood that the achievement of his goals were unlikely without a concession to Canada. Fortunately, Canada had a concern to which Hughes was willing to concede.¹⁴ Three months earlier, Chilton had approached the Secretary of State with the request that Canada be allowed to ship liquor across Alaska from Skagway to the Yukon port of Whitehorse. The $75,000 in annual revenue obtained from liquor sales in

¹² Chilton to Secretary of State, 16 July 1923, DCER, vol. 3, 958-59; Secretary of State to Chilton, 19 July 1923, FRUS (1923), 231.

¹³ Secretary of State to the Assistant Secretary of the Treasury, 24 November 1923, FRUS (1923), 233-39.

¹⁴ Chilton to Acting Foreign Secretary, 30 June 1922, DCER 3, 945-46; Chilton to Governor General, 19 September 1923, DCER, vol. 3, 984-86.
the Yukon apparently played an important role in financing that territory's government. Under the provisions of the Treaty of Washington of 1871, the United States had conceded to Canada the right to transport liquor into the Yukon via the Yukon River. Since that time transportation from Skagway by land had become a realistic alternative; indeed, at a distance of only twenty-six miles, it had become far superior to the arduous and expensive 1,500-mile river route. The State Department's initial response had been that it had no authority to grant the Canadian request. As evidence, it pointed to a recent Supreme Court decision, *Cunard Steamship Company, Ltd. v. Mellon*, that prohibited the transport of liquor across any territory of the United States. To Canada, this was a specious argument. Shipment by Skagway, Canada contended, was no different than shipment through the Panama Canal, which the law permitted. Mindful of the validity of this argument, Hughes authorized Moss to offer this concession as a *quid pro quo* in exchange for Canada's cooperation on the issues important to the United States.

Although open to the Alaska concession, few of the remaining issues advanced by the United States received a favorable response. Allowing American enforcement officers jurisdiction on the Canadian portions of the Great Lakes was out of the question, as was the outright denial of all liquor exports to the United States. Chilton saw no point in denying clearances, "So long as the American authorities along the border... are apparently working hand-in-glove with the liquor smugglers." He

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13 Chilton to Secretary of State, 9 August 1923, DCER, vol. 3, 960-61; George Black to Prime Minister, 7 July 1922, Mackenzie King Papers, vol. 70, reel C-2242, NAC.


17 Secretary of State to the Assistant Secretary of the Treasury, 24 November 1923, *FRUS* (1923), 233-39.

18 Chilton to Governor General, 29 June 1922, DCER, vol. 3, 943.
pointed out that an already-existing order-in-council prohibited clearances of liquor in vessels under 200 tons and saw little need to increase this limit to 250 tons. On the matter of extradition, the Canadian conferees pointed to a number of difficulties. Not only did American laws denounce as crimes acts which did not constitute offenses under any Canadian law but, more important, most liquor laws in Canada were provincial regulations not subject to Dominion control. Finally, although Canada acknowledged the historical cooperation between customs authorities on both sides of the line, it argued that this collaboration was based merely on friendly relations existing between individual officials, and not on any diplomatic arrangement. An agreement mandating cooperation, the Canadian delegation argued, would only place its officers in a difficult position. Since American prohibition began, Canadian officials who furnished information against smugglers had witnessed an increase in attacks against their person or property. With so little common ground, the conference ended without accord.

It was not until the United States reached an agreement with Great Britain in early 1924 that Canada would consider concessions of its own. On January 23, British and American representatives finally reached a breakthrough regarding the extension of the right of search and seizure. Although rejecting a twelve-mile limit, Great Britain agreed to raise no objection over seizures beyond three miles provided they were not at a greater distance from the coast than could be traversed in one hour by the rumrunner. As a concession, the United States nullified *Cunard v. Mellon*, thus giving British ships

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19 Assistant Secretary of the Treasury to Secretary of State, 29 December 1923, *FRUS* (1923), 240-50.

20 Bemis, ed., *American Secretaries of State and their Diplomacy*, vol. X, 296. In practice, however, many rumrunners and enforcement officers understood the rule to mean twelve miles—an imprecision that would later create new diplomatic controversies of its own.
the right to transship liquor to foreign ports through U.S. territory provided that it was kept under seal.21

Although the Anglo-American treaty most affected the enforcement against liquor smuggled from the British Bahamas, it also proved significant in that it offered to other nations a precedent for the “one-hour” sailing distance. Most important, it helped to jump-start a Canadian-American agreement. In June 1924, Canada agreed to observe the Anglo-American agreement with a number of additional provisions. As a concession to nationalists in Parliament, the treaty focused more on commercial smuggling than on liquor. The latter was the United States’ problem, not Canada’s; both nations, however, had an interest in preventing commercial smuggling. The two nations agreed to share information concerning the clearance of any vessels or vehicles suspected of smuggling; they agreed that clearance would be denied when the vessel in question, regardless of size, clearly could not make the stated destination; they agreed to allow officials from one country to serve as witnesses in official proceedings of the other; and finally, the United States approved the right of Canada to transship liquor across Alaska into the Yukon.22

The Seattle Times was at once optimistic about the effect this agreement would have on the liquor traffic when it reported “Puget Sound Booze Fleet Doomed by U.S.-Canada Pact.”23 Few rumrunners spent much time fretting. The only real effect on the liquor traffic was that the treaty required larger vessels to clear from British Columbian ports. Fishermen were happy to pick up the slack with their large fishing vessels,


23 Headline quoted in Parker and Tyrrell, Rumrunner, 75.
especially during the slow winter months. After these fishing vessels-turned-rumrunners cleared customs, they simply transferred the liquor to the usual smaller boats. Alternatively, small vessels got around the treaty by carrying shipments ostensibly bound for a coastal port in British Columbia. In these cases, the liquor rarely arrived at the consigned destination. As one rumrunner commented, "I'm sure that if the records for that period were ever examined, places like Bowen Island [British Columbia] would show a per capita alcohol consumption that far exceeded human capability!" Further, the treaty provided little relief for the long land border which, of course, was not subject to the new "one-hour" limit. As Maclean's later pointed out, "No international pact was possible which would push back the jurisdiction of Canadian authority beyond the Dominion's own border." Even more important, the treaty failed to secure the two remaining issues most dear to the United States: that Canada deny all clearances of liquor to the United States and that Canada agree to extradite those suspected of involvement in liquor smuggling. Although the United States sought to secure these objectives for the remainder of the decade, Canada remained intransigent.

THE POLITICAL-ECONOMY OF RUMRUNNING

At the heart of this intransigence was the boost the liquor trade gave to the Canadian economy. Because Canada had no legislation curbing rumrunning to the United States, and so long as liquor exporters obtained the proper clearance papers and paid the appropriate duties and excise, the Canadian government was willing to look the

24 Parker and Tyrrell, Rumrunner, 74-75.


other way. It was no secret that the liquor traffic, like tourism, favorably affected Canada’s balance of trade.\textsuperscript{27}

It is, of course, impossible to calculate accurately the value of the liquor traffic to the Canadian economy. Smugglers were reluctant to pay the special federal excise of $20 per case on liquors destined for the United States, and so they cleared their cargoes for ports in Mexico, Central America, or South America instead. Thus, even though most of this liquor leaked into the United States rather than Latin America, Canadian Customs did not characterize it as an export to the United States. Still, from official export figures, one can at least determine the lower limit of Canadian liquor shipped to United States. In 1920, Canada exported only $707,099 worth of alcoholic beverages to the United States. Within only three years, liquor exports increased to $3,178,908 and, by 1925, to $11,610,169.\textsuperscript{28} These figures continued to increase until, for the last three years of the decade, they routinely exceed $30,000,000 annually.\textsuperscript{29}

Benefiting most directly from this trade were Canadian brewers and distillers.\textsuperscript{30} Between 1920 and 1929, the number of Canadian breweries increased from 57 to 84 and the number of distilleries from 10 to 27. Likewise, the total amount of capital invested in the liquor industry continued to increase significantly throughout the decade. One might attribute the increase to the provinces’ abandonment of prohibition during the 1920s in favor of government control. However, the significant increase in production was not matched by a corresponding increase in the apparent consumption of liquor in Canada, which remained essentially flat throughout the decade. Moreover, starting in

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\textsuperscript{27} Financial Post, 20 July 1923, cited in CAR (1923), 61.
\textsuperscript{29} New York Times, 30 March 1930, sec. 9, 4.
\textsuperscript{30} Richard de Brisay, “Canada Turns Against Prohibition,” Nation, April 1925, 461.
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1933—the year prohibition ended in the United States—the Canadian liquor industry began to show a significant decline in size and production. The prosperity enjoyed by brewers and distillers, explained the *Daily Province*, was largely due to the “stimulus of the huge liquor trade with Americans.”

No less important were the profits reaped by industries providing materials related to brewing and distilling. Throughout the 1920s and early 1930s, the production of Canadian barley, malt, hops, cartons, corks, bottles, barrels, labels, distilling machinery, power, and transportation all experienced growth rates that paralleled the growth of breweries and distilleries. As an example, a burlap dealer in Victoria claimed to have sold over 3000 bags per week to one customer.

The profits enjoyed by those involved directly or indirectly in the liquor traffic meant that few Canadians were interested in seeing the Dominion prohibit exports to the United States. One Vancouver resident explained:

> We have here gentlemen (all Canadians) who have taken up the business of supplying our ‘friendly’ neighbor with the finest imported liquor at reasonable prices. These men pay customs duties and taxes and in all ways obey the laws of our land besides employing hundreds of citizens of Vancouver where work is sadly needed. Can Vancouver afford to throw away a revenue of this size and incidentally put scores of men out of work to please a few of our narrow-minded bigots and our ‘friendly’ neighbors who do not even pretend to obey their own laws?

In addition to the stimulus the liquor trade provided to Canadian industry, the Dominion government received considerable income from the liquor traffic. Being one of

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31 Dominion Brewers’ Association, *Facts on the Brewing Industry in Canada* (Ottawa, 1948), 31, 61; Canada, Department of Trade and Commerce, Dominion Bureau of Statistics, *The Control and Sale of Liquor in Canada* (Ottawa, 1931), Table 3, p. 15; Table 11, 21; *Vancouver Daily Province*, 11 March 1930, 1.

32 *Facts on the Brewing Industry in Canada*, 43-44; Richardson, *Pig War Islands*, 311. Rumrunners preferred burlap sacks to wood crates as the former were much easier to load and unload.

33 Quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/339.
Canada's largest industries, the distilling and brewing industry paid over $59 million in taxes and duties to the Dominion government in 1929. Of that figure, over $15 million came from duties and excise collected on liquor exported to the United States. Added to this revenue were the taxes derived from all the materials and capital investment that went into the finished product. During the 1920s, customs and excise duties were a particularly important part of the federal government's sources of revenue. Even today they rank only behind income taxes. By cooperating with American enforcement, the Canadian government recognized that it would be undermining the tax revenue the liquor traffic generated.

Prohibition and the liquor industry were also important agents in the expansion of the bureaucratic state in Canada. While most authorities were reluctant to enforce laws that would undermine liquor revenues, they were quick to enforce minor laws that required only the payment of fines—a process that euphemistically came to be known as "licensing by fine." Local municipalities and provincial governments quickly discovered that additional police officers procured additional revenue from such violations. At the federal level, the Dominion added a Preventative Service specifically to attack violations in the liquor trade. Supplementing this agency were the Royal Canadian Mounted Police and Customs officers who already combated the traffic. Indeed, more officers at any level meant an increase in net revenue and more opportunities for political patronage.

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34 The Control and Sale of Liquor in Canada, Table 2, p. 14. Total federal revenue for 1929 was $378 million dollars, meaning distilling and brewing revenue alone accounted for almost one-sixth of all federal budgetary revenue. See Historical Statistics of Canada, 1st ed., series G1-25, 197.

35 Commissioner of Excise to O.D. Skelton, 27 February 1930, reel T1758, frame 441, RG 25, D1, vol. 742, file 149, part 1-4, NAC; Facts on the Brewing Industry in Canada, 74; McIntosh, The Collectors, 11, 15.

Both the Dominion and provincial governments refuted persistent attacks that the government was in the liquor business to make as much revenue as possible. They protested in response that revenue was incidental to government policy, not the purpose of it. Nevertheless, it remained the opinion of the American Consul in Vancouver that "Too much was now at stake from the financial end... and that the income derived from the sale of liquor... had become part and parcel of the [economy]." Few Canadians failed to recognize that tax revenues collected by the government, though paid by Canadian exporters, originated in the American pocket. In a sense, Americans were subsidizing the Canadian economy. More than one thankful British Columbian enjoyed the irony.

One of the most active opponents of cooperation with the United States was the liquor lobby. Composed primarily of brewers, distillers, and exporters, this lobby tirelessly fought the introduction or passage of any legislation that would have prohibited liquor exports to the United States. The largest liquor exporters in British Columbia, particularly Consolidated Exporters, also sought to minimize the effect of the government's insistence that exporters deposit a cash bond with customs for liquor bound for non-U.S. ports. Although the exporters had no intention of shipping the liquor to the consigned ports, they found the bond an unnecessary hindrance, and lobbied aggressively for its elimination.

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37 Victoria Daily Colonist, 10 May 1922, 9; American Consul (Vancouver) to Secretary of State, September 1928, 811.114Canada/409.8

38 New York Times, 24 March 1922, 17; American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/339.

39 American Consul (Ottawa) to Secretary of State, January 1930, 842.114Liquor/74; Victoria Daily Colonist, 5 August 1922, 5. More troubling, as a royal commission later discovered, were the substantial contributions made by the liquor industry to political campaigns, British Columbian newspapers, and even directly to public officials. See RCCE, Vancouver Evidence, 6224-42, 6982-90, 7743-52, 7876-82.
On occasion, American diplomats and enforcement officers sought help directly from Canadian industry. Such overtures usually met with little success, particularly because many of these industries enjoyed close connections to the Dominion government. In one such case in 1927, citing customer confidentiality, the Canadian Pacific Railway refused to provide American customs officers information on shipments of liquor from Vancouver that landed in the United States. The American Consul in Vancouver found the CPR’s attitude not at all surprising. He predicted that appeals made to the Canadian government to encourage the cooperation of private industry would prove futile. In writing to his superiors, he commented:

The Canadian Pacific Railway is a power in Canada and doubt is expressed if any kind of representation from any official in the Dominion Government on the question of liquor smuggling to the United States would have much weight. This frame of mind is shared to a large extent by many officials in Vancouver whose appointments are more or less political.40

More than a few advocates of cooperation with the United States wondered whether Canada’s staunch attitude against cooperation was the result of large campaign donations that both Liberals and Conservatives received from the liquor industry. Nevertheless, until the full extent of the liquor industry’s connection to Canadian politics was uncovered by the Royal Commission investigation in 1926 and 1927, most Canadians did not feel it was government’s role to interfere with what was then considered a legitimate Canadian enterprise.41

American efforts to secure British Columbia’s cooperation in enforcement also involved federal-provincial political difficulties. Broadly speaking, the Dominion alone had the authority to prohibit the manufacture or export of liquor, while either a province

40 American Consul (Montreal) to American Consul (Vancouver), 25 October 1927, and American Consul (Vancouver) to Secretary of State, 2 November 1927, 811.114Canada/3819.

or the Dominion could prohibit the sale for local consumption. Consequently, export houses sprang up all along the British Columbia-United States border. Though the province could raise annual license fees on the export houses, it otherwise exercised no control over them. Throughout the decade, the export companies not only served customers in the United States but also, much to the province’s dismay, competed illicitly with provincial liquor stores for the patronage of British Columbia customers.

Even local governments worked at cross-purposes with Dominion and provincial governments. When Dominion and provincial authorities agreed to share in the spoils of the liquor trade, they usually left local municipalities out in the cold. Unable to derive revenue from most liquor violations themselves, municipalities were understandably reluctant to assist in the enforcement of either Dominion or provincial law. Instead, they chose to prosecute offenders under lesser, municipal codes. Repeat “first-time” offenders were released with minimal municipal sanction, free to be fined again later. It made no sense to seriously hinder American rumrunners who provided a tidy bit of revenue to local hotels, restaurants, garages, or other establishments.

AFFRONTS TO CANADIAN SOVEREIGNTY

Prior to the mid-twenties, Canadian sentiment toward cooperation with United States enforcement remained fairly uniform across the Dominion. The profits to be had in the liquor traffic no doubt contributed to this widespread support. Yet, no matter

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42 Memorandum, “The Dominion Government and the Control of the Liquor Traffic,” n.d., reel T1758, frames 465-72, RG 25, D1, vol. 742, file 149, part 1-4, NAC.

43 Campbell, Demon Rum or Easy Money, 25, 46-47. To minimize the impact of these higher license fees, a number of the largest export houses simply merged to form Consolidated Exporters in 1922.

44 Victoria Daily Colonist, 5 August 1922, 5.

how significant profit was to the Canadian unwillingness to prohibit clearances of liquor and to otherwise assist in American enforcement, to focus exclusively on economics is to overlook other factors that were equally important. The Canadian reaction to prohibition in the United States provides a unique window into how Canadians and Americans viewed each other and their respective political and cultural systems.

For many Canadians, a primary obstacle to cooperating with the United States was the Eighteenth Amendment itself. As the decade progressed, and as each of the other provinces followed Quebec’s and British Columbia’s lead in abandoning provincial prohibition in favor of government control, many Canadians were wont to look upon the American system with a certain smugness. One letter to the Victoria Daily Colonist questioned, “The Dominion of Canada... by an overwhelming majority has dropped prohibition and gone wet. Are the people of Canada who made this change one whit less intelligent than the people of the USA?” There were good reasons Canadians had chosen government control. For a moderate, temperate people—a description Canadians often assigned themselves—government control was quite sensible. It spared the public the horrors of complete (or American) prohibition, such as poison liquor, sudden death, and unpopular, corrupt enforcement officials. As the Vancouver Sun commented:

The liquor legislation of the United States is based on the assumption of a morally perfect public. It is based on conditions as they should be, not on conditions as they are. Laws are only enforceable in so far as they reflect the will of the people. Lawlessness occurs when legal evolution gets too far ahead of moral evolution in the individual. Rum-running into the United States has been started because American liquor legislation is more advanced than the average morals of the American people.47

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46 Victoria Daily Colonist, 18 November 1927, 4. See also Toronto Saturday Night, quoted in Vancouver Daily Province, 20 January 1929, 6.

47 American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392; Vancouver Sun quoted in Literary Digest, 6 October 1923, 84.
The root of America's prohibition problems, according to Canadians, lay not in the lack of Canadian assistance but in a fundamental deficiency in the American character. America's problems were reflections of its historical tendency to pass laws regulating national morality. To most Canadians, this seemed a foreign concept. "The Americans," wrote the Canadian Forum, "believe their souls can be saved by prohibitory laws. With Canadians it is not so.... We do not believe that there can be salvation by legislation for anyone, anywhere, any time." Even more incredulously, the United States had inflexibly constitutionalized its form of prohibition, rather than leaving it to the people to accept, reject, or modify according to regional values. It reaffirmed an attitude already deeply ingrained in the Canadian psyche, that the Canadian political system was far more responsive to the ebb and flow of public thought than the Republic's. The Eighteenth Amendment was an ill-conceived law that was unenforceable from the start.

The New York Times was quick to pick up on widespread Canadian sentiment that opposed helping to enforce an unpopular American law: "Why should Canada, it is asked, concern itself with this purely domestic American problem, and make a crime out of what is now legitimate trading on this side of the line when... millions of Americans break the prohibition law daily and even men in important official posts seem to show no particular solicitude for it?" The Toronto Saturday Night even quipped that "If Canada desires to make herself unpopular with the influential and powerful people of the United States, the 'governing classes' so to speak, the best way

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48 Richard de Brisay, "Our Neighbors to the South," Canadian Forum, January 1929, 111.


to go about it would be to put an embargo on liquor exports to the United States."\textsuperscript{51}
The basis of rumrunning was not Canadian cupidity, but American thirst.\textsuperscript{52}

The American Consul in Victoria discovered widespread local opinion that American officials were only half-hearted in their efforts to curtail the traffic. It was no secret to Canadians that Congress perennially appropriated only meager sums for prohibition enforcement. Canadians were well aware that most states and localities rarely shouldered their part of the enforcement burden and that local customs and attitudes shaped the extent to which prohibition laws were enforced.\textsuperscript{53} As the \textit{Ottawa Journal} reported, "Everybody knows—it is part of the record—that prohibition enforcement in the United States has been honeycombed with corruption, with sinister politics, with indifference, with plain crime and with inefficiency."\textsuperscript{54} This situation prompted the \textit{Journal} to entitle an editorial, "U.S. Enforcement, Like Charity, Should Begin at Home."\textsuperscript{55}

Most Canadians were reluctant to expend resources helping the United States because the idea smacked of Canadian enforcement of an American law. It was not Canada's responsibility to help the United States enforce a law which the Dominion itself had refused to copy.\textsuperscript{56} Canadians bristled at the possibility that Ottawa would give in to American pressure. The \textit{Toronto Mail and Empire} reminded the government

\textsuperscript{51} \textit{Toronto Saturday Night} quoted in \textit{Vancouver Daily Province}, 20 January 1929, 6.

\textsuperscript{52} \textit{Vancouver Sun}, 23 April 1926, cited in American Consul (Vancouver) to Secretary of State, 23 April 1926, 811.114Canada/1600.

\textsuperscript{53} American Consul (Victoria) to Secretary of State, 27 February 1926, 811.114Canada/1385; Kottman, "Volstead Violated," 115; \textit{CAR} (1922), 140. Similar sentiments expressed in \textit{Literary Digest}, 6 October 1923, 21;

\textsuperscript{54} \textit{Ottawa Journal}, 10 January 1930, quoted in American Consul (Ottawa) to Secretary of State, 842.114Liquor/74.

\textsuperscript{55} \textit{Ottawa Journal} quoted in Kottman, "Volstead Violated," 115.

\textsuperscript{56} \textit{Literary Digest}, 6 October 1923, 21.
in Ottawa that it was in office to administer the laws of Canada, not those of the United States.57 One British Columbian complained, "Uncle Sam, with his usual greed, having bitten off more than he can chew with his Eighteenth Amendment, is using his influence with our government at Ottawa and getting his work done at our expense."58 The Canadian Forum added, "If they can prove their sincerity by a thorough cleaning up of their own preventative service (whose corruption is notorious), we feel sure they will find our authorities ready to help them by further cooperation to any reasonable extent."59

Nevertheless, it seems that at least initially the Dominion made a good-faith effort to at least uphold its end of the 1924 treaty with the United States. Whenever customs officers cleared liquor destined for United States ports, they usually phoned their American counterparts informing them of the names of the vessels and their captains. In the case of shipments by land, Canadian officers often gave American officials information regarding where the smuggled liquor could be confiscated on U.S. territory. Not all American officers were receptive to this assistance. One Canadian customs agent reported to his supervisor that his opposite number on the American side had requested that he stop making phone calls about impending shipments and instead send a report once a week. Whether this was because the American officer was overwhelmed in paperwork or simply wanted to be able to look the other way is unclear. Whatever the reason, in response to incidents such as these, the ardor of

57 Kottman, "Volstead Violated," 114.

58 Letter to editor, quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.

59 Canadian Forum, January 1929, 112.
Canadian officials cooled somewhat in the matter of helping their American counterparts.\footnote{In defense of American officers, however, many had become somewhat cynical about the information provided. It seems that an inordinate number of the vessels cleared from one border point were named "Daisy" and their skippers, "Bill Smith." See American Consul (Vancouver) to Secretary of State, 23 April 1926, 811.114Canada/1600. \textit{New York Times}, 13 January 1929, 6; Allen, \textit{Ordeal by Fire}, 289.}

A Vancouver resident questioned whether, if the situation were reversed, the United States would jump at the opportunity to help Canada enforce an unpopular Canadian law. He saw no reason to treat the United States as a "friendly" neighbor. "Why call a nation friendly," he commented, "that pushed back our boundary from the Columbia River to the 49th parallel, shoved the Alaskan boundary in 30 miles, stole the island of San Juan and worst of all, looked on with indifference while our good men died like flies and, in the meantime, gathered in the shekels?"\footnote{Letter to the editor quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.}

While this person reflected the most extreme of opinions against cooperation with the United States, particularly in British Columbia, the sentiments he expressed were symbolic of those expressed by many concerned that Canada might bow to the wishes of its domineering, insensitive neighbor. It was not uncommon for Canadians to remember the United States' belated participation in the First World War, its unwillingness to support and join the League of Nations, or its characteristic lack of interest in issues important to Canadians.\footnote{CAR (1923), 61; Letter to the editor, quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.} Canadian editors recognized the irony that while foreign entanglements frightened the United States, it hadn't the "slightest hesitancy in inviting outside nations to get caught up in [its] own barbed-wire of prohibition legislation."\footnote{\textit{Literary Digest}, 6 October 1923, 20.} It had shown no hesitancy in shutting out Canadian fishermen from the American market with the Fordney-
McCumber tariff. As the nationalist Toronto Mail and Empire, commented, "Canada would show itself to be a simpleton in the family of nations into which it has recently been adopted if it entered into any engagement to help make the United States dry." 64

Many dry Americans found the lack of cooperation from Canada infuriating. Rumrunning, they argued, did not constitute, by any stretch of the imagination, a respectable business, and the fact that the Dominion enabled this traffic was unneighborly at best, criminal at worst. 65 One editor turned the situation around when he commented on the smuggling of goods north: "Will they be content when we tell them that the violators of their excise laws are innocent under ours and that they cannot expect us to interfere with such activities? We have heard that more than once from Canada... and thought it a poor plea to come from friends." 66 Playing on the incessant Canadian fear of cultural intrusion, the New York Times even suggested an appropriate form of reciprocity: "As Canada bootlegs rum to us, we could bootleg literature to Canada." 67

Most Americans probably found asking Canada to enforce an American law troubling. If Canada refused to export liquor to the United States, it is likely that the Dominion would have been deluged by liquor violators as well. It was more useful, many suggested, that the United States prevent rum vessels from clearing United States ports in the first place. Asking Canada to do what the United States did not do first seemed hypocritical. Fiorello LaGuardia, the feisty congressman from New York, once

64 Toronto Mail and Empire quoted in Literary Digest, 6 October 1923, 81.
65 Nation, 4 September 1929, 243.
grumbled that there had never been “a more outrageous, cheap proposition in the history of the world.”

It was the excesses of American enforcement, however, that united the majority of Canadians against cooperating with the United States. When, in early 1924 and 1925 the United States Coast Guard seized a number of Canadian vessels under questionable circumstances, it flirted with an easily aroused Canadian nationalism and helped to solidify Canadian intransigence.

On 24 October 1924, the United States Coast Guard cutter Shawnee seized the Quadra as the latter discharged liquor to speedboats off the California coast. The 175-foot, 573-ton Canadian-registered rumrunner had originally served as a lighthouse tender when it arrived from Scotland in 1892. It had later doubled as a fisheries patrol vessel and a survey platform until damaged in a collision with a CPR steamer at Nanaimo in 1917. Repaired and purchased by Consolidated Exporters, the Quadra then commenced a successful career as a rumrunner. When the Quadra departed Vancouver with a 40,000-case cargo in September 1924 it had complied with Canadian law by depositing the requisite bond of $40 per case declaring the cargo bound for La Libertad, San Salvador.

The Shawnee brought the Quadra to San Francisco where the crew was tried for conspiracy to violate the Eighteenth Amendment. Although most Canadians did not challenge the right of the United States to seize vessels within the one-hour’s sailing distance specified in the 1924 treaty, a number of facts regarding the case aroused concern in British Columbia. Apparently, a rum row rival of Consolidated Exporters had paid Captain Charles F. Howell, the captain of the Shawnee, $20,000 to seize the

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68 Nation, 4 September 1929, 243; LaGuardia quoted in Allen, Ordeal by Fire, 290-91.

69 Seattle Post-Intelligencer, 21 November 1924, 4; Memorandum, “Decision of the Supreme Court of the United States regarding Quadra,” n.d., reel T1758, frames 107-09, RG 25, D1, vol. 743, file 155, NAC.
Quadra, regardless of whether it was inside or outside the one-hour limit. Consolidated then paid another $20,000 for Howell to lie about the incident in court. Howell was eventually court-martialed for perjury and lost his command. Even though the actual position of the Quadra could not be accurately determined, the judge ruled in favor of the Coast Guard and sentenced the Quadra's captain a fine and two years in jail. Twelve other defendants were given jail time, most of whom jumped bail and returned to Canada.70

The story did not end there. As per its usual agreements with its rumrunners, Consolidated Exporters sent Frederick R. Anderson to San Francisco to serve as the crew's defense. When Anderson arrived in San Francisco, prohibition authorities promptly arrested him. They contended that Anderson, as counsel for Consolidated, was a party to the alleged crime and was therefore subject to arrest. Locking up a Canadian attorney quickly attracted the denunciation of the San Francisco bar, and it aroused even greater protests from Canada. Twenty-thousand British Columbians petitioned the action, protesting that Anderson had come to San Francisco to represent his clients and should be immune from this excessive display of prosecutorial exuberance. The Premier of British Columbia promptly urged the Dominion government to negotiate no new agreements with the United States pending an apology. In the meantime, Anderson promptly jumped bail himself and returned to Vancouver. Federal Judge John S. Partridge cited this as yet "another illustration of the cynical disrespect

for the laws of the United States.” He then doubled the bail on all of the other defendants in the case.\footnote{Victoria Daily Colonist, 4 December 1924; Seattle Post-Intelligencer, 16 November 1924, 1, 2; 19 November 1924, 1; 30 November 1924, 1; 2 December 1924, 2. It was also reported that Anderson made a trip to Victoria to consult with members of the provincial parliament in connection with his case. See Seattle Post-Intelligencer, 3 December 1924, 4; 5 December 1924, 4.}

Like the Quadra case, British Columbia’s response to another seizure turned not on the legal merits of the seizure, but on the subsequent treatment of the accused. In February 1925, the American steamer Caoba, with a cargo of lumber and a crew of eighteen, encountered stormy weather off the Washington-Oregon coast. The severity of the storm caused the vessel to ground near the mouth of the Columbia River, driving the crew to take refuge on the vessel’s two life boats. After laying adrift for two days, the Caoba’s crew was spotted and rescued by the rumrunner Pescawha, under the command of Robert Pamphlet.

By all accounts, Pamphlet was an agreeable man, well-liked by all with whom he came in contact. Unfortunately, neither Pamphlet’s amiability nor his rescue of the Caoba’s crew, meant much to the captain of the Coast Guard cutter Algonquin. While searching for a vessel reportedly adrift at sea, the captain later testified, he had sighted the Canadian-registered Pescawha heading due westward, still inside American waters. Believing the Pescawha to be a rumrunner, the Algonquin commenced pursuit and eventually overtook the Pescawha approximately sixteen miles off the Washington coast. After discovering 1073 cases of liquor, the Coast Guard arrested the crew and towed the Pescawha to Astoria, Oregon.\footnote{U.S. Attorney (District of Oregon) to Attorney General, 9 January 1928, 811.114Pescawha/23.}

The Pescawha had cleared from Vancouver in November 1924. Because of her small, 100-ton size, the schooner was ineligible to clear for any but coastwise destinations and so had cleared for Cape Scott on the northwest tip of Vancouver.
Island. Instead, it appears that Captain Pamphlet proceeded directly south. In the ensuing two months, the rumrunner delivered liquor to a number of vessels off the Washington and Oregon coasts. After the Algonquin seized the Pescawha, Pamphlet made no effort to argue that the Pescawha had not been in American waters. According to him, the Pescawha was en route to Ensenada, Mexico and had entered American waters only in response to Caoba’s distress.73

Evidence suggested otherwise. Food and other provisions found during the seizure were insufficient to last the crew more than two weeks. Portland newspapers found on the Pescawha indicated that the vessel, contrary to Pamphlet’s assertion, had made contact with land on a number of occasions prior to the seizure. Accordingly, the United States District Court in Oregon doubted that the Pescawha was bound for any Mexican port. In the end, it found Pamphlet and his crew guilty, fined the captain $10,000, and sentenced him to two years imprisonment at the federal penitentiary at McNeil Island.74

Although circumstantial evidence suggested that the Pescawha may have been outside the one-hour limit when the Algonquin commenced pursuit, to most Canadians—and to many Americans as well—the vessel’s position was irrelevant and soon forgotten.75 According to the letter of the law, few doubted that Pamphlet’s conviction was justified. Yet, the matter was more than one of simple legality. The

73 Memorandum, “Pescawha,” n.d., reel T1758, frame 110, RG 25, D1, vol. 743, file 155, NAC; American Consul (Vancouver) to Secretary of State, 7 March 1925, 811.114Pescawha/2.

74 Assistant Attorney General to Secretary of State, 13 May 1926, 811.114Pescawha/14. The District Court’s decision was later upheld by the United States Court of Appeals for the Ninth Circuit at San Francisco, as well as by the United States Supreme Court, primarily on the basis that regardless of the Pescawha’s position, it was certainly within a one-hour’s distance for the smaller, faster liquor vessels that were, the prosecution alleged, transporting the Pescawha’s liquor to land. See Assistant Attorney General to Secretary of State, 9 June 1927, 811.114Pescawha/18.

75 An Oregon journalist who accompanied the seizure on the Algonquin, as well as one of the cutter’s firemen, later contended that the Pescawha was much farther from the coast than the Algonquin’s captain alleged. See U.S. Attorney (District of Oregon) to Attorney General, 9 January 1928, 811.114Pescawha/23.
Pescawha would not have been seized had it not gone to the rescue of another ship in distress. To a great majority of British Columbians, the special circumstances of Pamphlet's case entitled him to special consideration. Pamphlet had been captured, the Province argued, not because he was unlucky, unskillful, or inexperienced, but because he was "a gallant seaman and a humane man."76

Even the vast majority of Americans sympathized with Pamphlet's plight. So outraged was one American after hearing of Pamphlet's treatment, that he decried, "I cannot believe that my country could be guilty of base ingratitude."77 The Portland Spectator promptly demanded that Pamphlet be pardoned. On behalf of the crew, the city of Portland awarded Pamphlet a gold watch bearing the inscription, "Captain Robert Pamphlet, a true sailor, in recognition of his action in rescuing the crew of our S.S. Caoba at sea, February 3, 1925."78 A crew member rescued from the Caoba mused with regret, "We cannot help but feel that they are now prisoners because of their humanity to us."79

Many, forgetting that Pamphlet was a rumrunner, continued to hold the opinion that he never should have been convicted. Many more believed that having been convicted, he should have been pardoned. For the next four years, the Canadian legation at Washington repeatedly agitated for Pamphlet's release. Although admitting that public sympathy for Pamphlet did not in any way mitigate his guilt as a rumrunner, the Canadian minister pointed out that substantial sentiment in the western part of Canada, as well as in the bordering American states, supported leniency for the "heroic"

76 Vancouver Daily Province, 1 May 1929, quoted in William Phillips (Ottawa) to Secretary of State, 23 May 1929, 811.114Pescawha/55.

77 P.E. Bisland to State Department, 9 September 1931, 811.114Pescawha/68.


79 Newsome, Pass the Bottle, 66, 71.
Pamphlet. After the Coolidge administration proved unresponsive to these requests, many held out hope that an appeal by the British Columbia Attorney General might convince the new president, Herbert Hoover, to grant Pamphlet executive clemency. Appeals by the province’s attorney general and by the Canadian legation in Washington proved futile. Pamphlet served his entire term at McNeil Island before his release in August 1929.

During the early years of the 1920s, most British Columbians seem to have agreed with most Canadians that cooperation with the United States was not in their best interests. Too much was at stake diplomatically, economically, politically, and even culturally to acquiesce to American demands. Canada’s newfound sovereignty could hardly be sacrificed at the altar of American interests. While the rest of the Dominion would continue to hold to this philosophy until 1930, British Columbia had reason to question Canada’s role in liquor traffic much earlier. Two events—a particularly brutal hijacking of a British Columbian rumrunner and three months of royal commission hearings—would expose the rotten underbelly of rumrunning in the Northwest. British Columbians began to recognize that rumrunning profits were not to be had for free. They came with a price that imperiled the otherwise peaceful North Pacific borderlands.

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80 Assistant Secretary of State, “Memorandum of Conversation with the Canadian Minister,” 8 March 1928, 811.114Pescawha/28; Vancouver Daily Province, 1 May 1929, copy in American Legation (Ottawa) to Secretary of State, 23 May 1929, 811.114Pescawha/55.

81 Solicitor (Department of State) to Hackworth, 3 October 1928, 811.114Pescawha/44; American Legation (Ottawa) to Secretary of State, 811.114Pescawha/55; Victoria Daily Colonist, 28 April 1929; Canadian Legation (Washington) to Secretary of State, 17 August 1929, 811.114Pescawha/60; Attorney General to Secretary of State, 29 August 1929, 811.114Pescawha/63.
CHAPTER VI
THE CASE OF THE BERYL G

It was a clear morning in September 1924 when Chris Waters, the lighthouse keeper for Turn Point, Stuart Island, surveyed the waters from his perch on the American side of the Haro Strait. Scattered around him in all directions were the Gulf and San Juan islands that dotted the waters between British Columbia and the United States. To the Southwest, not more than ten miles distant, lay Victoria. Glancing toward the Northeast he sighted a small boat about one-half mile out, drifting on the tide. With the help of William Erickson, the husband of the postmistress at Prevost, a small town on the east side of the island, Waters set off to recover the vessel, suspecting that it was a fishing boat that had broken free of its moorings. As they approached the drifting craft, both men noticed the name, Beryl G, painted on its bow. Finding it abandoned, they towed it to Prevost Harbor for closer inspection.¹

Not until they boarded the Beryl G at Prevost did Waters or Erickson suspect something was amiss. Bearing traces of recent habitation, it was also obvious that a struggle had occurred on board. Dirty dishes and a frying pan littered the galley and what appeared to be a bullet hole punctured the companionway door. Strewn about the cabin floor were a linen cap, bed clothing, and a recent issue of Adventure magazine, each soaked or strewn with congealed blood. Blood stains also marred the lockers, a settee, a

¹ Waters testimony and Kier testimony, in “Notes from the Court Book of The Honourable Mr. Justice Morrison, Trial Judge,” RG 13, vol. 1536, file 1-4, NAC (Hereafter cited Morrison Court Book Notes); Victoria Daily Times, 26 March 1925, 16.
and the galley stove, as well as the vessel’s deck, hatch covers, and starboard bulwarks. From the companionway door a scarlet trail meandered to the bow where a bloody mass of clothes lay in a heap. Conspicuously absent were firearms, money, liquor, or the ship’s anchor. Finding the vessel’s papers, Waters discovered that the Beryl G was Canadian, registered to one William Gillis of Vancouver.

The Canadian elements of the mystery were clear. The vessel was of Canadian registration and her missing crew—Captain Gillis and his 17-year-old son, William—were Canadian. Prevailing winds and tides made it almost certain that whatever had transpired before the empty boat found its way to Stuart Island must have occurred in Canadian waters. Chris Waters immediately contacted the Coast Guard who, in turn, notified the British Columbia Provincial Police.²

Although Waters did not yet realize it, what he had stumbled upon would become the most sensational murder mystery in the history of British Columbia. Over the course of the next eighteen months, the attention of British Columbians and Americans in the Northwest remained riveted on the case of the Beryl G.³ The criminal investigation, the extradition of the accused from the United States, and the subsequent trial in Victoria would have significant implications, not only for those involved in the case but for British Columbian-American relations as well. The cooperation that British Columbian and American officials exercised during the investigation and extradition phases of the case was characteristic of the day-to-day relations between Canada and the United States—more so perhaps than were the activities of diplomats in Ottawa and

² Ibid.

³ The Victoria Daily Times (4 September 1925) proclaimed the Beryl G case “The Most Sensational Trial in History of British Columbia,” while the Vancouver Sun (24 January 1926) found the Beryl G slaying a “Unique Crime in Canadian Annals.” Indeed, throughout the investigation and trial, the Beryl G received front page attention, not only in each of the British Columbia dailies, but in those of other provinces and in Seattle and Spokane as well. Even the New York Times ran regular updates as the case progressed.
Washington, D.C. Moreover, the case of the *Beryl G* brought into sharp and immediate contrast the Canadian and American justice systems, and it forced many British Columbians to rethink their role in a liquor traffic that was quickly spiraling out of control. Rumrunning threatened to injure more than Canadian-American relations. It had turned the border region into a dangerous, almost literal, abyss that threatened the fabric of British Columbian society.

**INVESTIGATION AND EXTRADITION**

When news of the *Beryl G*'s fate reached Victoria, the British Columbia Provincial Police commissioner assigned Inspector Forbes Cruickshank to the case. Cruickshank was a natural choice. Born and bred in Scotland, Cruickshank had served with the Dundee police before arriving in Canada. Sent west with the North West Mounted Police, he later settled in Vancouver where he worked in the Criminal Investigative Division of the Provincial Police. For months prior to the *Beryl G*, he had worked jointly with American police to break up a narcotics ring operating in the Puget Sound and Gulf of Georgia.⁴ He was, as one colleague remembered with some reverence, "a policeman and nothing else."⁵

Cruickshank quickly discovered that the *Beryl G*, though registered as a fish packer, was commonly known to run liquor. Since detectives had found neither liquor, money, nor the crew, Cruickshank suspected this was another hijacking. He had seen them before. So common were hijackings during prohibition that coastal residents routinely awakened to the sound of shots emanating from the surrounding waters. Once robbed of their cargo, most rumrunners were reluctant to file a complaint with police,

⁴ Deputy Collector (Sumas) to Collector (Seattle), 8 May 1924, RG 36, box 22, file 410, NAPNW.

⁵ Cameron interview, in Bill Ward, *A BC Game Warden’s Recollections* (Victoria: Aural History Programme, 1982), tape T4029, BCA.
knowing that the law had little sympathy for a "cheater who had been cheated by a cheater."\(^6\) Their only recourse were armor-plating and machine guns, more to protect themselves from hijackers than police. During the early days of rumrunning, the otherwise-legal runner had more to fear from the hijacker than he did from all law enforcement efforts combined.\(^7\)

The trail of blood leading to the ship's side in conjunction with the missing anchor suggested that the crew had been killed, tied to the anchor, and thrown overboard. Beyond that, Cruickshank had little to go on. The police had found a camera and an expensive gold-trimmed yachting cap. The latter was not a type common to rumrunners and not one which friends of Captain Gillis remembered him to have worn. The camera's film, with one frame exposed, revealed the _Beryl G_ alongside the stern of another vessel, the _M493_. When a search of Canadian registries failed to account for its ownership, Cruickshank decided that the Seattle waterfront was the most likely place to begin. For the next two months, he worked in close collaboration with the sheriff of King County, Washington, Matt Starwich.\(^8\) After weeks of fruitless searching, they finally stumbled upon a reference to the vessel in the Lake Union lock records, identifying the _M493_ as a 56-footer owned by Pete Marinoff of Tacoma, Washington. Powered by twin 300-horsepower Liberty engines, the vessel was obviously involved in the liquor trade. And its owner, as almost everyone knew, was a rumrunner.

Known in the rumrunning fraternity as "Legitimate Pete," because he confined his illicit activities to running liquor, Marinoff was to bootlegging in the Tacoma region

\(^6\) _Literary Digest_, 4 August 1923, 52; Rogers interview, in John Hodgins, _Life of an Independent Man_ (Victoria: Aural History Programme, 1972), tape T91-2, BCA.

\(^7\) Richardson, _Pig War Islands_, 314.

\(^8\) _Seattle Post-Intelligencer_, 26 November 1924, 3; 29 November 1924, 1.
what Roy Olmstead was to bootlegging in Seattle. He was not particularly hard to find, since rumrunners who broke no Canadian law had nothing to fear from Canadian authorities. Moreover, because of the hazard posed by hijackers, legitimate runners were more than happy (under the right circumstances) to assist the police. When Cruickshank caught up to him, Marinoff confirmed that he had indeed hired the *Beryl G* to buy 350 cases of liquor from the *Come*, one of the “mother ships” that operated off the West coast of Vancouver Island. The *Beryl G*, in turn, distributed liquor to the even smaller, speedier American vessels like the *M493*.9

Marinoff confided that he had arranged for the *M493* to meet the *Beryl G* off Sidney Island, located about fifteen miles northeast of Victoria on the Canadian side and take the liquor in two loads. According to plan, early on the evening of September 15, 1924, Marinoff’s crew met Gillis and his son on the northeast side of the island. For the first load of 110 cases of gin and scotch they paid $28 per case, or $3,080. When the *M493* returned for the second load, the *Beryl G* was nowhere to be found. Beyond this, Marinoff professed to know little about the *Beryl G*’s fate but suggested that Cruickshank talk to one Al Clausen, the owner of an auto repair shop in Seattle.10

It turned out that Clausen also owned a boat, the *Dolphin*, which he hired out to rumrunners. Clausen informed Cruickshank that, shortly after the *Beryl G* turned up on Stuart Island, three men had approached him about retrieving liquor at Sidney Island. Clausen identified the three as Owen Baker, Charles Morris, and Harry Sowash. Clausen had not suspected *Beryl G* liquor was involved until the third trip, when Baker

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9 American Consul (Victoria) to Secretary of State, 5 March 1925, 811.114Canada/218; Seattle Post-Intelligencer, 26 November 1924, 1, 3; 27 November 1924, 1, 2.

10 Extradition deposition of Elmer Anderson, 17 December 1924, in Rex v. H. Fred Myers, alias Harry F. Sowash, 211.42M991/1; Victoria Daily Times, 25 March 1925, 2; 10 July 1925, 2.
bragged that he had stolen it from William Gillis. Baker told Clausen that he had put Gillis and his son ashore on Halibut Island.\textsuperscript{11}

Although Cruickshank had three names, he still had no bodies. A search of Halibut Island for Gillis and his son turned up empty as did a month of extensive dragging operations around the island conducted by the British Columbia Hydrographic Department. Without a body or an eyewitness, Cruickshank knew that even proving a murder had occurred would be difficult.\textsuperscript{12}

Meanwhile, as Inspector Cruickshank continued his work with Starwich in Washington, Sergeant Robert Owen of the Provincial Police uncovered an important clue of his own. A boat builder at Oak Bay reported being commissioned to alter the appearance of the \textit{Denman No. II} just days after the \textit{Beryl G}'s appearance at Stuart Island. Considering it a long-shot, Owen nevertheless tracked down the \textit{Denman}'s owner, an admitted beer-runner from Victoria named Paul Strompkins. Although Strompkins denied any knowledge of the \textit{Beryl G}, of Baker, Sowash, or Morris, he did not convince Sergeant Owen. Needing someone to contradict Strompkins' story, Owen painstakingly canvassed his contacts and informants among the islands. Eventually he found Thorston Paulson. Paulson admitted knowing Strompkins and that together they had, along with Baker, Sowash, and Morris, sacked liquor at Paulson's home on Moresby Island. When Owen confronted Strompkins with Paulson's testimony, Strompkins confessed. While denying any part in the brutal murders, he admitted he

\textsuperscript{11} \textit{Extradition deposition of Albert Clausen, 17 December 1924, in Rex v. H. Fred Myers, 211.42M991/1; Victoria Daily Times, 26 March 1925, 16.}

\textsuperscript{12} \textit{Victoria Daily Times, 17 June 1925, 1, 2; Seattle Post-Intelligencer, 27 November 1924, 1, 2; 2 December 1924, 1; 15 December 1924, 4.}
had been at Sidney Island when the *Beryl G* was hijacked. The murders of Gillis and his son, Strompkins claimed, were the handiwork of Baker, Sowash, and Morris.  

The police still lacked the bodies, but they finally had a witness. The Washington police quickly found Morris in Seattle and promised to do all they could to facilitate his extradition to British Columbia. Baker and Sowash, however, were nowhere to be found. Rumors circulating along the Seattle waterfront suggested they had fled upon hearing of Strompkins' interrogation. On November 27, 1924, British Columbia issued warrants for Baker and Sowash in both Canada and the United States and posted a $4,000 reward for their capture.

Morris, Baker and Sowash were likely suspects, each of whom had a criminal record. Charles Morris' was the shortest, having served four months in the Pierce County jail for passing counterfeit coins in 1914. Owen Benjamin “Cannonball” Baker's record was longer. Baker had served time at McNeil Island Penitentiary for violations of the Mann Act (white slavery), for assault, and for grand larceny. The latter charge stemmed from a 1921 hijacking of a bootlegger in South Puget Sound. (Coincidentally, that bootlegger had been none other than Pete Marinoff, who had enough friends among the local authorities to have Baker charged with larceny. Whether Marinoff knew of Baker’s involvement in the *Beryl G* hijacking when he talked to Forbes Cruickshank is unknown, but it appears likely that he had his suspicions.) It was at McNeil Island where Baker, before being paroled in June 1924, met Harry

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13 Extradition deposition of Paul Strompkins, 24 December 1924, in *Rex v. H. Fred Myers*, 211.42M991/1; *Seattle Post-Intelligencer*, 26 November 1924, 1, 3; 27 November 1924, 1, 3.  
14 Attorney General (Manson) to Deputy Minister of Justice (Ottawa), 12 December 1924, RG 13, vol. 998, file 1926 1728/1873, NAC; *Seattle Post-Intelligencer*, 27 November 1924, 1; 28 November 1924, 1, 3; 29 November 1924, 4; *New York Times*, 28 November 1924, 1.  
15 RCMP Criminal Record of Charles Morris, 15 February 1937, RG 13, vol. 1536, file 3-2, NAC.
Sowash. Sowash, whose real name was Harrison F. Myers, had served in the United States Army during the war before being sentenced to his term at McNeil Island. Although he liked to claim that his imprisonment was for hitting an officer with a shovel, it was really for stealing and selling military aircraft parts. While out on parole, he was arrested again for burglary and confined to the United States Disciplinary Barracks at Alcatraz, California. Transferred back to McNeil in October 1921, Sowash was finally released on August 12, 1924, only one month before the Beryl G incident.17

Finding Baker and Sowash proved easier than Cruickshank and Owen had anticipated. The size of the reward, it seems, proved a stimulus to police everywhere. Baker had fled to New York where he secured employment on a harbor dredging barge under the alias of George Nolan. In late December 1924, operating on a tip from Seattle police, New York detectives arrested Baker at the South Ferry Hotel. Within days, Inspector W.R. Dunwoody of the British Columbia Provincial Police was in New York to begin the extradition process.18

Only by a strange twist of fate did British Columbia police locate Sowash. Far away in New Orleans, in one of their routine roundups of the French Quarter, police brought in a number of individuals for questioning. Among them was a dapper young man who, showing remarkable nerve, said that he had recently arrived from San Francisco and was on his way to South America. Satisfying the police, who had no reason to hold him, the man casually left the station without further hindrance. Though

16 Seattle Post-Intelligencer, 27 November 1924, 1, 2; RCMP to Justice Department, 27 August 1925, RG 13, vol. 1536, file 2-1, NAC. Unfortunately for the real "Cannonball" Baker, an internationally-known motorcycle racer after which Owen Baker had named himself, Owen Baker was often described in early accounts of the Beryl G case as the "motorcycle racer, ex-convict, Puget Sound rum smuggler and hijacker." See Seattle Post-Intelligencer, 28 December 1924, 1; 29 December 1924, 1.

17 Extradition deposition of Walter James Hanniger, 21 January 1925, in Rex v. H. Fred Myers, 211.42M991/1.

18 Seattle Post-Intelligencer, 28 December 1924, 1; 29 December 1924, 1; New York Times, 20 January 1925, 6.
he could not pin it down, one detective had found something familiar in the face of this man. Deciding to peruse photos in the police circulars that littered his desk, the detective soon discovered the face belonged to a Harry Sowash who was wanted for murder in British Columbia. The detectives raced to the New Orleans waterfront just in time to catch Sowash boarding a freighter for Mexico. The British Columbia Attorney General promptly ordered Inspector Thomas Parsons to New Orleans to facilitate Sowash's extradition.19

Even though rumrunning was not an extraditable offense under any Canadian-American treaty, murder and hijacking were. On December 24, 1924, the Canadian Government made formal requests for the extradition of Baker and Sowash through the British Embassy. The proceedings for Baker and Sowash proved fairly routine. Though initially vowing to fight extradition to "the last ditch," Baker soon waived his rights to counsel and consented to his return to British Columbia for trial. Already a celebrity (of the notorious sort) when he arrived in Victoria in late February, hundreds of spectators thronged the police station hoping to catch a glimpse of the infamous "Cannonball" Baker. Though Sowash did not contest his extradition, the pattern used in his extradition followed that used in Baker's. The United States Marshal at New Orleans released Sowash to Inspector Parsons on February 25 and Sowash arrived in Victoria a few days after Baker.20 In accordance with the extradition treaty of 1902, the United

19 Attorney General of British Columbia to Thomas Parsons, 19 January 1925, 211.42M991.

20 British Embassy to Secretary of State, 24 December 1924, 211.42M831/-; Report of the Commissioner in the matter of the Application for the Extradition of Owen Benjamin Baker, 28 January 1925, 211.42B17/1; Assistant Attorney General to Secretary of State, 2 March 1925, 211.42M991/3; Seattle Post-Intelligencer, 29 December 1924, 1; Victoria Daily Times, 2 March 1925, 1.
States billed Canada $68.32 to cover American costs in the Baker matter and $39.50 for Sowash. \(^{21}\)

Already in Seattle, Cruickshank took the lead in organizing the extradition of the third suspect, Charles Morris. The Attorney General of British Columbia appointed Bert Ross, an American attorney, to assist Cruickshank and to represent the Canadian government in the extradition proceedings. \(^{22}\) Choosing to fight extradition, Morris' defense filed a *writ of habeas corpus*. It pointed out that an American attorney (not a Canadian prosecutor) had filed the extradition complaint and that the commissioner hearing the case was a Washington State Superior Court judge (not a federal official) acting in a Washington State (not a federal) court. The Constitution, they argued, did not give Congress the power to confer federal powers onto state courts. Thus, the State of Washington had no authority to serve as the extraditing court. Further, that a King County sheriff (not federal officers) had arrested and imprisoned Morris suggested false imprisonment. Although the judge determined that the Canadian government had shown sufficient cause for Morris' extradition and ordered him extradited, Morris' *writ* required the case be advanced to the District Court of Appeals. After a second appeal, it went to the Ninth Circuit Court in San Francisco. \(^{23}\)

As the months passed, prosecutors in British Columbia became increasingly concerned that the delay in the Morris extradition might threaten their case against Baker and Sowash. The Canadian government made repeated appeals through the State

\(^{21}\) Assistant Attorney General to Secretary of State, 16 December 1925, 211.42B17/3; Assistant Attorney General to Secretary of State, 11 December 1926, and Under Secretary of State to Attorney General, 16 December 1926, 211.42M991/5, RG 59, NARA

\(^{22}\) Attorney General to Cruickshank, 16 December 1924, and Attorney General to Ross, 16 December 1924, 211.42M831/2; *New York Times*, 28 November 1924, 1.

\(^{23}\) Motion for Dismissal in the Matter of the Extradition of Charles Morris, 12 January 1925, and Commitment to Extradition, 12 January 1925, 211.42M831/2; John J. Sullivan to Secretary of State, 11 February 1925, 211.42M831/4.
Department requesting that the Ninth Circuit Court expedite the case. While Secretary of State Hughes remained sympathetic to the Canadian position, he nevertheless informed the British Ambassador that Morris could not be extradited until the court proceedings were complete. By late spring, having despaired of securing Morris from the United States, British Columbia proceeded with its case against Baker and Sowash by setting a trial date of June 15.24

TRIAL AND CONVICTIO

The public eagerly anticipated the lurid details of the crime that was quickly becoming the most celebrated of British Columbia's history. They did not have long to wait, for the trial proceeded with a rapidity that startled those not familiar with the Canadian justice system. One American attorney who came to see the trial was shocked when he learned that the jury would be chosen and the trial under way all in one day.25

Outside the courthouse, crowds milled about hoping to find a seat should anyone leave. Inside, in the prisoner's dock sat Baker and Sowash, and on the witness stand, Paul Strompkins, on whom the prosecution's case rested. Strompkins had turned King's evidence in return for a dismissal of the charges against him and the story he told was a damning one. At numerous times during his testimony, on the verge of hysterical breakdown and overcome by sobs that convulsed his body, Strompkins had to pause. Gathering himself, he presented to the court the details of the events leading to the murders. The story began in early September 1924 when Baker hired Strompkins and his boat, the Denman No. II. Baker claimed he had a contract for $25,000 to produce a rum-running film for a Hollywood moving picture company. The contract required him

24 British Ambassador to Secretary of State, 15 May 1925, 211.42M831/7; Secretary of State to British Ambassador, 20 February 1925, 211.42M831/4; Victoria Daily Times, 7 May 1925, 1.

25 Vancouver Sun, 29 March 1941, magazine sec., 12.
to secure film footage of rumrunners operating in the Puget Sound. As Strompkins later discovered, the idea of the film contract was simply a blind devised to lure his participation in a less innocent plot: looting liquor caches hidden by rumrunners among the coastal islands.26

As Strompkins continued, the story that unfolded became increasingly sophisticated. The liquor they intended to steal had not been chosen at random. Baker had enlisted the cooperation of a corrupt Seattle police detective, Sergeant John Majewski. Majewski was to secure information from the British Columbia police regarding the whereabouts of suspected liquor caches among the Gulf and San Juan islands. His contact, Constable William Hatcher, had intimated a knowledge of liquor locations as well as an interest in forming a partnership. Believing that he was dealing with a co-conspirator, Majewski agreed to meet Hatcher in early September at the Strathcona Hotel in Victoria. According to Strompkins, when Majewski returned from that meeting on September 7, he held a list noting locations where liquor could be found. What Majewski did not know was that Hatcher was part of a sting operation and that the locations given were false.27

It was unfortunate for the crew of the Beryl G that the caches did not exist. As Baker, Sowash, Morris, and Strompkins futilely plied the waters in the Denman No. II, they became increasingly frustrated. Baker, the self-appointed leader of the expedition, decided upon another strategy. At numerous times during the previous week, they had observed the Beryl G near Sidney Island. Baker knew the Beryl G was working for Marinoff. Ever since Baker had been sent to prison on the basis of Marinoff's

26 Victoria Daily Times, 15 June 1925, 1; 16 June 1925, 16; 18 June 1925, 6.

27 Victoria Daily Times, 12 January 1925, 1; 27 March 1925, 1, 2; Seattle Post-Intelligencer, 21 January 1925, 1; Strompkins testimony and Hatcher testimony, in Morrison Court Book Notes.
testimony in 1921, he had waited for an opportunity to settle the score. Hijacking the
Beryl G, he decided, would be appropriate retribution.28

As midnight approached on September 15, Baker, Sowash, and Morris left the
Denman No. II in a small skiff and quietly rowed to the Beryl G, at anchor in a cove on
Sidney Island. Morris was wearing a yachting cap embroidered with gold trim and a
jacket adorned with gold buttons—a costume designed to suggest to Gillis and his son
that they were being boarded by revenue enforcement officers. Strompkins testified
that he heard two shots fifteen minutes later. When Morris returned after a few
minutes, he told Strompkins, "We had to shoot the old man—we had to shoot him in
the arm." As he pulled alongside the Beryl G to transfer the liquor, Strompkins
discovered the truth. He arrived just in time to see Sowash club the younger Gillis to
death. Baker and Sowash then dragged the boy, and the lifeless body of the elder Gillis
(obviously shot in more than just the arm) to the vessel's side. They shook hands in
mutual congratulation before Baker handcuffed the bodies to the vessel's anchor, slit
both open with a butcher knife, and dumped them over the side. Later that night the
group cached the Beryl G's liquor nearby and proceeded to Anacortes, Washington.29

Both Baker and Sowash adamantly denied Strompkins' version of the story.
Knowing that rumrunning violated no Canadian law, Baker wisely refrained from
denying his participation in the liquor traffic, but he denied altogether any knowledge of
the Beryl G. For his part, Sowash blamed the deaths on Baker and Morris, but
otherwise affirmed Strompkins' story. One by one, witnesses called by the prosecution
also corroborated Strompkins' testimony. Earl Whitcomb, an Anacortes bootlegger
testified that he had bought five cases of liquor from Baker, each in burlap sacks and

28 Strompkins testimony and Marinoff testimony, in Morrison Court Book Notes.

29 Strompkins testimony, in Morrison Court Book Notes; Victoria Daily Times, 28 March
1925, 1, 22; 18 June 1925, 6
marked according to brand with green paint. It was the same burlap and green paint, Thorston Paulson testified, in which he had sacked the liquor with Baker, Sowash, and Morris just days after the Beryl G's hijacking. The sacks contained the same brands of liquor, Pete Marinoff testified, that the Beryl G was to have purchased from the Comet. Prosecutors tied Baker and Sowash not only to the liquor, but to physical evidence found aboard the Beryl G as well. After a tireless investigation along the Seattle waterfront, Forbes Cruickshank had finally found Harold Kerrigan, a clothing salesman who testified that he had sold Baker the gold-trimmed naval cap that was found bloodstained on the Beryl G's deck.30

On June 19, 1925, after only three days of hearings, the jury found Owen Baker and Harry Sowash guilty and the judge sentenced both to death by hanging. Though the Victoria Daily Times immediately proclaimed it the "Most Sensational Trial in the History of B.C.,” the case was not entirely finished. Baker and Sowash immediately appealed their verdicts and, since the Court of Appeals would not meet until October, they received temporary reprieves. On October 20, the appeals court affirmed the convictions, leaving the fate of Baker and Sowash to the Supreme Court of Canada.31

Meanwhile, the Crown's case against Charles Morris proceeded with the same rapidity that had characterized the trial of Baker and Sowash. On June 22, the United States Federal Court at San Francisco finally denied Charles Morris' appeal against extradition and sent him to face a Canadian jury. Over the course of three days in October, the prosecution laid out the same argument it had used against Baker and Sowash and a new jury reached the same verdict.32

30 Victoria Daily Times, 17 June 1925, 1, 2, 16; 18 June 1925, 1, 2; 19 June 1925, 20.

31 Vancouver Sun, 16 July 1925, 1; Victoria Daily Times, 16 July 1925, 9, 19 June 1925, 1.

32 Victoria Daily Times, 22 June 1925, 1; 21 October 1925, 1, 2; 22 October 1925, 1, 2, 18; 23 October 1925, 1, 14, 18.

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A crowd of some one-hundred spectators came to watch the executions of Baker and Sowash at Oakalla Prison in Vancouver on January 14, 1926. Though the Federal Cabinet had commuted Morris' sentence to life in prison, the Supreme Court had denied the appeals of Baker and Sowash. The American Consul was among the crowd that day; so too were a fair number of American tourists eager to see Canadian justice in action. Public reports alleged that execution passes had been peddled for five dollars each and that there had been no shortage of buyers. The Beryl G case ended with the same drama with which it had begun. Muffled by the black cap that covered his head, Sowash's last words to the public hangman electrified the audience: "Step on it kid! Make it fast!"  

THE BERYL G IN CANADIAN THOUGHT AND MEMORY

By the time the investigation, extradition proceedings, trial, and executions were complete, the Beryl G had laid bare the whole, occasionally rotten structure of prohibition on the Pacific Coast. The evidence produced by the Crown portrayed a steady flow of liquor from British Columbia into the Puget Sound. Boats capable of high rates of speed kept up almost scheduled sailings across the border and ensured that thirsty Americans would not lack for Canadian whisky. American prohibition authorities expressed no small interest in the case. Even diplomats in Washington paid particular attention to how the case of the Beryl G might strengthen the American hand in negotiating amendments to the 1924 treaty with Canada. Many American officials hoped, and many contemporary observers suspected, that news of hijackings like that
of the Beryl G would cut down on rumrunning generally. More likely correct was the conclusion of the Seattle Post-Intelligencer: "Now that Canadian police have swept the reputed hijacking crew of Owen 'Cannonball' Baker from the Sound, the rum-runners' lanes have been freed from their greatest menace, the pirates, and the only enemy of the smuggler now operating is the Coast Guard fleet."35

The Beryl G offered other lessons as well, not least of which was the value of the cooperation exercised between American and Canadian authorities, particularly at the local level. While treaty and convention tied the hands of federal authorities in Washington, D.C. and Ottawa, no such hindrances existed at the state, provincial, and local levels. Local authorities understood that criminals recognized no borders, except to the degree that the boundary served as a sort of refuge. Consequently, provincial police inspectors worked jointly with their counterparts from the states and counties south of the border. As the case of the Beryl G demonstrated, these cooperative ventures were often quite successful. Moreover, except for police testimony, American witnesses provided virtually all the evidence for the prosecution. Because many of them were rumrunners or bootleggers themselves, they were initially reluctant to testify in a Canadian court, fearing retribution by United States authorities. An agreement arranged by the British Columbia Attorney General, however, assured them immunity from prosecution under the Volstead Act.37

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35 Seattle Post-Intelligencer, 5 December 1924, 4.

36 Herbert Ross, the American attorney who served as the American liaison for the Crown’s case commented repeatedly on the close cooperation between the police agencies of both Washington and British Columbia in solving the Beryl G mystery. See Seattle Post-Intelligencer, 29 November 1924, 4.

37 Victoria Daily Times, 26 March 1925, 16; 15 June 1925, 1; 14 January 1926, 8.
Perhaps more important was the role the *Beryl G* played in the region's collective memory. For many years afterward, the hijacking of the *Beryl G* remained the defining incident of the rumrunning era in the Pacific Northwest. While contemporaries recalled the specifics of the *Beryl G* with varying degrees of accuracy, common to all recollections was that Baker and Sowash were Americans. For many Canadians, the incident seems to have served as something of a national catharsis. They could point to the *Beryl G* as proof of American debauchery and proof of Canadian superiority. They could point out that the criminals were Americans against whom Canadian officers were tireless in pursuit.\(^3\)

One of the first attempts to connect the *Beryl G* to what many British Columbians believed was an American tendency toward lawlessness and moral laxity was made by the *Vancouver Sun* shortly after Baker’s and Sowash’s execution. In a mid-January editorial, the *Sun* castigated American newspapers for enfolding Sowash and Baker “in the mantle of tinsel heroism, to ascribe to them a philosophical depth, to sermonize about them and raise them to a level they do not deserve.... Any sentimental effort to make cheap heroes out of them is now to insult the very basic laws of life.”\(^3\)

Making heroes out of criminals seemed a uniquely American trait.

The western Canadian dailies regularly criticized the United States for its high crime rate and the apparent inability of its judicial and law enforcement agencies to do anything about it. A common complaint was that Americans coddled their criminals too

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\(^3\) *Vancouver Sun*, 16 January 1926, 4.
much, or did not make them serve full sentences. In the case of the *Beryl G*, they had a strong argument, for Baker had been paroled early by the governor of Washington.

Yet the root of the American problem, many Canadians asserted, went much deeper. The United States was, almost by definition, a nation that revered disobedience to law. As the *Calgary Albertan* contended, “A nation born in rebellion can only with difficulty exalt obedience for law as among the highest of national virtues. . . . Whatever the cause, the whole history of the United States is marked by lawlessness—whether it is one of the two-gun days of the pioneer Southwest; the numerous Indian uprisings in the Northwest, crime and corruption in Philadelphia, or near-anarchy in Chicago.” By contrast, many Canadians believed that that disobedience to law did not exist in Canada because the Canadian or British system of law was patently better. Even in its early stages, Canadian law had extended westward before settlement. Since that time, a high regard for law and order had remained central to the Canadian identity. With such varying histories, it was only natural to many Canadians that the hijackers of the *Beryl G* were American.

The reputation for swift justice in Canadian courts seemed to resonate on both sides of the border. Most American criminals, it seems, usually felt their chances of evading the penalties of crime not so good north of the international boundary and so confined their activities to the area south. Common was the belief that Canadian jurors were likely to be harder on American criminals than on Canadians. As the *Argus* saw it,

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40 Ronyk, “The United States in the Twenties as Seen by the Western Canadian Press,” 31-32.

41 Seattle *Argus*, 27 June 1925, 1; Seattle *Post-Intelligencer*, 27 November 1924, 3.

42 *Calgary Albertan*, 3 January 1929, 4, in Ronyk, “The United States in the Twenties as Seen by the Western Canadian Press,” 37.
Baker had made two crucial mistakes: his first had been committing murder; his second, committing murder on Canadian soil.\textsuperscript{43}

One American who had the misfortune of being tried in Nanaimo, British Columbia just after the Sowash-Baker conviction discovered this bias first-hand. The presiding judge almost certainly had the \textit{Beryl G} slayings in the back of his mind when he issued a particularly harsh sentence:

The people of Canada are determined that Canada will not become a happy hunting ground for criminals... Criminals over here, or in any other country may be sure that, if they come to British Columbia and commit crimes there will be no sparing of money to secure evidence against them and no sparing of money to bring them back within our jurisdiction. After conviction takes place, after such a fair trial, then the courts of British Columbia intend to deal drastically with would-be murderers—not that we seek vengeance, but that we intend to demonstrate than in Canada, law is respected.... Canadian sentiment will see to it that the punishment is such as will act as a deterrent to the perpetration of this sort of thing, which, I regret to say, has become so common, namely, the organization of bands of criminals from the United States who come to our country to perpetrate murder.\textsuperscript{44}

The Seattle \textit{Argus} apparently agreed when it commented, "Criminal justice works in Canada."\textsuperscript{45}

During the early halcyon years of rumrunning, most British Columbians believed that the prosperity associated with the liquor traffic came with no significant cost. British Columbians had no problem with rumrunning or those who practiced the trade. Rumrunners were nice people as far as most were concerned and rumrunning was no

\textsuperscript{43} American Consul (Vancouver) to Secretary of State, 10 April 1926, 842.114/203; Seattle \textit{Argus}, 27 June 1925, 1.

\textsuperscript{44} Quoted in American Consul (Vancouver) to Secretary of State, 10 April 1926, 842.114/203.

\textsuperscript{45} Seattle \textit{Argus}, 27 June 1925, 1; 8 December 1934, 1.
more than honest trade that happened to conflict with a foolish American law. Most even took a certain amount of delight in the stories of intrepid rumrunners outwitting the noble, but notoriously under-equipped law enforcers. Consequently, most British Columbians, like most Canadians, were reluctant to support American requests for enforcement cooperation, especially when those requests came more from Washington, D.C. than they did from Washington State.

Nevertheless, the story of the *Beryl G* had a much darker side that threatened to overshadow whatever nationalistic exuberance certain Canadians felt. One island resident later recalled, “When they started this sort of hijacking business, that wasn’t funny.” The *Beryl G* incident made it abundantly clear that the prosperity associated with rumrunning came at a price. The border was more an abyss than the impenetrable and protective barrier many thought it to be. It could not protect British Columbia from the disorder that emanated from the American side. It could not protect the staid Victorian order that British Columbia held so dear. Just as important, the liquor traffic imperiled the neighborly relationship most British Columbians enjoyed with their counterparts south of the border. In later years, as the province considered cooperating with American enforcement, the *Beryl G* would remain one of its most compelling arguments.

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* Roe interview, tape T787, BCA; Richardson interview, tape T806-1, BCA.

* Richardson interview, tape T806-1, BCA.

* O.S. Moore to Prime Minister, 5 September 1930, R.B. Bennett Papers, vol. 432, reel M-1095, frames 2714138-43, NAC.
CHAPTER VII

CUSTOMS SCANDALS AND SECOND THOUGHTS

To a British Columbian public still reeling from the recent *Beryl G* incident, an impending customs scandal would add even more fuel to the fire. A long overdue investigation of the Canadian customs department would last for a year and a half, occupying the attention first of a parliamentary commission, and then later, a rare royal commission. In the process, the investigation would temporarily unseat the Liberal administration of William Lyon Mackenzie King. Perhaps even more significantly, it would confirm in the British Columbian mind that the time had come to cooperate with the United State against a liquor traffic that was out of control.

H. H. STEVENS AND THE PARLIAMENTARY COMMISSION

The origins of both the Stevens customs house inquiry—as the parliamentary commission soon became known—and the subsequent Royal Commission on Customs and Excise grew out of a concern that smuggling along 49th parallel had increased to startling proportions since the beginning of American prohibition. Most Canadians at first ignored American complaints that smuggled liquor undermined prohibition in the United States. But smuggling was a two-way street. The Minister of Revenue, W.D. Euler commented in 1929 that, “It is impossible to have wet and dry countries adjacent to each other without a flow from the wet to the dry.”¹ As profitable as smuggling

liquor was, it could be made even more lucrative by smuggling American commercial goods back into Canada. Consequently, it was not long before cigarettes, textiles, and other finished goods were flooding Canadian markets.²

So concerned were central Canadian manufacturers and local boards of trade that they organized the Commercial Protective Association in 1924. The CPA hired a staff of criminal investigators to find ways to stop smuggling into Canada and to publicize abuses of the customs and excise laws of the Dominion. It was, of course, a job the Customs and Excise department should have been doing on its own. The customs officer was the first line of defense on Canada's "defended" commercial border, and customs and excise duties were important sources of Dominion revenue during the 1920s. As one authority points out, however, the public reticence toward liquor smuggling seems to have infected the Customs department as well. With the tacit approval of the Department's administration, Customs grew alarmingly lax during American prohibition.³

It fell to R. Percy Sparks, president of the CPA and a clothing manufacturer from Ottawa, to convince the Dominion government that it was in its best interest to halt smuggling from the United States. It would prove a difficult task. In an early 1925 report to the Prime Minister, Sparks presented a few of the association's findings. As one example, the CPA alleged that professional smugglers were driving Canadian textile firms into bankruptcy by flooding the Canadian market with lower priced American

² American cigarettes, for example, proved particularly attractive to the northbound smuggler. Since taxes on tobacco were much lower in the United States, cigarettes could be sold north of the border at a price that undermined the legitimate Canadian market. Canadian tobacco interests claimed that fifty-million cigarettes were smuggled into Canada at annual loss of some $5 million. Not only did this hurt Canadian industry, it also put many Canadians out of work. See Literary Digest, 3 July 1926, 14; Sessional Paper 5d, 5 January 1927, RG 14, D2, vol. 171, NAC; CAR, 1924-25, 86-88.

³ Maclean's Magazine, 1 March 1926, 24; 15 April 1926, 7; McIntosh, The Collectors, 11-12, 144.
textiles. Combined with other commodities smuggled northwards, some authorities estimated the total loss of revenue to be greater than $50 million annually.  

CPA operatives posing as smugglers gathered even more shocking evidence of lax or corrupt customs officials who kept expensive cars and threw “champagne parties” at elaborate summer homes. Sparks complained particularly about the chief customs officer at Montreal, J.E.A. Bisaillon, whom he accused of theft, perjury, and complicity with the smuggling fraternity. Bisaillon, it seems, actively participated in the smuggling traffic from his farm which conveniently straddled the boundary between Quebec and Vermont.

As disturbing as these accusations were, they failed to elicit action by the Liberal administration of William Lyon Mackenzie King. Twice Sparks wrote to Mackenzie King to offer evidence against Bisaillon; in neither case did Sparks receive assurance that the Liberal government would investigate the matter. This inattention seems indicative of the aloof, laissez-faire, and sometimes even hostile attitude the Mackenzie King administration took toward the smuggling issue early on, especially regarding liquor smuggled to the United States. One Alberta customs officer stationed at Wild Horse noted in his diary that Ottawa had ordered “hands off liquor being smuggled to the United States.” Likewise, the officer in charge of the border station at Roosville, British Columbia later recalled, “It was not the rumrunners who corrupted us, but the Canadian politicians, federal, provincial, and municipal.”

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4 *Toronto Globe*, 8 August 1924, quoted in *CAR* (1924/25), 88; *Literary Digest*, 3 July 1926, 14.

5 *New York Times*, 21 March 1926, sec. 9, 4.


7 Customs officers quoted in McIntosh, *The Collectors*, 267.
Despairing of attention from the Liberal government, Sparks turned the results of the CPA's investigation over to Henry Herbert Stevens, a front-bench Conservative from Vancouver Centre. As a former Minister of Trade and Commerce, Stevens proved to be a wise choice. In many ways, Stevens' career reflected many of the industrial and progressive changes that characterized British Columbia during the early decades of the twentieth century. In 1887, at the age of nine, he emigrated from Bristol with his family, settling first in Hamilton, and then later in Peterborough, Ontario. Henry's father, finding Ontario a difficult place to make a go of the grocery business in the depression-racked 1890s, gathered his family and headed to the Far West. Over the next twenty years, the younger Stevens accumulated an eclectic background. He worked as a fireman on the Canadian Pacific Railway and as a stage-coach driver to the booming mining town of Grand Forks. Seeking more exciting pursuits, Stevens traveled to Seattle in 1899 to join the transport section of the United States Army. The army shipped him first to the Philippines and then later to China as part of the force sent to quell the Boxer Rebellion. In 1901, Stevens returned home to the Kootenay region, where he staked claims for a New York mining syndicate and joined the local chapter of the Western Federation of Miners. It was here, ironically, that Stevens defined his conservative political philosophy. It seems that he had found his own political views incompatible with those of the left-wing socialists and radicals that composed the WFM. Disillusioned, Stevens returned to the security of the family grocery business before later founding a brokerage and insurance business. He even managed to serve as a Methodist preacher and Sunday school teacher before being elected to Parliament in 1911.8

Along with his religious background, Stevens' experience in China may have been the most formative in defining his views on the liquor traffic. Although he

participated in no fighting, Stevens did operate the ambulances that picked up American casualties, most of whom, he noted, were alcoholics. As he later recalled, “If that’s what booze does to a man, no more booze and I left it alone.” Indeed he did. He committed the remainder of his public life to cleaning up British Columbian society as a staunch advocate of prohibition. Stevens would be one of the first Canadians to endorse cooperation with American enforcement of prohibition, primarily out of his belief that the provincial and Dominion governments operated hand in hand with the liquor industry. Although a Conservative, Stevens was probably in agreement with some of his more liberal-minded colleagues, believing that “private interests must be subservient to the public good.” Still, as his biographer has commented, Stevens was a “Conservative Methodist rather than a radical Protestant.” He was more interested in remedying the ills of the system than in changing it. His investigation of the Customs department fell nicely in line with these philosophies. But politics motivated Stevens’ actions as well.

By January 1926, the Liberal government of Mackenzie King was under attack. Before the federal election held the previous November, King’s Liberals controlled more than twice the number of seats held by the Tories. Though Conservatives did not win the majority needed to gain power directly, they did acquire a 46.5% plurality, leaving the Liberals with a mere 40.1%, and the Progressives with the remaining 14%. The election proved a stunning victory for Conservatives; for the Liberals, it was a serious repudiation. Just as unsettling to the Liberals, the Prime Minister and five members of his cabinet lost their seats in the election.

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10 House of Commons, Debates, 2 May 1923, 2407-08.

11 Wilbur, H. H. Stevens, 16, 90.
King did not automatically resign as Prime Minister. Constitutional precedent allowed him to remain in office until the House withdrew its support by a vote of no confidence. Deciding to wait until a new Parliament convened in early 1926, he used the interim to insure that Parliament would remain in Liberal hands. This meant convincing western Progressives, who held the balance of power, to align themselves with the Liberals. Likewise, the Tories viewed the interim period as an opportunity to consolidate Progressive support for a Conservative government.\textsuperscript{12}

Stevens and Conservative leader Arthur Meighen believed the growing customs scandal to be the issue that would seal a Tory victory. Of the three major parties in the House, the Progressives were the least likely to condone corruption. Indeed one of the Progressive's chief platforms of the previous election had been that only they had the "moral courage and idealism" necessary to reinvigorate Canadian politics.\textsuperscript{13}

It was in this atmosphere that Stevens made his damaging accusations public in February 1926. He made the thinly veiled implication that Liberals were trying so hard to remain in power precisely because they hoped to mask the scandal. There probably was some truth to this charge. Stevens' accusations did not come as a complete surprise, at least to King. Ever since Sparks' had made his disclosures to Mackenzie King the previous February, the Prime Minister had recognized the need for a full-scale investigation of the Customs department. He had quietly and conveniently retired the Customs minister, Jacques Bureau, to the Senate just days before the election. A few days afterward, he finally ordered the dismissal of Bisaillon. Still, this was the extent to

\textsuperscript{12} H. Blair Neatby, \textit{William Lyon Mackenzie King: The Lonely Heights, 1924-1932} (Toronto, 1963), 76, 82.

\textsuperscript{13} W.L. Morton, \textit{The Progressive Party in Canada} (Toronto, 1950), 241 (quoted in Neatby, 115.)
which the Liberals had sought to reform the Department. It could hardly be called sweeping.  

Under the pressure of Stevens’ disclosures, Liberal political survival depended even more on Progressives support for a coalition government. Consequently, Liberals agreed to the appointment of a special committee to investigate Stevens’ charges. Placated by this concession (as well as by an offer of a cabinet position for a western Progressive), the Progressives agreed to back a Liberal government. For the time being, Liberals retained the advantage in the House. Adjourning until March 15, the House left the Customs scandal to the appointed commission.  

Over the next four months, the Parliamentary committee conducted its investigation. Made up of nine members, the committee was divided among four Liberals, four Conservatives, and one Progressive. The committee’s report, when Parliament convened on June 18, more than substantiated the charges Stevens had made in February. A few of the findings suggested that the problems were systemic. The commissioner of the Royal Canadian Mounted Police, for example, testified that much of the smuggling problem was due to the locations of the Customs houses. Being so few and so easily avoided, they were not effective deterrents to smuggling. They were, he noted, “reported to by the honest, [and] avoided by the dishonest at will.” It was a problem that perennial underfunding only exacerbated. The committee’s report also

14 Recognizing the insufficiency of Liberal efforts to reform Customs, King admitted in his diary, “There is a scandalous condition which might cause us defeat.” Neatby, William Lyon Mackenzie King, 115.

15 After a Liberal member from Prince Albert, Saskatchewan resigned to make way for Mackenzie King, on February 15 King won a by-election, allowing him once again to take up his place on the floor of the House of Commons. The Liberals had managed to hold power, and King had managed to retain his position as Prime Minister. The position, as King soon discovered, however, was far from secure. See Neatby, 113, 116.


17 Quoted in McIntosh, The Collectors, 148.
recommended that the Department prosecute some twenty-five firms, mostly garment manufactures that habitually used fictitious invoices to undervalue the products they imported. It also recommended that all distilleries be audited.\textsuperscript{18}

To the Toronto \textit{Mail and Empire}, the committee’s most significant findings dealt “with the most shocking state of affairs ever exposed in a Dominion Government Department.” The report, the daily continued, “Gave a staggering account of rascalities committed by smugglers, of unfaithful service on the part of government employees. It was a tale of fortune-making by contraband traders on a grand scale.”\textsuperscript{19} Before the House, Stevens outlined a scandalous system of bribes, kickbacks, and cover-ups, or simple dereliction that went from the lowest of customs inspectors all the way up to the Minister of Customs:

The evidence further discloses that ministerial action has been influenced by the improper pressure of political associates and friends of the minister, or acting minister, administering the department, resulting in the suspension and in some instances the abandonment of prosecutions against those charged with violation of the statutes, and in the loss of revenue to the country. Moreover, successful appeals have been made to the minister and acting minister administering the department to improperly interfere with the course of justice between the conviction of the offenders and the execution of judgment thereon. The Prime Minster and the government had knowledge for some considerable time of the rapid degeneration of the Department of Customs and Excise, and their failure to take prompt and effective remedial action is wholly indefensible.\textsuperscript{20}

Where Sparks and the CPA had confined their investigation to goods smuggled north, and excluded liquor, the Parliamentary Committee made no such distinction. Indeed, some of the most startling findings concerned not goods smuggled northwards, Stevens commented, but liquor smuggled south:

\textsuperscript{18} Wilbur, \textit{H. H. Stevens, 57}; \textit{Literary Digest}, 3 July 1926, 15.

\textsuperscript{19} Toronto \textit{Mail and Empire} quoted in \textit{Literary Digest}, 3 July 1926, 14-15; 10 July 1926, 9.

\textsuperscript{20} House of Commons, \textit{Debates}, 22 June 1926, 4818-46, quote on p. 4832.
In my opinion the administration—and in this I include the officers of the department as well as the heads—are either too simple to hold office or else they are deliberately conniving at this traffic, which is contraband so far as our friendly neighbor to the south is concerned. And it is beneath the honour and dignity of this country to be engaged in, or to connive with others who are engaged in, such pursuits. 21

Concluding, Stevens proclaimed it "High time for this unholy partnership between the government of Canada and a gang of bootleggers to be dissolved." 22

Whatever their validity, the attacks on King were credible enough for the Conservatives to move for a vote of censure, confident that they would gain Progressive support. Hoping that a new election might rid his party of the Customs albatross, King raced to the Governor General to request that Parliament be dissolved. The Governor General promptly refused and so King, facing likely censure, resigned on June 28. Lord Byng then invited Conservative Arthur Meighen to form a government. After receiving assurances of support from a number of Progressives, Meighen accepted. 23

With only a precarious coalition to support it, Conservative rule was short-lived. On July 1, Liberals defeated the Meighen government with a vote of no confidence. This time it was Meighen asking the Governor General for a dissolution of Parliament and this time the Governor General agreed, calling for general election to be held in late September. Before its defeat, the Conservative government succeeded in passing an amendment to the commission's report requiring a full-scale, independent investigation be made. The Royal Commission on Customs and Excise was born. 24

21 House of Commons, Debates, 22 June 1926, 4822.
22 House of Commons, Debates, 22 June 1926, 4823.
23 New York Times, 29 June 1926, 1, 3; Literary Digest, 10 July 1926, 9; Nation, 14 July 1926, 21-22; New Republic, 14 July 1926, 223.
THE ROYAL COMMISSION IN VICTORIA AND VANCOUVER

Given the findings of the parliamentary commission the previous June, expectations for the royal commission proceedings—slated to open in Victoria and Vancouver in mid-November—were understandably high. The open hearings attracted, in the words of the American Consul, all classes of residents, “from water rat to plutocrat, of both sexes.” The Vancouver Province articulated the expectations of many when it warned:

If, as a result of the thorough ventilation that is promised, we do not succeed in evolving some scheme which will enable us to protect our people and our revenues and cooperate with the American authorities, as we have promised to do, we shall have to admit that the best brains of the country are on the side of the law-breakers and that our capacity for self-government is by no means as high as we had believed it to be.

Of course, Canadians in other parts of the Dominion listened with equal attentiveness, assured that recitals given in British Columbia would offer a preview of coming attractions in their provinces.

That the proceedings began in British Columbia had significant implications for the course they would take throughout Canada. The royal commission’s mandate went far beyond an investigation of the liquor traffic to the United States. To have introduced the investigation in such a way would have resulted in its rejection by Parliament. Most Canadians continued to hold that it was not Canada’s responsibility to investigate a traffic that, in the main, broke only American law. Of greater concern to most members of Parliament remained the allegations made concerning commercial smuggling north. Crimes associated with rumrunning south would, most assumed, play a role in the commission’s investigation, but they would not be its central focus.

25 American Consul (Vancouver) to Secretary of State, 8 February 1926, 811.114Canada/3392.

26 Vancouver Daily Province, 19 November 1926, 6.

27 American Consul (Halifax) to Secretary of State, 11 December 1926, 811.114Canada/3316.
Nonetheless, each of the first witnesses called before the commission at Victoria and Vancouver stated unequivocally that it was not commercial but liquor smuggling that posed the greatest threat in the Northwest. Even the local boards of trade had no particular concerns about commercial smuggling in the region, since what contraband traffic existed remained more complementary than competitive, just as it had been for the previous hundred years. Consequently, the commission focused almost exclusively on rumrunning for the remainder of its two months in British Columbia.\textsuperscript{28}

It was not a decision that sat well with those unsympathetic to the prohibition cause, nor with those concerned that the commission’s findings would adversely affect political fortunes. Some critics pointed to the “over-zealousness” Newton Rowell, the commission’s chair, known to be an ardent prohibitionist. They questioned whether an inquiry into what everyone agreed was a legal traffic should cost $10,000 per day. It was outrageous that an industry that contributed millions to the provincial and Dominion economies should be the subject of an inquisition, especially when it helped no one but Americans. One British Columbian complained that from the hearings American enforcement officials learned all the routes used by exporters. “It is a fine thing for the U.S. government,” he wrote, “[but] will they pay the expenses and salaries of the commission?” Another letter got to the point even quicker: “Uncle Sam, with his usual greed, having bitten off more than he can chew with his Eighteenth Amendment, is... getting his dirty work done at our expense.”\textsuperscript{29} For the \textit{Western Tribune}, a local Labour paper, Canada had more important issues to consider: how to get more pulp

\textsuperscript{28} Sessional Paper 5d, 5 January 1927, RG 14, D2, vol. 171, NAC, p. 9; American Consul (Vancouver) to Secretary of State, 30 December 1926, 811.114Canada/3441, and 8 February 1927, 811.114Canada/3392; \textit{Vancouver Sun}, 26 January 1927. Canada, Royal Commission on Customs and Excise, \textit{Interim Reports (Nos. 1 to 10)} (Ottawa, 1928), 7.

\textsuperscript{29} Letters to editor quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.
and paper mills, how to manufacture more finished lumber products in British Columbia, and how to reduce taxation.  

Because the Liberal government had been in power twelve years, most assumed that revelations of connections between liquor and politics would hurt Liberals more than Conservatives. Thus, some Liberals, including British Columbia's Premier John Oliver, were concerned that Rowell would spill too many "Liberal beans." Neither did Liberals in Ottawa appreciate Rowell's efforts. One warned that the royal commission chairmanship "would be the last job that gentleman will get from his friends [here]."  

Despite the criticisms, the commission plunged headlong into the complex world of rumrunning on the Pacific Coast. One of the greatest challenges the commission faced was in determining who to call before the committee and how to compel their testimony. First, it was particularly difficult to pin down those involved in the West Coast liquor traffic. Rumrunning concerns operated under a myriad of holding companies and fronts, and under assumed names. It was not an uncommon practice for shares in liquor concerns to be held in trust for persons whose names remained confidential. Second, once identified, it was often difficult to get those persons in front of the commission. James Ball, owner of the British Columbia Vinegar Company—a concern that sold more liquor than vinegar—fled to Seattle just before the commission's arrival, taking the company's records with him. Also, many witnesses called by the commission were Americans who were naturally reluctant to testify, concerned that testimony they gave would be used against them in the United States. Occasionally it was.

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30 Vancouver Western Tribune quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.

31 American Consul (Vancouver) to Secretary of State, 17 January 1927, 811.114Canada/3442.

32 Vancouver Daily Province, 30 November 1926, 1; American Consul (Vancouver) to Secretary of State, 23 September 1924, 811.114Stadacona.
Accessing business account books, many of which had been conveniently “misplaced” or destroyed, proved particularly frustrating. In one of its interim reports, the commission reported the difficulty it encountered securing records from the Pacific coast’s largest liquor concern, Consolidated Exporters. “It appears to have been a deliberate policy on the part of the company to destroy the books and records,” the report noted. “The alleged reason for this procedure,” it continued, “was to prevent the United States Government from obtaining information as to the income tax that might possibly be payable by this company in connection with the business transacted by it in the United States.”

This was certainly true. It was also true (though not yet in evidence) that Consolidated and other liquor concerns hoped to hide their books from the prying eyes of Canadian revenue authorities as well.

The most obstructive behavior came not from Consolidated, but from Joseph Kennedy, Ltd., one of the other two major liquor export companies operating from British Columbia. The Kennedy company and its subsidiaries were operated by Henry Reifel, Sr., British Columbia’s leading brewer and distiller, and his two sons, Henry Reifel, Jr. and George C. Reifel. The elder Reifel was a German brewmaster who had immigrated to the province in 1888. He purchased the small British Columbia Distillery and soon began to compete quite successfully against the eastern distillers who then controlled a significant portion of the West Coast trade. By 1926, Reifel and his sons had assumed operation of the Joseph Kennedy Export House and British Columbia Distillers, and were the main partners in Vancouver Breweries. Not coincidentally, they were a major source of liquor for Roy Olmstead’s Puget Sound organization before

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3 Interim Reports (Nos. 1 to 10), 62. Indeed, directors of the Joseph Kennedy Company initially refused to testify before the RCCE on the grounds that the evidence they gave would be used against them in pending indictments in the United States. See Vancouver Sun, 10 December 1926.
Olmstead’s conviction. Already well-known, Reifel became a real celebrity—and a threat to the provincial government—when he testified before the Royal commission.34

Getting the Reifels in front of the commission proved a chore in itself. The family doctor claimed that ill health made it unwise for Henry Reifel, Sr. to appear before the commission, though he was forced to testify later the next week. Henry Reifel, Jr., also excused temporarily on account of illness, did not even appear at the first session of the commission before it adjourned for Christmas break. When it reconvened in January, the committee was outraged to discover that he had sailed to London by way of the Orient. Apparently his doctor had “ordered” him abroad for “recuperation.” Rowell wryly commented, certainly with some irritation, “That’s a long way to get to London.”35 Even when the Reifels did appear, their testimony evaded the truth as zealously as their bootleggers evaded American authorities. The commission later reprimanded the Reifels for their reticence, their obfuscations and outright perjury, and, eventually, their admitted guilt in the violation of numerous customs and excise laws.36

Despite the best efforts of the liquor industry to thwart the commission, the truth about rumrunning on the Pacific coast soon made itself apparent. The revelations centered around four major issues: false declarations given by exporters concerning the destination of their shipments; liquor from export houses sold illegally in British Columbia; forged liquor labels and revenue stamps; and illegal contributions made by the

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35 Vancouver Sun, 9 December 1926, 1; 19 January 1927, 1, 15; 25 January 1927, 2.

36 Vancouver Sun, 16 December 1926, 1, 2; American Consul (Vancouver) to Secretary of State, 30 December 1926, 811.114Canada/3441.
liquor exporters to political campaigns, provincial newspapers, and government officials.

First, the royal commission confirmed that the primary purpose of the federally protected liquor export warehouses located throughout British Columbia was to ship liquor to places where it was prohibited. In the main, this meant the United States. The commission demonstrated that liquor exporters routinely filed fraudulent clearance papers suggesting that the liquor was bound not for the United States but for another foreign country, such as Guatemala or Mexico. They did so, naturally, to avoid the $20 per case tax that the Dominion had levied specifically on liquor exports to the United States. In some cases the fraud was quite blatant.

The well-known rumrunner Chris Moeller had the misfortune of being "Exhibit A" for the commission. The steamship had cleared the port of Vancouver ostensibly for San Blas Mexico with a 17,779-case load just as the Royal commission convened. When it later arrived in Victoria to load an additional 3,700 cases, port authorities revoked the clearance to San Blas pending the royal commission's investigation. After the testimony of officials familiar with San Blas, the commission learned that San Blas did not have a harbor sufficient to handle a vessel the size of the Chris Moeller. Moreover, the village did not have "enough thirsty people... to consume 20,000 cases of liquor," nor the rail facilities necessary for its shipment to the rest of Mexico. Making the Chris Moeller's shipment even less plausible was the contention that the liquor it shipped was British and that it had arrived at Vancouver through the Panama Canal. Surely, reasoned the commission, were its final destination truly San Blas, the vessel would have delivered the liquor as it passed Mexico on the way north. The net
result was that shipments such as the Chris Moeller's defrauded the Dominion of considerable excise revenue.37

The second major discovery made by the Royal commission was a process commonly known as "short-circuiting." Evidence disclosed that not all liquor bound for the American or other foreign markets even left British Columbia waters. By law, export companies could not legally sell liquor in British Columbia except to the Liquor Control Board for retail through government vendor stores. However, with high prices the result of a government monopoly, many exporters and bootleggers found it almost as profitable to undersell the provincial market as it was to export to the American. Indeed, the liquor warehouses abused provincial law almost as much as they did American law. When the commission discovered sales records of the British Columbia Distillery that showed deliveries to Vancouver residents, the distillery explained that they were legal because they were "delivered by American car." When the commission questioned an "exceptionally large" discrepancy between how much liquor the United Distillers of Vancouver produced and how much liquor it reported as exports, the company dubiously replied that the difference was "due to defective plates in the distilling column causing leakage."38

Third, liquor exported to the United States was not all its labels indicated it to be. One of the major arguments many Canadians had used to rationalize the liquor traffic was that the Dominion provided pure, unadulterated alcohol to Americans who would otherwise be drinking "rot-gut," or other questionable forms of liquor. One British Columbian had commented, "It is up to us to take all the money we can get from

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37 Interim Reports (Nos. 1 to 10), 3-6, 63; Vancouver Sun, 29 November 1926, 1; 30 November 1926, 1; 1 December 1926, 1; Vancouver Morning Star, 30 November 1926, 1; 1 December 1926, 1; Vancouver Daily Province, 2 December 1926, 1.

38 New York Times, 28 November 1926, sec. 2, 1; American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392; Interim Reports (Nos. 1 to 10), 67, 115.
the U.S. by selling her our good whiskey."\(^3\) The Royal commission disputed the contention that all liquor exported by Canada during American prohibition contained what its labels indicated. Much of the so-called Kentucky bourbon that Americans imported from Canada—bourbon supposedly exported to Canada by American distilleries before the Eighteenth Amendment took effect—was found to be not American liquor at all, but products of British Columbia distilleries packaged with forged U.S. Internal Revenue stamps and false labels. Both Joseph Kennedy’s George Reifel and Robert Swanson, one of Consolidated Exporter’s managers, admitted that their respective concerns labeled Canadian whiskey as “Hill and Hill,” “Grand Dad,” or “Old Hermitage” (all well-known American brands) with forged labels and revenue stamps. Moreover, to keep up with the insatiable demand, the distillers routinely shortened the aging time required by Dominion law, hastily concocting products that were neither American liquor nor pure, unadulterated Canadian liquor. As one British Columbian exclaimed after hearing the commission’s findings, “Why, Sir, since the Volstead Act we have exported more vile fluid, falsely labeled ‘Good Scotch Whiskey,’ than would float the Ark.”\(^4\)

Each of these first three findings—that exporters routinely filed false destinations in clearance papers, that liquor supposedly bound for the United States was instead short-circuited into competition with provincial liquor, and that brewers and distillers used fraudulent labels and revenue stamps—proved to those not already convinced that Canadian exporters violated Canadian law. While many Canadians maintained that it was none of the Dominion’s business whether exporters violated American law, it could no longer be said that liquor exports did nothing to hurt Canada.

\(^3\) Quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.

\(^4\) *Vancouver Sun*, 10 December 1926, 1; 14 December 1926, 4; F.J.A. Demers to District Attorney, 13 December 1920, RG 36, box 5, file 135, NAPNW.
The revenue Canadians thought they were receiving from the liquor traffic was instead diverted to the pockets of bootleggers and rumrunners—hardly the beneficiaries most Canadians envisaged when they argued against cooperation with the United States.

Beyond these discoveries, one revelation made by the commission proved even more unsettling. The socialist J.S. Woodsworth had once wondered before the House of Commons whether Canada's staunch attitude against cooperation with the United States might not have been the result of illegal campaign donations. Just before Christmas recess, the royal commission discovered buried deep in the account books of Reifel's Vancouver Brewing Company a secret account labeled "Assurance and Protection." It documented unspecified expenditures of some $150,000 over a two-year period. When questioned, Henry Reifel proved, as usual, an uncooperative witness. He was unwilling to discuss the "assurance and protection" accounts, arguing that they were none of the Royal commission's business. Many Conservatives assumed this account to be for contributions to the Liberal government in British Columbia—the so-called "Liberal beans" about which Premier John Oliver had earlier expressed concern.41 As the committee later discovered, however, the Liberal party was not the only recipient of questionable contributions.

Compelled to divulge to which political parties he had contributed, Reifel finally responded: "Both, I have friends in both parties." Rowell asked Reifel: "But why do you find it necessary to contribute to political campaign funds?" Reifel's answer: "That's what I would like to know myself. I have been paying campaign funds in British Columbia for thirty-five years and I never got any return for my money. I wish, my lords, that you would recommend that a law be passed prohibiting contributions to

41 Allen, Ordeal by Fire, 290-91; American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392; Campbell, "Liquor and Liberals," 48.
campaign funds. Digging deeper, the commission discovered that another $24,000 in unvouched accounts had gone to the Liberal *Vancouver World* and to the Moderation League for anti-prohibitionist propaganda. Reifel admitted that $200,000 went to political campaign funds and that he had paid $39,000 directly to one official.

Of course, the Joseph Kennedy Company was not the only exporter to contribute to political campaign funds. Russell Whitelaw, a directing officer of Consolidated Exporters, disclosed that Consolidated had, during the previous four years, paid at least $100,000 to the Conservative and Liberal parties and $17,000 to the *Vancouver World*. Though he claimed that they were outright gifts, with nothing owed in return, Rowell found it hard to believe. He asked: “Do you make gifts of money to everyone who appeals to you?” Whitelaw responded: “I don’t recall that the Consolidated has ever turned down an appeal for money.” To this another commissioner questioned sarcastically: “And you are still in business?”

Although Whitelaw and Reifel plead ignorance, a number of their payments were, indeed, indictable offenses under the Dominion Elections Act. More blatant, Joseph Kennedy Company books showed that government liquor stores in Vancouver received kickbacks in proportion to the quantity of goods they purchased from Kennedy stocks. Equally disconcerting, a disgruntled beer dispenser disclosed that the local political boss had, after receiving money from Joseph Kennedy, Ltd., made it a practice to dictate who would receive vendor licenses from the provincial government.

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42 *Vancouver Sun*, 16 December 1926, 4; 25 January 1927, 2; American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.

43 RCCE, Vancouver Evidence, 6224-42, 6982-90, 7743-52, 7876-82.


45 American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.

46 *Vancouver Sun*, 15 December 1926, 1; 20 December 1926, 1; American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.
Revelations of political contributions and payoffs changed public perceptions regarding the nature of the liquor traffic in British Columbia. The Independent-Liberal *Morning Star* of Vancouver, commented:

It is not merely that this port has been made a base for the operations of men who openly confess that they are engaged in breaking the laws of friendly neighbor—Vancouver has long been aware of what was going on of that nature and had regarded it as something extraneous, something that did not touch the life of the city. What has shocked the public mind is the disclosure that very large sums have been paid to provincial and federal party men for purposes which could not be openly avowed and the discovery of indications of apparently extensive bribery of public officials.47

Other dailies essentially echoed the Star's concerns. The Vancouver *Province* added:

Before we had only conjecture. We know that the corruption of good government in British Columbia by the liquor interests has not so much been the corruption of government departments and government officials as it has been a general corruption our public life. It has been corruptive of our political parties. It has been corruption—what other name will you give it?—of the very Legislature itself.48

In early February, the royal commission moved on to the Prairie provinces where it uncovered many of same irregularities. Before it departed, however, the commission left an indelible mark on British Columbian attitudes regarding Canada's role in the liquor traffic. If it accomplished nothing else, the royal commission at least helped to crystallize sentiment against the liquor traffic from British Columbia. Indeed, the American Consul in Vancouver, Harold Tewell, believed the royal commission to be the turning point in British Columbian opinion. Like the *Beryl G* incident, many British Columbians began to consider that bootlegging to the United States was inimical to the

47 *Vancouver Morning Star*, 18 December 1926, in American Consul (Vancouver) to Secretary of State, 30 December 1926, 811.114Canada/3441.

48 *Province*, n.d., in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.
best interests of the province. The border was not the cultural barrier many thought it to be; its porosity had begun to undermine not only British Columbian society, but also the neighborly spirit that the border had long symbolized, especially in the Northwest. “It is an unfriendly act,” the Province commented, “to defy a neighbor’s laws, and the height of business folly to court a neighbor’s ill will and to build up among here people a reputation for laxness and indifference.” One resident summed it up even more succinctly: “We don’t want such prosperity at the price of our national self-respect.”

In February 1927, Tewell was finally able to report what his superiors in Washington had long hoped to hear: “A general war on bootlegging is being urged in British Columbia…. It has taken five years to fully convince decent Canadians that the bootlegging of liquor into the United States is not good business for either country.” It still remained for that sentiment to alter opinions throughout the rest of Canada. It was certain that Ottawa would not move to ban liquor exports to the United States until that sentiment was widespread across the Dominion.

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49 Vancouver Daily Province, 29 December 1926, 6.

50 Letter to the editor, quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392.

51 Ibid.
CHAPTER VIII
A CONSENSUS FOR COOPERATION

By the middle of the decade reports of border clashes between rumrunners and enforcement officials, hijackings in coastal waters and backcountry roads, as well as reports of wholesale corruption had become so widespread that those north of the border quickly recognized that they were not immune to the deleterious effects of ineffective enforcement south of the border. Instead of facilitating the traditional neighborly relationship that had existed between Canadians and Americans in the Northwest, the border had begun to undermine that relationship. For the next five years, convinced that something needed to be done, the province did what it could to limit the illicit traffic of liquor across the border. However, until there was in Eastern Canada the same consensus for neighborhood cooperation that existed in British Columbia, there was little the province could do.

NEIGHBORS AND NEIGHBOURS

Throughout the 1920s, Canadian public opinion on the matter of cooperation with the United States remained divided. Many Canadians maintained that the liquor traffic was entirely legal so far as Canada was concerned. Others had doubts about whether the traffic, whatever its legality, was in the Dominion's best interests. Yet this divide does not appear to have been the result of partisan politics. While Conservatives were generally more inclined to resist American appeals for cooperation, and Liberals less so, there were notable exceptions. The Liberal Presse in Montreal, for example,
agitated against cooperation with the United States while the Conservative Ottawa Journal, as well as the even more Conservative Montreal Star, usually endorsed it.\(^1\) In the British Columbia press there was no division at all. Each of the province’s major dailies had, by the mid-1920s, become advocates for greater cooperation and that opinion remained unchanged throughout the decade. The British Columbia press was, according to the American Consul in Victoria in October 1925, “championing less and less the liquor interests,” and “becoming more outspoken for law enforcement.”\(^2\)

Sectional factors may offer a better explanation for the variations in sentiment than political ideology. Despite the general support for cooperation in British Columbia, there were still sizable segments of the population throughout the Dominion—particularly in Quebec, Ontario, and the Maritimes—that refused to recognize Canadian responsibility in the matter. Certainly, Quebec was unlikely to support cooperation with the United States. French-Canadian members of Parliament were notoriously unsympathetic to prohibition, and since Quebec had been the first Canadian province to abolish prohibition, it was unlikely to favor drastic legislation supporting American prohibition. Similarly, Americans could expect little support from Ontario. There the United Empire Loyalist tradition, the province’s nationalist outlook, and the powerful liquor lobby militated against cooperating with American overtures. Votes in Ontario as late as 1929 continued to reflect little support for legislation that would prohibit liquor clearances. Finally, recent American tariff restrictions, along with a nationalist outlook similar to that of Ontario, help explain the Maritimes’ reluctance to support American requests for enforcement assistance.\(^3\)


\(^{2}\) American Consul (Victoria) to Secretary of State, 1 October 1925, 811.114Canada/842.

\(^{3}\) New York Times, 13 January 1929, sec. 9, 6; Toronto Mail and Empire, cited in Literary Digest, 26 January 1929, 16-17; American Consul (Ottawa) to Secretary of State, December 1929, 842.114Liquor/74; Kottman, “Volstead Violated,” 112.
On the other hand, the American case received its strongest support in the Far West, where, Richard Kottman argues, "north-south cooperation and orientation overshadowed the imperial overtones of its population." The sectional argument merits consideration, for even before the Beryl G incident and the royal commission's appearance in British Columbia, a number of the facets of the historical British Columbia identity seem to have supported cooperation with the United States. The long, close relationship that existed between Canada and the United States west of the Rocky Mountains undoubtedly contributed to British Columbia's early interest in assisting the United States in enforcement of the Eighteenth Amendment. Like many Canadians, British Columbians remained particularly sensitive about maintaining their sovereignty vis-à-vis the United States. The Daily Province had noted in 1924, "We are jealous of our sovereignty. We insist that what we do within our borders is the business of nobody but ourselves, and we should resist any attempt on the part of an outside nation to interfere with our decisions." Yet almost in the same breath, the paper went on to express the opinion, shared by many British Columbians, that Canada should at least be neutral. In affording facilities such as export houses, the paper argued that Canada was providing shelter "to guerrilla bands... levying war on a friendly power." While the paper later conceded that it was not Canada's duty to enforce an American law, "It is just as true that it is our duty as a friendly neighbor, not to give aid, comfort, or asylum to those who are defying American laws." The spirit of international comity was far more important than the letter of international law.

4 Kottman, "Volstead Violated," 112.

5 Vancouver Daily Province, 17 November 1924, 6.

6 Vancouver Daily Province, 29 December 1926, 6. For similar sentiments, see New York Times, 13 January 1929, sec. 9, 6.

7 Other papers agreed. "It would be," pleaded the Vancouver Sun, "a very great pity if the good feeling between these two great sister nations should be destroyed over such a back-alley, disreputable thing as the rumrunning business." Even the New York Times recognized the special relationship in the
Yet another factor that contributed to British Columbia’s early interest in cooperation was the province’s ethnic make-up. Even into the late 1920s, British Columbia remained a decidedly British place. Over one-third of the province’s population had been born in some part of the British Empire, and many of these were recent emigrants from the British Isles themselves.\(^8\) To these “British” Columbians, the Dominion played an important role as the “linch-pin” in the relationship between the United States and Great Britain. During a banquet held by the Victoria chapter of the Kiwanis Club in 1921, Dr. Herbert Coleman, Dean of the British Columbia University Faculty of Arts, articulated this sentiment:

It would seem that Canada, because of her history and her ancestry, should be qualified in a special measure to act as interpreter between America and England. The Canadians are just as American as the Americans—of course, in a special sense. If all Americans knew the Mother Country as Canadians knew her, they would not love her, perhaps, as Canadians love her, but there would be no cause for hate or indifference.\(^9\)

At the Vancouver Canadian Club, Conservative leader Arthur Meighen later pointed out that Canada “remains, in very large degree, the interpreter of Britain to the United States and of the United States to Great Britain. As such... it behooves us to be careful of our conduct.”\(^10\) Certainly, since Great Britain had already refused clearances of liquor to the United States, it followed that it was Canada’s responsibility not to undermine that

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\(^8\) Barman, *West Beyond the West*, 380.

\(^9\) *CAR* (1921), 130, 137.

\(^10\) *Vancouver Daily Province*, 17 November 1924, 6.
Anglo-American accord.\textsuperscript{11} Some historians have argued convincingly that Canada never really was the linchpin in Anglo-American relations. Whatever the merits of their arguments, many British Columbians nevertheless viewed themselves as such.\textsuperscript{12}

Federal-provincial jurisdictional conflicts also contributed to British Columbia’s cooperative spirit. As mentioned earlier, an amendment to the Canadian Temperance Act had given to those provinces that adopted prohibition, the right to prohibit the private importation of liquor. Provinces that adopted government control on the other hand—including British Columbia and Quebec—had no such option. In these provinces, private export warehouses remained protected by federal charter. So long as this situation existed, rumrunners naturally gravitated toward the Pacific Northwest, assured that their operations would continue unhindered.\textsuperscript{13}

Had the liquor warehouses confined their activities to importing liquor for export to the United States, most British Columbians would not have expressed much concern. However, what was only suspicion before the royal commission proceedings in British Columbia, was established fact afterwards. There were, as most British Columbians reasoned, only two markets for the liquor imported by these private export warehouses, both of which were illegal under either provincial or American law. Either the liquor went to the United States in defiance of American laws or it remained in British

\textsuperscript{11} Victoria Daily Times, 15 January 1929, 4; Victoria Daily Colonist, 21 August 1926, 4.

\textsuperscript{12} For an example of those who argue that Canada never was a “linchpin” in the “fulcrum of Anglo-American relations,” see Reginald Stuart, review of Canada and the United States: Ambivalent Allies, by John Herd Thompson and Stephen J. Randall, in Canadian Review of American Studies 25, no. 2 (1995): 118-120. On the other hand, Canada clearly saw itself as the “friendly interpreter”—as Mackenzie King liked to phrase it—between Great Britain and the United States, leading the Dominion to consider very carefully how its relationship with the United States might imperil its relationship to the larger British Empire. For this latter interpretation, see B.J.C. McKercher, “Between Two Giants: Canada, the Coolidge Conference, and Anglo-American Relations in 1927,” in McKercher, ed., Anglo-American Relations in the 1920s: The Struggle for Supremacy (Edmonton, Alta., 1990), 81-124. Whatever the reality of Canada’s role \textit{vis-à-vis} the United States and Great Britain, at least the belief in Canada as linchpin was pervasive among Canadian citizens. See New York Times, 4 April 1926, sec. 2, 8.

\textsuperscript{13} Victoria Daily Colonist, 6 June 1923, 1.
Columbia to compete with provincial liquor stores. One leading British Columbian prohibitionist, Reverend W.W. Peck, flayed the Dominion law that allowed these conditions to exist. They were, he exclaimed of the export houses, “along with our brewers, the biggest bootleggers we have in our Province.” Another found the exporters “immoral and a disgrace to a country claiming to be Christian.” They were of so little value to the province economically, most reasoned, that there was no good reason they should continue to operate in British Columbia.

Because British Columbia and the United States shared mutual concerns about liquor export houses, provincial authorities often cooperated with their American counterparts, regardless of the lack of formal agreement between Washington and Ottawa. As early as 1923, Roy Lyle was able to report to his superior in Washington, D.C. that “Helpful cooperation given by Canadian officials in British Columbia is doing much to stop liquor smuggling in the Northwest.... Officials north of the border are furnishing confidential information of great value.” Five years later, the American Consul in Victoria reported that “friendly cooperation” continued to characterize the relationship between the Provincial Liquor Control Board, the Provincial legislature, and American prohibition officials.

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14 *Vancouver Daily Province*, 17 November 1924, 6; 21 February 1925, 6; *Victoria Daily Times*, 29 January 1930, 14.

15 *CAR* (1923), 765.

16 Letter to editor, quoted in American Consul (Vancouver) to Secretary of State, 8 February 1927, 811.114Canada/3392. See also, *Vancouver Daily Province*, 21 February 1925, 6.

17 *Seattle Post-Intelligencer*, 17 July 1923, 2. Actually, even earlier, prohibition directors from each of the Northwest states received telegraphic assurances from BC provincial authorities pledging support in stamping out booze and narcotic smuggling. *Seattle Post-Intelligencer*, 16 July 1922, 2.

18 American Consul (Victoria) to Secretary of State, 10 November 1928, 811.114Canada/4119. Likewise, it appears that at the provincial-state level, officials often worked with each other toward common goals, especially on issues of local concern, without regard to the relationships or agreements in place between the federal governments of both nations. See, American Consul (Regina) to Secretary of State, 14 February 1921, 842.114/38 and *CAR* (1921), 136-37.
Yet no matter how much British Columbian officials cooperated with their American counterparts, the federally protected liquor export houses remained the primary obstacle to effective enforcement. As long as Dominion law permitted the importation of liquor into British Columbia by private companies, the province could do little to enforce its laws, let alone those of the United States. Consequently, the provincial government agitated throughout the decade for the authority to force out of existence the nine private liquor warehouses operated in British Columbia by Consolidated Exporters and Joseph Kennedy, Ltd. Between 1923 and 1928, two attorneys general of the province, one Liberal and one Conservative, made it their primary goal to persuade the Dominion government to cancel the warehouse licenses.

The first, Arthur Manson, regularly faced criticism by H.H. Stevens. Stevens blamed Manson for complicity in the traffic, arguing that the attorney general was more interested in the political patronage that resulted from government control than he was in limiting the abuses of it. To be sure, Manson relished the patronage aspect of his job. Still, the criticisms leveled at him by Stevens and others seem to have been motivated more by politics than by any evidence of wrongdoing. Since as early as 1923, Manson had remained one of the chief advocates of amending the Canadian Temperance Act. Throughout his tenure, he repeatedly agitated against the Dominion government for its policy regarding the liquor warehouses. Eliminating the federal protection exporters enjoyed would, Manson reasoned, "strike a deadly blow at the bootlegging industry on the Puget Sound."19 During the royal commission hearings of 1926 and 1927, it was...
Manson who would, on behalf of the attorneys-general of Alberta, Saskatchewan, and Manitoba, continue to argue for limits on the export houses.\(^{20}\)

On three occasions during the 1920s, the Dominion Parliament considered such an amendment to the Canadian Temperance Act. Widespread publicity given to the issue in both British Columbian and American newspapers convinced Manson that there was sufficient public support for the needed amendment. Should the amendment fail, Manson argued that “the responsibility for the lack of enforcement... [would] rest on the shoulders of those who in the face of the facts... opposed the measure.”\(^{21}\) On the first two occasions, the House passed the measure overwhelmingly, only to have it fail in the Senate: the first time by six votes, the second time by four. Key among those opposed were two Conservative Senators from British Columbia who, conventional wisdom agreed, voted against it because they hoped to undermine the Liberal government’s administration of government control.\(^{22}\) When the same measure failed for the third time in 1926, Manson became so frustrated that he allegedly accused the same Senators of being complicit in the murders of the _Beryl G_’s crew. Not until 1928—after most of the other provinces had followed British Columbia’s lead in adopting government control—would the Dominion Parliament finally pass the Importation of Intoxicating Liquors Act, giving British Columbia the authority to regulate virtually all the liquor imported into the province.\(^{23}\)

\(^{20}\) _Vancouver Daily Province_, 26 November 1926, 1; RCCE, Victoria Evidence, 890-950.

\(^{21}\) _Victoria Daily Times_, 28 May 1923, 2.

\(^{22}\) _Seattle Post-Intelligencer_, 5 June 1923; American Consul (Victoria) to Secretary of State, 24 February 1925, 811.114Canada/182.

It would be the new attorney general who would enjoy the fruits of Manson’s labor. The American Consul in Vancouver reported on the energy R.H. Pooley brought to the office. He seemed, according to the consul, “inclined to adopt a different attitude and make certain sweeping changes.” The difference the consul noted was probably more a reflection of the times than a substantive difference in the attitudes of both attorneys general. The royal commission’s conclusions almost certainly provided Pooley with a powerful mandate that his predecessor did not enjoy. As he took office, Pooley was quick to point out the lessons learned: “We have not forgotten, and we hope our fellow citizens will not forget in a hurry, what the customs inquiry told us of the workings of the bootlegging and rum-running business for the ‘protection and assurance’ of partisan politics and party politicians.”

Bolstered by this mandate, Pooley promptly rejected applications of distillers who hoped to establish new distilleries in the province and he pointedly charged the Dominion government with facilitating the traffic to the United States. The public response to Pooley’s aggressiveness was prompt and emphatically supportive. The Daily Province commented:

Mr. Pooley has said that he will have no politics in the administration of his office…and no nonsense about the liquor laws; and already he has done enough to convince the liquor interests, at any rate, that very likely he means business. What the attorney general has done is to serve notice upon the liquor ring of this province, and also upon the government of Mackenzie King, that there is going to be a new deal about liquor administration in British Columbia.

Although the province still had little control over the already established distillers, no longer could the liquor interests import additional liquor to undermine government control in British Columbia or the Eighteenth Amendment in the United States.

24 American Consul (Vancouver) to Secretary of State, 25 October 1928, 811.114Canada/4114.

25 Vancouver Daily Province, 1 October 1928, 6.

26 Vancouver Daily Province, 1 October 1928, 6.
TOWARD A NATIONAL CONSENSUS

Ever since the anti-smuggling treaty of 1924, the addition of a Canadian ban on liquor exports to the United States had remained the chief objective of American diplomats. Not surprisingly, it was also one of the chief recommendations made by the royal commission. The 1924 treaty had proved largely ineffective. The only effect of the provision refusing clearance to small liquor vessels was that it helped consolidate the traffic for the larger concerns.27 The provision requiring Canadian authorities to notify their American counterparts whenever a liquor shipment was cleared for American ports was equally impotent. As Prohibition Commissioner James Doran complained in 1928, by the time American officers received information about the clearances, the shipment had already landed. The biggest problem with the treaty remained the border itself. “There are,” the commissioner explained, “a thousand miles of coast along the North Pacific and the shipment is landed somewhere. The treaty as it stands is no good for our purpose.”28 Thus, the American position remained that nothing short of eliminating liquor clearances entirely would be of “material assistance.”29

Mackenzie King, hopeful for closer relations with the United States, seems to have grown more sympathetic to the American plea toward the latter part of the decade. Still, adopting such a policy remained beyond the power of the Prime Minister. Prohibiting clearances required an amendment to Canadian export law; and such amendments remained the jurisdiction of Parliament. In late 1929, despite considerable opposition in his own party—most notably from the Minister of National Revenue, W.D. Euler—King expressed assurances to the American consul in Ottawa that Parliament would take up the issue. He pointed out that it was necessary to move

27 Vancouver Daily Province, 17 November 1924, 6.
slowly on the matter, since Conservatives would seek as much political capital as possible from the cabinet split.\textsuperscript{30}

It was a hard sell. Public opinion outside British Columbia remained adamantly opposed to cooperation. The most often expressed opinions continued to be the old arguments: that the liquor trade was a legitimate enterprise in Canada; that Canadian liquor constituted only a portion of the liquor illegally obtained by Americans; that virtually all the persons engaged in rumrunning were American; that enforcement in Canada would only contribute to driving the traffic underground; and that enforcement in the United States remained less than diligent.\textsuperscript{31}

Added to these arguments, the excesses of American enforcement were no more welcome in eastern Canada than they had been in British Columbia and the West. Probably the most notorious example was the sinking of the I'm Alone in March 1929. Pursued nearly 200 miles off the Gulf coast and inadvertently sunk by the United States Coast Guard, the Canadian-registered schooner was indeed a well-known rumrunner. Were it not for the death of the ship's captain, it is unlikely that the event would have raised such a diplomatic ruckus. The issue of search and seizure beyond international waters had been confronted much earlier on the Pacific coast in the Quadra and Pescawha incidents, as well as in other incidents in the Atlantic.\textsuperscript{32} While western newspapers like the Vancouver Sun and the Calgary Herald recognized the hypocrisy in the United States—the great protagonist of freedom of the seas—sinking foreign

\textsuperscript{30} Ottawa had, on numerous occasions, used precisely this rationale to justify its unwillingness to cooperate. See New York Times, 13 January 1929, sec. 9, 6; 2 October 1929, 1, 9; American Consul (Ottawa) to Secretary of State, 23 October 1929, 842.114Liquor/67.


vessels, they also recognized the complicity of Canadian rumrunners. On the other
hand, it was for eastern Canada a question of whether "as the imperial ties slowly
dissolved, [Canada] would be able to stand alone against the encroachments of a
powerful neighbor." The conduct of American efforts to enforce prohibition was
much too high-handed to suit the majority of Canadians.

The same month, Mackenzie King offered the United States a counterproposal:
the Canadian government was prepared to allow the United States to station American
officers on the Canadian side of the border. This would, King reasoned, allow U.S.
officials to transmit immediately to their colleagues south of the border that information
deemed most helpful. King's gesture seems to have been an attempt to placate those
Canadians for whom economics remained the most compelling reason not to cooperate.
Under such a plan, the lucrative trade and Dominion revenue would have remained
intact. Moreover, the economic burden of enforcement would have remained on
American, not Canadian, shoulders. On the advice of the Treasury Department,
concerned that a partial victory would undermine its efforts for a broader agreement, the
United States refused and continued to hold out for the export ban.

While Canadian nationalists and economic interests continued to militate against
cooperation, there seems to have been a gradual shift in eastern public opinion that
began to mirror more closely the sentiments prevalent in the Far West. Prohibition
organizations and dry newspapers throughout Canada began to petition Ottawa to
cooperate with the United States with a vigor equal to that expended on the much earlier

33 Vancouver Sun, cited in Literary Digest, 13 April 1929, 16; Calgary Herald cited in Paul M.
Holsinger, "The I'm Alone Controversy: A Study in Inter-American Diplomacy, 1929-35," Mid America

34 Montreal Gazette quoted in Literary Digest, 22 December 1928, 5.

35 Kottman, "Volstead Violated," 118-119; "Press Release Issued by the Department of State,
15 May 1929, FRUS (1929), vol. 2, 55.

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campaign for prohibition.\textsuperscript{36} Many in Ottawa at first discounted these petitions, for prohibitionists were not the majority in Canada. Yet with prohibitionists came a large segment of the population who agreed that, wet or dry, it was neither decent nor neighborly for Canada to undermine American public policy.\textsuperscript{37} Soon, these groups had attracted the support of Conservatives who saw in agitating for cooperation with the United States a moral high ground from which they could attack the slow-moving Liberals. "The condition had existed for several years," R.B. Bennett argued, "and ought to have been dealt with long ago."\textsuperscript{38} Coming shortly before a Dominion general election, it proved to be a compelling argument. It is certain that King felt these pressures by late 1929 and began to look more energetically for a way to cooperate with the United States.\textsuperscript{39}

Canada's yearning for an independent role in world affairs also seems to have encouraged the shift in public opinion. While always concerned about standing up to the United States, Canada was equally interested in its standing around the world. The \textit{Ottawa Citizen} compared the present liquor question to Britain's role during the American Civil War. It likened Canada offering haven to rumrunners who broke American law to Great Britain allowing the Confederacy to build its ships in British yards during the war. "Canada," wrote the paper, "perhaps is just as liable to be assessed damages in the present war which is between the United States forces of law


\textsuperscript{38} \textit{Literary Digest}, 29 March 1930, 13, 14.

\textsuperscript{39} \textit{New York Times}, 13 October 1929, sec. 3, 1; 16 February 1930, 1, 7.
on the one hand and the criminal agents of the liquor trade on the other. Soon other papers were touting the importance of Canada being a good neighbor. To refuse American requests to ban liquor exports—requests to which countries like Great Britain and Norway had already agreed—only imperiled Canada's good name. Moreover, diplomats in Ottawa thought that a positive gesture in the cause of American prohibition would prove beneficial on other pending diplomatic concerns, most notably the ever-thorny tariff issue and the St. Lawrence waterway project.

The final impetus for a ban on liquor exports to the United States came in January 1930 when President Herbert Hoover proposed stationing 10,000 agents along the Canadian-American border. The proposal was a mixed blessing for Canadians. Many were glad to see the United States finally taking responsibility for its problems. Others were more concerned. The Chronicle Telegraph of Quebec worried, "Experience has shown that the type of man employed as a prohibition agent is not conspicuous for his judgment or responsibility and even with the greatest care in selection, there are bound to be a number... who are not fit to be trusted with firearms." The Ottawa Journal elaborated, commenting that 10,000 rifles could do a lot of damage anywhere, but "When they are in the hands of... Volstead enforcement officers, notoriously without discrimination in fingering a trigger, anybody's liable to be shot at any time, whether he is a smuggler, or a bootlegger, or an evangelist." While some Canadians found the whole proposal mildly amusing, pleading only "Please Don't Shoot Canadians," in the opinion of the Journal, it was "no matter to laugh at."

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40 Ottawa Citizen, 28 September 1928, quoted in American Consul (Ottawa) to Secretary of State, 28 September 1928, 842.114Liquor/5.


43 Literary Digest, 8 February 1930, 17-18, cited in Kottman, "Volstead Violated," 121.
As might be expected, Hoover’s proposed border patrol received an equally mixed, though different, reception in British Columbia. Most British Columbian seem not to have shared the concern of their countrymen about the potential for stray bullets or border conflicts between Canadians and Americans. The *Daily Province* understood exactly why the United States proposed such a plan. “Canada, while she may demur, can scarcely object,” the paper wrote, “because she has really put it up to the United States to enforce her own prohibition law.” Instead, the primary concern reflected in the British Columbia press was the damage a standing patrol would do to that most enduring symbol of the Canadian-American relationship: the long, undefended border. A border patrol, noted the *Province*:

> Cannot fail to emphasize everything which divides Canada and the United States. It will give to our border an aspect which it has never had in a hundred years and more—the aspect of an armed frontier, where soldiers patrol the highways of international communication, where guns guard the line which, gunless and peaceful, has been the honorable boast of our friendship.”

The proposed border force also concerned a number of Representatives in the American Congress, especially from the border states. They wailed in protest that guarding the Canadian border would hinder legitimate business, pleasure trips, and tourism. The only answer to the problem was, according to the *Province*, for Canada to assist “her neighbor to the extent of keeping Canadian liquor at home.” “She is under no obligation to do this, as it is not her law that is being violated,” it noted, “but she would be acting the part of a good neighbor if she could see her way clear to follow such a course.”

By March 1930, enough Canadians believed the same that Mackenzie King felt confident enough to introduce a bill in the House of Commons prohibiting the export of

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44 *Vancouver Daily Province*, 4 January 1930, 6.

45 *Vancouver Daily Province*, 31 March 1930, 6.

liquor to the United States. To placate those still opposed, especially those within his party, King couched the ban as a law wholly for the domestic affairs of Canada. Even the name of the bill itself failed to include "United States." While R.B. Bennett and other Conservatives criticized King for not introducing the bill sooner, King replied with the realistic statement that he had had to wait for Canadian public opinion to catch up.47 Despite expected opposition in the Senate, after the measure passed overwhelmingly in the House of Commons, most senators were reluctant to flout Canadian public opinion. On May 30, 1930, Canada amended its export act, prohibiting the export of liquor to the United States.48

RUMRUNNERS ON THE RUN

Throughout the 1920s, the most oft-repeated complaint from those charged with enforcement of the Eighteenth Amendment was the lack of manpower and equipment. Indeed, the problem with the "Hoover broom"—as many called American enforcement, usually derisively—was that it lacked sufficient bristles. Rumrunners were well aware of this deficiency and were only too eager to use numerical superiority to their advantage. While law enforcement agencies would remain perennially underfunded throughout the prohibition-era, by mid-decade most had come to terms with their handicap. They become increasingly pragmatic in their approach to stamping out the illicit traffic.49

47 American Consul (Montreal) to Secretary of State, 18 February 1930, 811.114Canada/4291; Vancouver Daily Province, 17 March 1930, 6.


Bolstered by recent Supreme Court decisions that upheld the earlier seizures of the *Quadra* and *Pescawha*, the Pacific fleet of the Coast Guard found that the most successful way to keep rum ships off the high seas was to enmesh them in red tape. The case of the *Federalship* offers an example. In late February 1927, the 205-foot steamship owned by Consolidated Exporters sailed from Vancouver flying the Panamanian flag. The vessel’s crew probably thought that its Panamanian registry would protect it from seizure by the United States while on the high seas. Unfortunately, just two months earlier—apparently after some prodding by the State Department—Panama had enacted Law 54 which revoked Panamanian nationality from any vessel devoted to smuggling. Trailing the *Federalship* some 275 miles off the California coast, the Coast Guard eventually seized the rumrunner with 12,500 cases of liquor. The Coast Guard defended the seizure on the grounds that since the *Federalship* was involved in smuggling, it had no *bona fide* nationality and was therefore subject to seizure under piracy laws. Nevertheless, in Federal Court, Judge George M. Borquin dismissed the piracy argument and ruled the seizure illegal.\(^{50}\)

That the court eventually released the *Federalship* was of little concern to the Coast Guard. As long as seized vessels remained tied up in the courts, they could not run liquor. Many Americans supported the actions, illegal or not, praising the Coast Guard’s refusal to be intimidated by foreign rumrunners.\(^ {51}\) So successful were they that the American Consul in Vancouver later enumerated a number of the vessels along the coast tied up in red tape: the *Federalship* and *Principio* lay waterlogged in Mexican ports, and the *Quadra*, *Pescawha* and *Chris Moeller* had been captured and were out of

\(^{50}\) *Annual Report of the Attorney General of the United States* (1928), 35; Willoughby, *Rum War at Sea*, 83-85. In one of the unsolved mysteries of the case, the 12,500 cases of liquor were removed for safekeeping by the Coast Guard and placed in storage in San Francisco. It apparently disappeared while in the custody of U.S. Customs.

\(^{51}\) *Literary Digest*, 11 May 1929, 6; *Outlook*, 10 April 1929, 582.
service. Likewise, so many idle vessels littered Vancouver's Burrard Inlet that the Consul dubbed it the new "Rum Row."\(^{52}\)

In March 1925, Congress authorized those charged with enforcing prohibition to use any vessel or vehicle seized for smuggling violations. The passage of this act served a double purpose. It ended the "revolving door," through which vessels seized for smuggling were auctioned back to the illegitimate trade. It also provided the government with additional equipment to patrol the border. Soon the Coast Guard was patrolling the Puget Sound with more than a few vessels with a colorful past.

When, in 1924, Congress grudgingly approved $13 million dollars for the Coast Guard, a portion found its way to the Pacific. By 1925, the Coast Guard had twenty-two vessels engaged in operations against rumrunners on the Puget Sound where, earlier in the decade, there had been only two. Many of these vessels were former rumrunners or surplus navy vessels less than ideal for law enforcement. Nonetheless, they were important in countering the numerical superiority enjoyed by the rumrunners. Toward the end of the decade, the Coast Guard was able to cover the southern shore of the Juan de Fuca Strait and the Strait of Georgia, making it reasonably effective in deterring water landings in the Puget Sound.\(^{53}\)

Every announcement of a seizure or new vessel added to the Coast Guard fleet resulted in prompt predictions that the Puget Sound was "drying up." Evidence suggests that the Coast Guard was at least effective enough to raise the market price of bootlegged liquor. At the royal commission hearings, Consolidated Exporter's Robert

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\(^{52}\) *Victoria Daily Colonist*, 15 February 1925, in American Consul (Victoria) to Captain F.G. Dodge (U.S. Coast Guard, Seattle), 16 February 1925, 811.114Canada/164; American Consul (Vancouver) to Secretary of State, 25 July 1929, 811.114Canada/4221.

\(^{53}\) *Annual Report of the Secretary of the Treasury* (1924), 324; (1925), 393; Miles, *Slow Boat on Rum Row*, 209; *Seattle Times*, 30 April 1961, magazine section; Willoughby, *Rum War at Sea*, 76.
Swanson had remarked that the use of boats in rumrunning had indeed diminished due to greater vigilance on the part of the Coast Guard. 54

Yet evidence also suggests that predictions of rumrunning's demise was greatly, and prematurely, exaggerated. When one Canadian official offered his opinion that now the United States Coast Guard could, with relative ease, keep under surveillance every vessel that left a British Columbia port, the American Consul at Victoria commented more realistically, "We who are engaged in prohibition enforcement understand, of course, the difficulties and limitations under which this task is carried out, but this is not realized by the outsider." 55 Ironically, having seized many of the vessels that made up rum row, the Coast Guard had increased its work load. Instead of large vessels concentrating in groups just off the coast, the rumrunning traffic began to be conducted by smaller, more numerous vessels. For the Coast Guard, this required extensive scouting operations over a wider geographic area. The Coast Guard would continue to suffer a need for additional patrol vessels until prohibition's repeal in 1932. Moreover, while rumrunning by ship seems to have diminished somewhat, the use of automobiles had increased dramatically with no corresponding increase in resources allotted to defend the land border. 56

Despite claims that the United States showed little initiative in enforcing prohibition, there were notable exceptions, particularly in terms of institutional reform. In 1925, after recognizing the difficulty inherent in coordinating the actions myriad...
agencies, all agencies charged with enforcing Volstead were brought under the control of one assistant secretary of the Treasury. The number of federal prohibition directors was reduced to from forty-eight to twenty-two, and the number of border patrolmen increased by Congressional authorization. In 1927, these agencies were further consolidated in the Bureau of Prohibition. In the same year, responding to the criticism that most prohibition agents were unqualified for their jobs, all were required to be certified under the provisions of the Civil Service Commission. Finally, in 1930, the Bureau of Prohibition moved to the Department of Justice where—many hoped—the Attorney General would be better able to enforce the penal provisions of the law.57

A reorganization of prohibition forces also occurred in the Northwest. In early 1926, General Lincoln C. Andrews, head of prohibition enforcement, sent Alf Oftedahl, a special agent in the Intelligence Unit of the Internal Revenue Bureau, to serve as "prohibition czar" on the Pacific Coast. When Andrews ordered Roy Lyle, the federal prohibition director for the region, to subordinate his Seattle office to Oftedahl's investigators, Lyle's patron, Senator Wesley Jones, exploded in irritation.58

Nevertheless, given full authority to represent the Treasury Department with officials of the Canadian government, Oftedahl's impact was almost immediate. His office became the clearing house for information and evidence concerning the illicit traffic gathered by all enforcement agencies. Oftedahl included in his web the American consuls who turned out to be valuable eyes and ears in British Columbia. Rather than send information to the State Department, where it usually languished until no longer of use to other agencies, the consuls sent it directly to Oftedahl who, in turn, forwarded it directly to enforcement officers. The enforcement cooperation that developed in the

57 Annual Report of the Secretary of the Treasury (1925), 84, 383; (1926), 141-42; (1927), 117; (1929), 203; (1930), 228.

58 Clark, The Dry Years, 192.
Northwest would prove to be a model for the rest of the border. In late 1928, Assistant Attorney General Mabel Walker Willebrandt complimented the coordination in the Seattle office and requested that the American Consul in Vancouver travel to the Detroit-Windsor region to facilitate the same type of coordination there.²⁹

Coming as late as it did, it is difficult to assess the impact of the export ban on the American effort to seal the border. In reality, it only removed the official sanction given the smuggling traffic by Ottawa. It did nothing to prevent rumrunners from continuing their practice of declaring their cargo bound for some point outside the United States and then, once out of Canadian territory, diverting it to the liquor’s true destination. Being the great entrepreneurs they were, rumrunners were prepared to continue smuggling liquor to the United States until there was no demand for it. It is likely that the deepening economic depression and prohibition’s ultimate repeal played greater roles in reducing the demand than did the export ban. Nonetheless, the struggle to achieve the ban is instructive. Although complicated by Dominion-Provincial jurisdictional conflicts, resolution of the prohibition problem demonstrated just how important the concept of “neighbors” was to those who lived along the border, especially in the Far West. By the late 1920s, the desire for a peaceful, undefended border was something about which both Canadians and Americans could agree.

²⁹ New York Times, 9 May 1926, 9; Assistant Secretary of Treasury to Secretary of State, 16 November 1926, 811.114Canada/3256; American Consul (Vancouver) to Secretary of State, 9 June 1926, 811.114Canada/1763; Ibid., 2 December 1926, 811.114Canada/3293; Assistant Attorney General to Secretary of State, 811.114Canadian Border Conferences/1.
CHAPTER IX
THE BRITISH COLUMBIAN ORIGINS OF AMERICAN REPEAL

Most Canadians and Americans had welcomed the arrival of prohibition during the First World War. Many more rejoiced at the saloon's demise, and certainly all rejoiced that the sober forces of democracy had triumphed. However, the end of the war diminished in both Canadians and Americans the intensities of their moral ideologies. Absolute prohibition was, according to the *Vancouver Sun*, a "wartime ideal beyond the present and normal abilities of the Canadian people." The same held true, though to a lesser degree, in the United States. It was only natural that the sacrificial fervor that bolstered prohibition during the war would run headlong into the relaxed rhythms of everyday life after the war ended. Despite the lag in time between repeal in Canada and repeal in the United States, there remained a close connection between the two. Just as the border had earlier served as a sort of interface for the prohibition movement, it also served as an interface for those opposed to it. Thus, it is to the experience of British Columbia that we look for the origins of American repeal.

LESSONS FROM BRITISH COLUMBIA

Even those willing to concede the benefits of prohibition were quick to realize that the different course taken by Canada might provide useful lessons for the United States. Cornelius Vanderbuilt, Jr. adopted this theme in a *Seattle Post-Intelligencer*  

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1 *Outlook*, 9 September 1925, 49-51; *Vancouver Sun* quoted in *Literary Digest*, 15 December 1923, 20.
feature when he wrote, "Prohibition has been to the United States, as a whole, a tremendous success. Except in cases of those who could afford bootleg or those who would take a chance, it has proven an excellent thing for the working classes and the great industrial centers." He went on to comment, though, that no matter how successful prohibition had been in the United States, "The example set by our neighbor in the Northwest is one that can well be studied and maybe someday put in effect as a solution towards making of us less the spirit of the bootlegger and more the spirit of the worthy American citizen who stands by, upholds and believes in his constitution."^2

As we have seen, the success or failure of prohibition in the United States was so closely affected by the liquor situation in Canada that it was impossible for Americans to leave their northern neighbor out of any discussion of the topic. As Americans considered ways of modifying or repealing American prohibition, it was natural that they should look to Canada. Of course, both advocates of repeal and advocates of continued prohibition considered the experiences of many countries that, like Canada, had abandoned national prohibition in favor of some form of government control. Still, it was to Canada that the American eye first turned. Beyond geographic propinquity, many Americans considered Canada the ideal proving ground for an

^2 Seattle Post-Intelligencer, 10 June 1923, magazine sec., 6.

^3 Nation, April 1925, 460-62.

^4 These included, for example, Sweden, Finland, Norway, Switzerland, Australia, Poland, Norway, Scotland, and Russia. See New York Times, 8 November 1933, 30, as well as Literary Digest, 15 July 1922, 17-18; 15 August 1925, 31; 10 October 1925, 19; 6 November 1926, 9; 29 September 1928, 18; 3 May 1930, 13; 16 January 1932, 12, 15. Surprisingly, very few studies of prohibition in the United States acknowledge the impact that the abandonment of prohibition around the world had on repeal in the United States. One exception, is David E. Kyvig's Repealing National Prohibition (Chicago, 1979). Even Kyvig's study, however, fails to make more than a cursory reference to the topic. This deficiency is especially true of Canada's impact on American repeal. While almost all studies of Canadian prohibition acknowledge the influence of the American temperance movement on Canada's short-lived prohibition effort, no American study makes a systematic effort to study how ideas about government control in Canada affected American repeal. There is ample evidence that it did. For general American awareness of Canada's experience see New York Times, 2 February 1919, sec. 2, 1. Throughout the 1920s, the Times, perhaps reflecting its less-than-dry leanings, proved particularly attuned to liquor control in Canada.
alternative to prohibition; most importantly, according to one American observer, because Canadians were “so very much like ourselves. They and we speak the same tongue, think much the same thoughts, obey or disobey much the same laws, and have an outlook on life that is almost identical.”5 The value to be had in observing Canada’s experiment with liquor was obvious.6

If it was natural for Americans to look to Canada, it was even more natural that they should look specifically at British Columbia. As the first English-speaking province to abandon prohibition in favor of government control, British Columbia became the vanguard for a new North American system. Though Quebec instituted a similar policy at about the same time, it was easier for Americans to dismiss its adoption of government sale as “just another example of French Canada’s distinctiveness.”7 By early 1923, four members of Congress and one cabinet officer had made extensive investigations of the liquor situation in British Columbia in hopes that it might provide lessons for the United States.8 Likewise, American consular officers in British Columbia kept close tabs on the province’s liquor system. They were acutely aware that it had important implications not only for the ability of the United States to enforce its prohibition laws but also because it had the potential to be a future alternative to the American system. Of course, no less interested in British Columbia’s experience were the other Canadian provinces who, over the course of the decade,

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5 Campbell, “Canada’s Retreat from Prohibition,” 27; Victoria Daily Times, 20 August 1933, 20; Outlook, 22 April 1925, 600.

6 Liquor control was not the only Canadian social policy to which Americans paid close attention. For example, only a year or two earlier, Americans were especially interested in the operation of the Canadian sales tax. Unsatisfied with the income tax in the United States, one New York congressman declared that “Our opinion as to the applicability of the Sales Tax to the United States must necessarily rest in a large measure upon the verdict of the business men of Canada, familiar with its physical operation.” See CAR (1921), 131, 134.

7 Campbell, Demon Rum or Easy Money, 68.

8 Seattle Post-Intelligencer, 10 June 1923, magazine sec., 6.
followed the path taken by the Pacific province. That provincial liquor control resulted in more actual temperance than did prohibition was an impression soon shared by many throughout the Dominion.⁹

Many Americans, particularly moderates among both the wets and drys, admired the statutory manner in which Canada sought temperance as opposed to the constitutional approach taken by the United States. This gave the Dominion the opportunity to test a variety of plans, leaving itself free, according to the New York Times, “to walk in the path of expediency... [while] Americans improvidently put fetters on their legs.”¹⁰ If arrangements made by the various provinces failed, each was free to change its laws accordingly. “It seems so easy for Canadians to change their minds,” opined the Boston Globe. “We might be trying similar experiments if Prohibition were not a part of the Federal Constitution.”¹¹ For others, the Canadian method provided Americans “the benefit of the Canadian experiment without the cost.”¹² Thus, for moderates on the liquor question, British Columbia offered a useful “middle way,” where true temperance achieved the ends complete prohibition never would.

Of course, the conclusions Americans drew from the Canadian experiment in government control depended largely on whether one was wet or dry. For drys, the verdict on the British Columbia liquor system was never in question. It had failed. It

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⁹ See for example, American Consul (Vancouver) to Secretary of State, 10 April 1926, 842.114/203. For a contemporary discussion on how the other Canadian provinces followed British Columbia’s lead on liquor control issues, particularly western Canada, see “Another Canadian Drink Vote,” Literary Digest, 24 November 1923, 20; as well as Richard de Brisay, “Canada Turns Against Prohibition,” Nation, April 1925, 460-62.


had failed to eradicate the bootlegger, and it had failed to improve the character of the people. Spokane's fanatically dry Spokesman Review found "lively proof of the abounding presence in British Columbia of bootleggers, 'blind pigs,'" and all the other evils normally associated with the liquor traffic. The Spokane Daily Chronicle, equally dry, called Vancouver a "Bootlegger's Heaven," where bootleggers were so confident, so bold, that they would openly carry liquor across the street in broad daylight while the police looked the other way. To critics of government control, the prevalence of the bootlegger in British Columbia refuted the theory that it would destroy, or even minimize the liquor traffic. The Review asked: "What greater proof could there be that government dispensary does not stop bootlegging?"14

It appears that dry advocates like the Review and Daily Chronicle very selectively gathered their evidence. To be sure, bootleggers remained active in British Columbia, even after the adoption of government control. Yet, they existed there for different reasons than they did in the United States. In British Columbia, bootleggers existed not because they were the only, or the primary, source of liquor to a population that would otherwise be dry. Instead, bootlegging continued because the provincial liquor control board had not yet settled on a price low enough to undermine the bootlegger's profits. It needed to set prices high enough to discourage excess consumption without setting prices so high that they encouraged bootlegging. Whenever British Columbian dailies reported on the presence of bootleggers in their own pages, dry papers in the United States were quick to cite them as evidence that government

13 Spokane Spokesman-Review, 6 October 1925, 4.

14 Spokane Daily Chronicle, 21 November 1927, 4; Spokane Spokesman-Review, 12 October 1927, 4.
control itself was a failure. Few were willing to acknowledge that the provincial system remained a work in progress.\footnote{Yakima Republic, quoted in Spokane Spokesman-Review, 15 October 1927, 4.}

Even drys who conceded that government control at least minimized bootlegging refused to concede that it eliminated drunkenness. “More drunk men may be seen on the streets of Vancouver, B.C. in a one day,” commented the Daily Chronicle, “than on the streets of all the combined cities of Washington in a month.” When advocates of government control released figures showing fewer arrests for drunkenness in Canadian cities compared to cities in the United States, the Chronicle admitted that the figures might be true but dismissed them anyway, noting “The figures do not mean there is less drunkenness… [only that] drunkenness without disorder is not a reason for arrest in Canadian cities.” Even as late as 1929, the Chronicle remained unwilling to consider the merits of the Canadian system. “Let no one in the United States be deluded by the irresponsible assertion that abandonment of prohibition and adoption of the Canadian system would settle the liquor issue,” it wrote. “If it can’t be settled by prohibition, it can’t be settled at all—and it is being settled by prohibition.”\footnote{Spokane Daily Chronicle, 29 May 1928, 4; 27 October 1929, 4. Equally undeterred in its dry cause was the Spokane Spokesman-Review. See 27 November 1927, 4, and 2 December 1927, 4.}

Whatever the legitimacy of their arguments, the dry lobby remained as undeterred by the border in guarding prohibition as it had been in establishing prohibition years earlier. The American Women’s Christian Temperance Union went on record as rejecting the Canadian system of government control. Mary Harris Armor of Atlanta, known in convention circles as “The Georgia Cyclone,” argued, “Under the Canadian plan as applied to this country, they would take a bartender and put him in the uniform of the United States Government.”\footnote{New York Times, 30 August 1927, 6.} The evidence American chapters used

\footnote{Yakima Republic, quoted in Spokane Spokesman-Review, 15 October 1927, 4.

Spokane Daily Chronicle, 29 May 1928, 4; 27 October 1929, 4. Equally undeterred in its dry cause was the Spokane Spokesman-Review. See 27 November 1927, 4, and 2 December 1927, 4.

was more than happily provided by their Canadian counterparts eager to play a role in keeping the Eighteenth Amendment in the American constitution. In a speech before the Washington WCTU in Seattle, the vice-president of the Canadian WCTU termed government control “the biggest curse that ever came to Canada,” agreeing with many of her colleagues who “would rather have had the old rotten saloon with its dirty men behind the counter and its dirty people in front of the bar” than to allow government liquor into the home. No less deterred were American prohibitionists who hoped that Canada would admit the failure of government control and return to the prohibition fold. In late August 1927, at the invitation of the Provincial Prohibition Association, the well-known American prohibitionist William “Pussyfoot” Johnson lectured at the Capitol Theatre in Vancouver. Ever aware of Canadian sensitivities, Johnson assured the crowd that he had come “not to interfere or influence in any way the local laws of the land or to tell the people of British Columbia how to conduct their business, but to explain the working of the prohibition laws in the United States.”

Most British Columbians continued to find the American experiment with prohibition at least mildly amusing. But the sense of humor Canadians enjoyed diminished when American drys attacked the Canadian system. When Senator Borah of Idaho accused the British Columbian government of making “revenue the chief purpose” of the law, many took issue with the senator’s “political pabulum.” “The liquor law in Vancouver is being reasonably well observed,” the Vancouver Sun noted. “The city is reasonably temperate. There are fewer drunks on the streets today than there were during strict prohibition.” Though the Sun admitted that the liquor law in British Columbia was not perfect, it did argue that British Columbians believed it “miles ahead

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18 *New York Times*, 20 July 1928, 4; 27 December 1929, 12; *Victoria Daily Times*, 16 August 1932, 7.

19 American Consul (Vancouver) to Secretary of State, 30 September 1927, 842.114/290.
of the hypocritical farce that is being enacted in the United States." One British Columbian obviously concurred when he wrote to *Victoria Daily Colonist*:

> According to the American Bar Association, Cook’s County, Illinois has more criminals in her penitentiary than we have in all the penitentiaries of the Dominion of Canada. If this is the record of dry Chicago, let us thank God we live in wet British Columbia, where we do not, like the U.S.A., have to build armored cars to transfer a little money or merchandise from one place to another.

Most British Columbians remained rather glad that prohibition did not happen to extend to their own particular domicile. American criticisms only served to remind Canadians of the more unattractive aspects of American society, and of why they were Canadians and not Americans.

Thus, while drys were prone to see the Canadian system as a failure, wets were likely to see it as enlightened policy. That virtually all the Canadian provinces had followed British Columbia’s and Quebec’s example remained a compelling indication that something was right with government control. Even for those not yet convinced about the moral, economic, and social results of the Canadian experiment, only those Canadians who were irreconcilable prohibitionists denied the failure of prohibition.

For most wets, the evidence was that under government control, bootleggers were “a vanishing race,” put out of business by competition. Cornelius Vanderbuilt,

20 *Vancouver Sun*, quoted in American Consul (Vancouver) to Secretary of State, 18 September 1928, 811.114Canada/4098.

21 *Victoria Daily Colonist*, 18 November 1927, 4. Senator G.H. Barnard of British Columbia also agreed, commenting, “Never has crime been so rife, never were the gaols and penitentiaries of the United States so crowded, as since the passing of the Eighteenth Amendment.” See Senate, *Debates*, 18 June 1931, 294.

22 American Consul (Vancouver) to Secretary of State, 30 September 1927, 842.114/290.


Jr. found little of the bootlegging in British Columbia that the dry Spokane newspapers had so excoriated. Other wets pointed out that even if government control had not eliminated the bootlegger entirely, he was not the same gun-toting peddler of poisoned liquor he was under American prohibition. Government control had turned the bootlegger into a "one-and-two-bottle man," who was unlikely to debauch seriously the public order.\footnote{Seattle Post-Intelligencer, 10 June 1923, magazine sec., 6; New York Times, 27 March 1927, sec. 8, 1.} The Canadian example should be a lesson to those in the United States concerned about bootleggers, argued the \textit{New York Times}. "How long could the bootleggers last in this country," it wrote, "if liquor drinkers knew that they could buy at a Government store honest whisky... at no fantastic price?"\footnote{New York Times, 21 April 1927, 26.} Speakeasies and blind pigs in the United States remained a persuasive argument—especially to moderate wets who remained sympathetic to temperance—that the Canadian system of government control resulted in more actual temperance, without increasing crime or debauching public morals in the process.\footnote{Literary Digest, 24 November 1923, 20; Nation, April 1925, 461.}

Of the lessons learned from government control in Canada, perhaps the most salient and powerful was the economic. That Quebec and British Columbia drew substantial revenue from the sale of liquor in government stores certainly had its influence on public opinion in Alberta and the other provinces as they considered adopting government control. By 1925, all four of the western provinces had abandoned prohibition, attracted by the prospect of increasing provincial revenues at the expense of the bootlegger.\footnote{Literary Digest, 24 November 1923, 20; 15 December 1923, 20.} But the economics of government control in British Columbia also had an effect on public opinion in the United States. A widely circulated
report of the American Association Against the Prohibition Amendment lauded the British Columbia system for its efforts in diverting bootlegger profits to provincial social programs, education, hospitals and road construction. As Vanderbuilt pointed out in 1923, after only two years of government control, "The hospitals, insane asylums and orphans' homes have been liberally supported by the provincial government and the treasury of British Columbia resembles King Tut's tomb." 29

Vanderbuilt's conclusion was no exaggeration. During the first five years of government control in British Columbia, the provincial treasury swelled by some $14.7 million. By 1927, annual profits soared to $1.9 million and by 1929, to an even more astounding $4.2 million. 30 Two things must be said about these profits. The first is that they were not enjoyed only by British Columbia. Each of the provinces that adopted government control realized similar profits, usually corresponding to the size of their populations. 31 Second, the provinces derived these profits not only from Canadian citizens but also from American tourists. In 1925, the AAPA estimated American vacationers opposed to prohibition spent over $100 million dollars abroad. 32 Many wets concluded that it would be better for the American economy if Americans stayed home and spent their money on American rather than Canadian liquor. The argument acquired added significance when the effects of the Depression began to be felt in late 1929 and early 1930.

29 CAR (1922), 137; Vancouver Daily Province, 25 November 1929, 2; Seattle Post-Intelligencer, 10 June 1923, magazine sec., 6.

30 New York Times, 25 December 1926, 3; American Consul (Vancouver) to Secretary of State, 30 September 1927, 842.114/290; Victoria Daily Times, 28 January 1930, 1, 3.

31 For example, Quebec's net profit for the year 1928 (derived from a significantly larger population) totaled $6.2 million. See American Consul (Montreal) to Secretary of State, 2 February 1929, 842.114/Liquor20.

By the late 1920s, the success of government control in Canada had attracted the attention of American authorities charged with enforcing the Volstead Act, even those still sympathetic to the prohibition ideal. Admiral Hugh Rodman, who had commanded a battleship fleet in the North Sea during the World War, advocated adopting the Canadian system when he commented:

In theory, I believe in prohibition, and if it could be enforced I would back it to the utmost. Practically, it is a conspicuous failure.... Several of the Canadian [provinces] tried prohibition and abandoned it as being impractical, and now dispense alcoholic beverages under Government supervision, and profit by it morally and financially. I firmly believe that the same policy should be adopted by our Government.33

Did British Columbia's system of government control of liquor actually decrease drunkenness? While statistical evidence is elusive, anecdotal evidence suggests that it did. Even those who would otherwise be strong advocates of prohibition believed that in British Columbia government control had led to more temperance than had the province's previous experience with prohibition. Reverend Lewis Hooper, the chairman of the Missions to Seamen organization in Vancouver certainly thought so. In 1926, after working eight years among the notoriously inebriate mariners of the city's wharves and shipyards, Hooper commented:

I have therefore observed that fewer seamen during the past year have been arrested on charges of drunkenness, and that I am seldom now called to the Police Court to speak for men so charged.... I have myself visited some half dozen of the beer parlors at various times in the day, and I am obliged to confess with gratification, that I saw no signs of intoxication or disorder, that the places

33 New York Times, 30 June 1927, 35. Congress also considered asking the Wickersham Commission on Law Enforcement and Observance to study the Canadian system and "to ascertain whether any such method could be used as a substitute for prohibition in the United States." As Wickersham himself remained firmly opposed to its repeal, however, only passing mention of the Canadian system appears in the commission's final report. See New York Times, 29 March 1930, 6, as well as United States, Wickersham Commission, Enforcement of Prohibition Laws of the United States (Washington, 1931).
were clean and well kept, and that the service was admirable. I am now of the opinion that no better plan than the present one in B.C. has yet been conceived. Although Hooper admitted that there were occasional problems, success or failure was a relative judgment. Overall he remained “confident that Vancouver will compare most favorably with our neighboring cities in the republic, Seattle and Portland, in regard to convictions resulting from drunkenness while they have the advantage of a Prohibitory Act.”

Regardless of government control’s actual effects, many Americans remained convinced that it did reduce drunkenness in ways that national prohibition in the United States had not. The conclusion among most Americans dissatisfied with the Eighteenth Amendment was, as a Massachusetts resident reflected, that “Any sane man who has witnessed the workings of Volsteadism is this country and the Government-controlled systems... will vote for the Canadian system every time.”

LESSONS LEARNED

Throughout the 1920s, prohibition in the American Northwest gradually but irreversibly lost the support necessary for its continuation. Even groups like organized labor were quick to favor repeal since the return of beer and liquor would create jobs. By 1930, the State Federation of Labor in Washington—once so outspoken about the place of labor in a sober society but now in the throes of depression—had grown “silent as a stone.” Equally concerned were American hotel proprietors who watched helplessly as American tourists filled British Columbian hotels to capacity, while American rooms lay as empty as they were dry. James Crawford Marmaduke, a

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34 Letter to the editor, quoted in American Consul (Vancouver) to Secretary of State, 23 April 1926, 811.114Canada/1600.


36 Clark, The Dry Years, 222-23, 242.
wealthy Seattle hotel promoter and the president of the Washington State Repeal Association, along with the American Hotel Association, printed leaflets and newspaper ads reminding Americans that prohibition cost the taxpayer over $1 billion per year in lost tourist receipts. Like many in the state's capital, Governor Martin saw government control as a possible answer to Washington's problems. It worked well enough in British Columbia, Martin reasoned, and it would certainly contribute nicely to desperately needed state revenues.37

Even into the early 1930s, Washingtonians responded to prohibition more than to almost any other political issue. While only 614,000 voted in the presidential election of 1932, some 698,000 turned out to vote for repeal-convention delegates just one year later. Although the state legislature had ratified the Eighteenth Amendment without a dissenting vote in 1919, Washington's voters had become overwhelmingly wet in the ensuing decade. It seems that administrative scandals, wire-tapping by federal agents against popular figures like Roy Olmstead, and congested court dockets—all for no apparent decline in drunkenness—had taken their toll. They convinced many Americans in the Pacific Northwest sufficiently that polls taken in the spring of 1930 showed a substantial majority for repeal.38 Even Senator Wesley Jones, the state's senior United States senator and author of many of the most important punitive laws against the liquor traffic, recognized that that the tide was beginning to turn. Responding to the polls, Jones conceded that although he remained a committed dry, if his state asked Congress to submit a referendum to the people, he would not stand in the way. In 1933, Washingtonians voted for repeal by a margin greater than two to one.39

37 Ibid.


39 New York Times, 1 July 1930, 28; Clark, The Dry Years, 237-38.
Ratification of the Twenty-First Amendment gave each state the right to regulate the liquor traffic in much the same way as the Canadian provinces. The result in Washington was the Steele Act. Among other things, the act established a Liquor Control Board and gave to the state the right to regulate the manufacture, distribution, and sale of all alcoholic beverages. Not surprisingly, its authors modeled the Steele Act on the British Columbia system. Over the next few years, both Washington and British Columbian officials regularly met to compare notes on their respective systems. The head of the Washington Liquor Control Board commented that his counterpart in British Columbia had given “invaluable information based upon ten years’ experience in practical Government liquor control.”

Much as Governor Martin had hoped, government control in Washington lived up to expectations. With the lowest prices on bottled liquor in the nation, bootleggers were almost non-existent and revenues well beyond expectations. In 1936, the Washington Liquor Control Board was able to report an enviable $8.6 million revenue from government sales.

Many Canadians viewed American repeal as a complete validation of the Canadian approach to liquor control. It reconfirmed their belief that the Canadian political system was far more responsive “to the ebb and flow of public thought” than was that of its neighbors to the south. Nonetheless, Washington’s adoption of government control in 1933 had significant economic implications, not only for British

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42 Clark, The Dry Years, 244.
43 Vancouver Daily Province, 4 January 1934, 1, 3; New York Times, 26 February 1933, sec. 4, 7.
Columbian brewers, distillers, and bootleggers, but for the province’s Liquor Control Board as well.

Nationally, Canadian distillers and brewers had prepared for American repeal by storing under government seal some 45,000,000 gallons of scotch and rye whisky. To put the figure in perspective, this amount would have been sufficient to meet the Dominion’s domestic needs for some twenty years. As the New York Times commented in early 1933, “Canada, like a good neighbor, will go to great lengths to render service.... When the United States wants liquor, this country will supply it, even if every distillery and brewery and winery in the Dominion has to work overtime.”

For the British Columbia Liquor Control Board, the outlook was not so good. Thirsty Americans would no longer need to make the short trek to British Columbia for their liquor. Even more distressing, board officials worried that Washington’s inexpensive liquor would favorably compete with British Columbia’s, cause the bootleg flow to reverse directions, and flood the provincial market with cheap American liquor. To forestall this, the provincial government promptly reduced the price of its liquor permits from two dollars to twenty-five cents. Nonetheless, with the continuing effects of the Depression and bootleggers from Washington, British Columbia’s profits did not return to their pre-repeal levels until the Second World War.

Repeal of the Eighteenth Amendment almost certainly induced sighs of relief along the international boundary. The pre-prohibition attitude, that Americans could do without liquor so long as they did not know it existed, was certainly shared by many. Unfortunately, the proximity of wet neighbor to the North guaranteed that liquor could

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45 Campbell, Demon Rum or Easy Money, 80.
not remain so conveniently out-of-mind. Canadians had, for more than a decade, provided to thirsty Americans more than inexpensive, sometimes-unadulterated whiskey. They also provided a model. The perceived successes of government control in Canada united wets in the United States to those drys who had voted for prohibition with the idea that it would at least promote temperance. When it failed to do so, the British Columbian model had become an increasingly attractive alternative. While Canadians more often paid attention to matters south of the border than Americans did to matters north, prohibition’s repeal offered one compelling example of the latter. The border was, as it had always been, an interface between the social policies of both countries.
CONCLUSION

By the summer of 1933, prohibition was but a memory along the North Pacific borderlands. American brewers and distillers had, in the months since repeal, finally caught up to the American demand and obviated the need for the services of the rumrunner. On August 24, Fraser Miles called it quits. Rumrunning had treated him well, as it had many of his counterparts, Canadian and American. Yet the British Columbian had not yet finished crossing the border. In September, with a bulging money belt around his waist, Miles did what many Canadians had done before. He headed south of the border to attend college. There was a certain logical irony in his doing so, since it was American money, spent by Americans for Canadian whiskey, that allowed him to go to college at all.¹

Miles' American colleague, Johnny Schnarr, found crossing the border again equally irresistible. Schnarr made the last of his 400 liquor runs across the border on April 2, carrying 250 cases to Seattle. Averaging 150 cases per trip, Schnarr calculated that he had smuggled over 60,000 cases between 1920 and 1933. In doing so, he had contributed some $4 million to the Canadian economy. It was a staggering amount that he was reluctant to abandon. He eventually settled north of the border at Telegraph Bay. As far as those who did not know better were concerned, Schnarr was an

¹ Miles, Slow Boat on Rum Row, 227-28.
American who had made his fortune in a land deal in the States and had come to Canada to retire. At least that was the story he gave when the income tax people came.\(^2\)

Other rumrunners did not cross the border as often once prohibition ended. Robert Pamphlet, captain of the Pescawha and heroic savior of the Caoba, would cross the border only once more. After serving a two-year sentence at McNeil Island Penitentiary, he returned home to Vancouver where he soon died of tuberculosis. The disease was a souvenir of sorts, some said, from his time at McNeil.\(^3\) Likewise, after his release in May 1931, Roy Olmstead spent more time crossing the Puget Sound to do Christian Science missionary work among the prisoners of McNeil Island than he did crossing the border to run liquor. When later asked by interested reporters, inmates, or grateful former patrons if he was Roy Olmstead, the king of rumrunners, Olmstead would reply, “No, not any more. The old Roy Olmstead is dead.”\(^4\)

Many of the boats that made up the rumrunning fleet returned to their former roles as fishing or cargo vessels, never again to be quite as profitable. In 1929, the ill-fated Beryl G, now the Manzette, came to an inglorious end on the rocks of Valdez Island. Used to tow logs in the Strait of Georgia, the former rumrunner apparently never was able to escape its haunted past.\(^5\) In February 1933, Pamphlet’s Pescawha, on its first legitimate voyage after being released by the Coast Guard, met a similar fate at the mouth of the Columbia River.\(^6\)

With wets firmly in control in both Canada and the United States, the British Columbia Prohibition Association reluctantly recognized the futility of pushing for

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\(^3\) *Seattle Daily Times*, 28 February 1933, 1, 7.


\(^5\) Victoria *Daily Colonist*, 22 January 1929, 23; *Victoria Daily Times*, 22 January 1929, 18

\(^6\) *Seattle Daily Times*, 28 February 1933, 1, 7.

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world prohibition. At an executive meeting held in November 1933, the association adopted a resolution changing its name to the British Columbia Temperance League.\textsuperscript{7} Though one would think that the cause of prohibition was dead, it was not. Five months later, William D. Upshaw, a former Georgia congressman and one-time dry candidate for president of the United States, visited Victoria's Metropolitan Church to participate in a prohibition rally. "This is our day of renaissance...," Upshaw optimistically proclaimed. "British Columbia is waking up, we've started on the way back to national prohibition. We do not intend to surrender one inch."\textsuperscript{8}

As they had during prohibition, tourists continued to flood across the line as well. In the post-prohibition case, however, the flow reversed. To the chagrin of provincial hotel proprietors and restaurateurs, British Columbians headed south for Washington's lower liquor prices and liberal Sunday drinking laws.\textsuperscript{9} Not surprisingly, the reception they received in the United States closely mirrored the reception Americans had received during prohibition. While American business establishments welcomed the economic windfall, Canadian "rowdyism and strenuous celebration" led local residents to question tourism's value. Stumped as to how to preserve the peace, officials at Boundary Bay, Washington eventually canceled beer licenses in that community altogether.\textsuperscript{10}

Of course, Americans continued to travel north of the border, though—given repeal and economic depression—in decreasing numbers. Instead of liquor, it was the "certain quiet charm that we do not get in our busy everyday life in the States" that

\textsuperscript{7} Finding aid, p. 1, MS 17, British Columbia Alcohol Research and Education Council Originals, 1915-1972, BCA.

\textsuperscript{8} Victoria Daily Times, 13 October 1934, 14; 4 April 1935, 11.

\textsuperscript{9} Vancouver Daily Province, 4 January 1934, 1, 3. See also, Don Duncan, "British Columbia, a foreign yet familiar Friend," Seattle Times, 10 April 1983, 1, 4.

\textsuperscript{10} Victoria Daily Times, 25 July 1934, 12.
attracted Americans to British Columbia. While one tourist found the attitude of a local restaurant cashier "snippish" about accepting American money, most Americans continued to find Canadians very hospitable. In turn, British Columbians remained generally happy to see American tourists, though a gentleman who complained that it was now "inconvenient to get beer, ale, and liquor," was probably an exception.

So it was that life in the Pacific Northwest borderlands returned to its normal, somewhat ambivalent self. As this study demonstrates, prohibition-era borderlands relations reflect many of the traditional themes that have defined the larger Canadian-American relationship, both historically and historiographically. Throughout the 1920s, prohibition would remain the most contentious issue frustrating the Canadian-American relationship. Had the noble experiment not come when it did, it is unlikely that liquor would have been anything other than one of the myriad "pinpricks" that had always plagued bilateral relations. Smuggling, though ever present, had never before taken center stage.

However, prohibition in the United States coincided with a Dominion effort to assert a foreign policy independent of the British Colonial Office. It also coincided with a burgeoning economic nationalism that saw in the post-war proliferation of American investment in Canada a manifestation of the asymmetry inherent in the overall relationship. Defying Washington on the liquor issue addressed both concerns. It marked a departure from the prompt cooperation the United States achieved from London, and it gave the Canadian liquor industry an opportunity to redress the economic concern. The prohibition issue thus assumed a significance disproportionate to its intrinsic value.


12 Ibid.
Moreover, though similar in many social, cultural, economic, and historical respects, Canadians and Americans differed significantly in the way they dealt with questions of social policy. Both recognized the need to curb the obvious excesses of liquor, but they chose to do so in markedly different ways. Where Americans chose to codify national prohibition in its constitution, Canadians—following British Columbia’s lead—chose a more moderate, local approach that, while far from prohibiting, at least minimized consumption. These lessons were not lost on the American states to the south who, after repeal of the Eighteenth Amendment, quickly adopted government control themselves. To Canadians, there could be no greater evidence of the superiority of Canada’s approach to liquor control than to have their system adopted by Americans. It was also a testimony to the ability of ideas to flow across the shared border as easily as people and goods.

Thus, the first reaction many Canadians expressed when the United States requested assistance against the liquor traffic was that the root of the problem was an ill-conceived, unenforceable American law, not Canadian cupidity. Nothing Canadian brewers or distillers did broke any Canadian law—or so most Canadians thought—and so it was not Canada’s responsibility to enforce America’s law. More than a few Canadians recognized the irony in the American requests for assistance. The same isolationist United States that only belatedly entered the First World War and shunned the subsequent League of Nations apparently had no qualms about being quite internationalist on the liquor issue. In many ways, then, the initial Canadian response generally corroborates the thrust of the nationalist historiography of the 1960s and 1970s.

At the same time, whatever nationalistic concerns mitigated against Canadian cooperation, they were ultimately overshadowed by a recognition that America’s liquor control difficulties—though not directly a Canadian problem—spilled across the border.
just as easily as the liquor and tourists. Border clashes between rumrunners and law officers, hijackings, murder, and wholesale corruption convinced Canadians that they were not immune to the results of ineffective enforcement on the American side. Just as important, most Canadians began to recognize that a foreign policy that facilitated a traffic as ignoble as rumrunning did not befit a great, now independent nation like Canada. It was for these reasons that, in 1930, Ottawa finally agreed to the export ban long sought by the State Department in Washington.

The point of this dissertation is not to offer a neo-continentalist interpretation of the Canadian-American relationship. As this project has demonstrated, elements of both the nationalist and continentalist interpretations are clearly visible during the prohibition era. Despite commonly held beliefs, the Canadian-American relationship is too complex to fit neatly into either category. In examining the borderlands relationship at the regional level, this study both borrows and departs from each approach.

At the local level we see that Canadians and Americans interacted with little regard for the international boundary and with little regard for their respective sovereignties. Such persons included not only temperance workers, tourists, and bootleggers, but also—and even more importantly—the numerous state, provincial, and local officials on both sides of the border who sought to remedy the ills of the liquor traffic regardless of diplomatic successes or failures in Washington and Ottawa. Indeed, these local officials often cooperated more with their cross-border counterparts than they did with their federal colleagues. If a “special relationship” between Canada and the United States really exists, then these “micro-diplomatic” relations, formal or informal, are its very essence.

Equally important, this study demonstrates that the Canadian-American relationship is not homogenous along the entire boundary, but variable according to regional peculiarities. Historians have long recognized that geography often plays an
important role in defining the relations between nations. It follows that where that geography varies, there will be unique variations in those relations as well. Thus, historians looking for evidence of a “good neighbor” relationship or its opposites, Canadian nationalism and anti-Americanism, must do so with these regional differences in mind.

Paradoxically, it was the very heritage that had enabled the smuggling traffic in the Northwest before prohibition that led British Columbians to advocate cooperation against the liquor traffic ahead of the more eastern provinces. Throughout the nineteenth and early-twentieth centuries, economic, social, and cultural ties made necessary by a geography that ran north-south more than east-west, as well as a shared sense of marginalization by the countries of which they were a part, led many Canadians and Americans in the Northwest to relate more with each other than with their respective sovereignties. As a consequence, regional interests Canadians and Americans shared in the Northwest did not always coincide with national interests espoused by Washington and Ottawa.

While British Columbians were initially reluctant to cooperate with the United States for the same reasons that animated eastern Canadians, they were clearly more concerned about the overall tenor of the Canadian-American relationship. When incidents like the Beryl G and revelations of corruption became so commonplace that they threatened the fabric of the borderlands relationship, British Columbia became the vanguard for ending rumrunning, regardless of the economic cost. Although the border remained a symbol of separate sovereign loyalties, during prohibition the border magnified regional loyalties even more. British Columbians were neighbors first, and nationalists, if at all, a distant second.
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