

Bootleggers Beware!

The Untold Story of Ordinances and Their Effect on Bootleggers and Local Law Enforcement in Kansas from 1915-1925

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Spring 2018



Figure 1: “The Birger Gang,” a bootlegging gang who completely controlled bootlegging in Southern Illinois in the early 1920s and terrified local law enforcement. This image inspires popular culture references to what bootlegging was in Prohibition America. Source: The Smithsonian National Museum of American History.

This project analyzes the role of local Kansas ordinances in enforcing larger, national laws; it also makes connections between ordinances and community values, showing that different geographic regions in the state had different levels of ordinance enforcement. The author presents case studies of several towns in Wabaunsee County, Harvey County, and the southeast Kansas counties of Crawford and Cherokee. This thorough study uses local ordinances, Kansas statutes, histories of Prohibition and bootlegging, newspaper articles, and local interviews.

Introduction

In 1880, Kansas became a dry state;¹ this prohibition in Kansas lasted until 1948. With varying levels of effort, local law enforcement tried to curtail the consumption of alcohol during this time. Many counties put a strict ban on alcohol and enforced the rules with an iron fist, while others let the consumption and sale of alcohol slide. In Kansas, the debate for prohibition was one of the most heated in the entire country. There were polarizing views on how the issue should be treated, and we can see the issue being treated differently in many places around Kansas. Every community had its own stance on the issue of alcohol. Looking at local laws and ordinances passed in different communities, we can dig down to the core of what these communities valued.



Figures 2 and 3: Left: Bootleggers in Eureka, Kansas with the equipment they used. Source: Kansas Historical Society. Right: More equipment used by bootleggers, taken outside the Crawford County Courthouse in Girard. Source: Bootleggers in Kansas.

¹ Kansas Alcoholic Beverage Control, “A Brief Review of Alcoholic Beverages in Kansas,” kwsa.org.

On top of these conflicting views and values, we see the rise of a new type of criminal: the bootlegger. These bootleggers had a knack for making life hard on local law enforcement. They worked in secret, and in some cases very openly, to counteract any laws and ordinances put in place to ban alcohol. Bootlegging was especially common in an area known as the Little Balkans of Kansas, which is made up of Crawford, and Cherokee County.²

A Brief History of Prohibition in Kansas

Kansas became the first state in the United States to adopt a prohibition amendment to their constitution.³ This vote was not as closely contested as many believe, for Kansas was a melting pot for all types of people and this vote came as a culmination of several events dating back to the 1850s.⁴ It began with a temperance movement in Topeka in 1856, then evolved into a much larger movement with leaders from the churches and women in Kansas leading the charge for this move towards temperance. Two famous leaders of this movement were Carry Nation⁵, and James Troutman⁶. With the help of these influential leaders and a series of laws passed that put some restrictions on the sale of alcohol, the shift Kansas was undergoing toward prohibition was set in motion. From there, the state moved to remove all forms of intoxicating liquor, and legislators pushed vehemently for this issue to be resolved. Finally, in 1917, the Kansas Legislature passed the “Bone-Dry” Law. This effectively made the state entirely dry, and

² Patrick G. O’Brien, Kenneth J. Peak, *Kansas Bootleggers* (Manhattan, KS: Sunflower University Press, 1991), Page 5

³ Clara Francis, “The Coming of Prohibition to Kansas” in *Kansas Historical Collections*, edited by William Connelley, (Topeka, KS: Kansas State Historical Society, 1923), Page 192.

⁴ Ibid.

⁵ Kansas State Historical Society, “Carry A. Nation”, *Kansas State Historical Society*, June 2010, Accessed March 5, 2018. kshs.org/kansapedia/kansapedia/19539

⁶ Wikipedia, “James Armstrong Troutman,” Wikipedia, Modified September 13, 2017, Accessed March 5, 2018.



Figures 4 and 5: Carry A. Nation, left, was one of Kansas' great leaders in the charge on the temperance movement. She is remembered today mostly for her radical actions such as emptying barrels of whiskey and burning them, as well as bringing a hatchet to a bar. Source: Kansas Historical Society. James Troutman, right, was a lieutenant Governor of Kansas from 1895-1897 who fought for temperance through legislation. Source: Kansas Memory.

there was to be no consumption or possession of alcohol and no alcohol was to be shipped across the borders of Kansas.⁷

After this law was in place, the rest of the country followed suit with the passage of the 18th Amendment to the U.S. Constitution on January 29, 1919. In this movement we can clearly see the effect that the state of Kansas had on national prohibition. According to the *Kansas Historical Collections*, Kansas was one of the most progressive states on the ban of alcohol in the United States.⁸ This movement in Kansas was in large part due to hundreds of religious, rural communities.⁹

⁷ Kansas Memory, "Arthur Capper," kansasmemory.org. Accessed February 27, 2018.

⁸ Clara Francis, *The Coming of Prohibition to Kansas*, 192.

⁹ *Ibid.*, 193.



Figure 6: Governor Arthur Capper signs the “Bone-Dry” Law on February 23, 1917. Capper later went on to serve as a U.S. Senator for Kansas for thirty years. Source: Kansas Memory.

The Successes of Prohibition in Kansas

In 1909, Walter Stubbs was elected Governor of Kansas. He championed his views through the Kansa State Legislature and aided in the progress toward making Kansas an alcohol-free state. In 1910, he was approached by Reverend J.K. Shields of Chicago who was asking that Stubbs speak in Chicago on how prohibition has benefited Kansas.¹⁰ In his speech he aimed only to provide facts and testimonials from local officials on how prohibition had benefited Kansas. He claimed that the rate of drunkenness and crimes related to drunkenness had decreased 85%

¹⁰ Stubbs, Walter, *Facts Proved by Figures Showing What Prohibition Has Done for Kansas*. Delivered at Great Northern Theatre in Chicago, IL, March 27, 1910. Page 2 Accessed April 27, 2018.

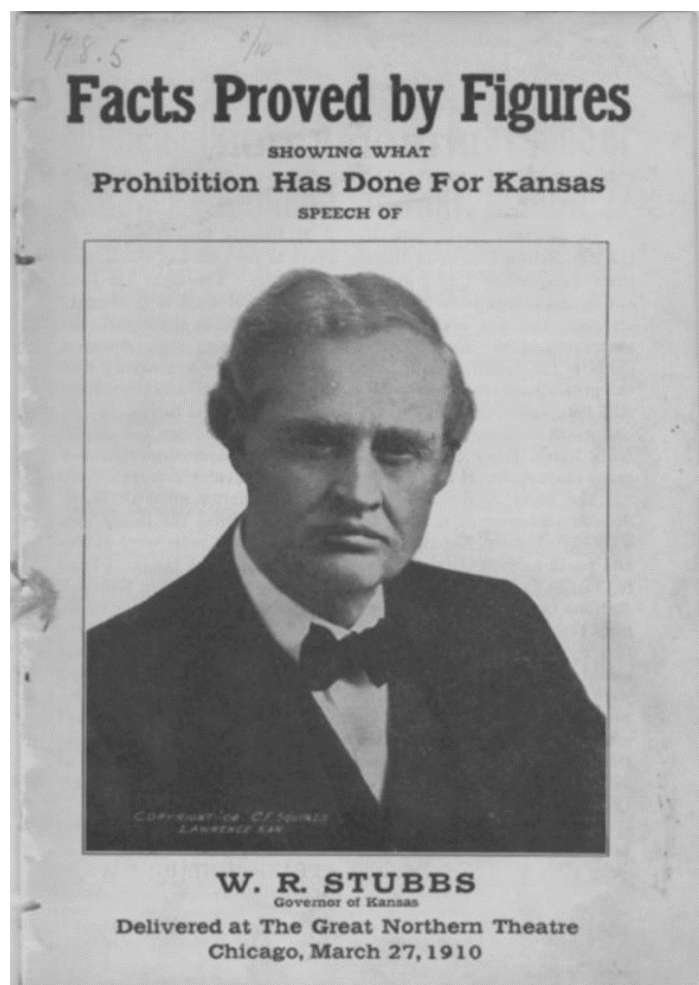


Figure 7: Cover of Stubbs' speech regarding facts on what prohibition had done in Kansas.
Source: Kansas Memory.

since the enactment of prohibition.¹¹ He also asserted that the death rate had dropped to the lowest numbers in the country since prohibition was enacted.¹² He ended by giving testimony of city mayors; Mayor Roberts of Garden City wrote that there were no saloons and no houses left vacant in his city anymore.¹³ The successes of prohibition now seemed clear; there were facts to prove it.

¹¹ Ibid., 6.

¹² Ibid., 10.

¹³ Ibid., 26.

The Role of Ordinances

One of the most frequently misunderstood tools of municipal law is the use of the ordinance. Ordinances are tools used by municipalities in order to shape the zoning and safety regulations.¹⁴ However, sometimes municipalities will occasionally pass ordinances related to public health and safety that clearly reveal the morals and values of certain communities.¹⁵ The scope to which municipalities can pass laws relating to issues of health and public safety is defined in each state's constitution.¹⁶ At this time the laws of Kansas clearly laid out the process of a municipality adopting an ordinance. In the Kansas Official Session Laws of 1925, the rules for cities creating an ordinance are clearly stated. The process follows as such: you must submit a signed petition to the board of commissioners of the Municipality. The petition must then be signed by the board of commissioners. The ordinances are then voted on at biannual meetings in each municipality. It only takes a simple majority for the ordinances to pass. Once the ordinance passes, then it is officially a binding law of the municipality.¹⁷ As long as there were temperance movements in Kansas, ordinances were passed in relation to alcohol consumption in the state.¹⁸

¹⁴ Barron's Law Dictionary, 7th edition., s.v. "Ordinance"

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Session Laws of Kansas, 1925. Recorded by Frank Ryan. (Topeka, KS: Kansas State Printing Plant, 1925).

¹⁸ Clara Francis, *The Coming of Prohibition to Kansas*, 198.



Figure 8: A Community Hall in Croweburg, Kansas, an unincorporated city west of Girard in Crawford County, around 1920. Community halls such as these were where citizens of a community would meet to get signatures for petitions. Source: Kansas Memory.

Effectiveness of Alcohol Ordinances

Municipalities can of course create ordinances and pass them at any time regarding several issues. However, the effectiveness of the ordinance revolves around policing the issue and ensuring the rules are followed. While criminal records and statistics from the early 1900s are difficult to find without exact information on the cases, we can take a look at more recent studies on the issue to look at how the effectiveness of ordinances related to alcohol can affect consumption and alcohol related issues. Presented are three tables from a study done by *The American Journal of Drug and Alcohol Abuse*; these can show us some correlation between

county ordinances and Alcohol related issues. The study was done in 1988 and examined alcohol ordinances in the State of Tennessee, where alcohol sales vary on a county by county basis.¹⁹

Table 1. Correlation Matrix of All Variables (N = 95)

Outlets	.717									
	.000									
Urbanization	.549	.635								
	.000	.000								
Population	.397	.523	.643							
	.000	.000	.000							
Non-White	.351	.376	.381	.412						
	.000	.000	.000	.000						
Population change	-.140	-.120	-.041	-.139	-.291					
	.349	.123	.345	.090	.002					
Liver mortality	.231	.210	.108	.068	-.015	-.212				
	.012	.020	.148	.255	.442	.019				
Motor vehicle mortality	-.210	-.260	-.522	-.284	-.177	.011	.032			
	.021	.006	.000	.003	.043	.460	.378			
Homicide	.070	.059	.047	.242	.258	-.147	-.139	.051		
	.249	.285	.325	.009	.006	.078	.090	.312		
Suicide	.141	.234	.115	.012	.009	-.048	.166	-.018	.095	
	.087	.011	.134	.454	.467	.323	.054	.431	.181	

DULL AND GIACOPASSI

Table 1: The correlation between ordinances limiting alcohol sales and other side effects linked to the consumption of alcohol. A positive number indicates that there is a correlation between the two factors. A negative number indicates there is an opposite correlation. The higher the number, the more correlation. Source: *Dry, Damp and Wet...*

Looking at the statistics from Table 1, we can make some connections between the use of ordinances and their effectiveness on cutting down drinking. The first statistic that we notice in the table is the link between outlets that allow you to drink and alcohol ordinances. The correlation is 0.717,²⁰ indicating a very strong correlation between alcohol ordinances and the number of places you can drink, a common-sense assumption. Some of the more shocking statistics are the negative correlation between alcohol and automobile accidents mortalities.²¹

¹⁹ Thomas Dull, "Dry, Damp, and Wet: Correlates and Presumed Consequences of Local Alcohol Ordinances," *The American Journal of Drug and Alcohol Abuse* volume, 14. Issue 4 (1988): Page 499, Accessed January 30, 2018.

²⁰ Thomas Dull, *Dry, Damp, and Wet*, 506.

²¹ *Ibid.*



Figure 9: An automobile crash in Knoxville, PA on December 24, 1917. There were conflicting accounts on whether intoxication caused the accident. Source: *Pittsburgh Gazette*.

The researchers conducting the study in Tennessee hypothesized that the negative correlation between alcohol ordinances and automobile mortalities can be linked to citizens driving to counties where it is legal to drink and subsequently wrecking on the drive home.²² One other notable outcome in this table sets a correlation of 0.231 between alcohol ordinances and liver mortalities.²³ Liver mortality has been linked to heavy consumption of alcohol for many years now.²⁴

²² Ibid., 505.

²³ Ibid.

²⁴ Robert Mann, Reginald Smart, and Richard Govini, "The Epidemiology of Alcoholic Liver Disease," *National Institute on Alcohol Abuse and Alcoholism*, Accessed February 14, 2018.

Table 2. Stepwise Regression—"Alcohol-Related" Mortality Rates^a

Independent variable	MultR	R ²	Variation accounted for
<i>Dependent Variable—Liver Death Rate (1980–1982)</i>			
Alcohol ordinance ^b	.2310	.0534	.0534
Population change	.3077	.0947	.0413
Non-White	.3517	.1237	.0290
Outlets	.3579	.1281	
Population	.3589	.1288	.0007
<i>Dependent Variable—Motor Vehicle Death Rate (1980–1982)</i>			
Urbanization ^b	.5222	.2727	.2727
Outlets	.5304	.2813	.0086
Population	.5329	.2840	.0027
Alcohol ordinance	.5353	.2865	.0025
<i>Dependent Variable—Homicide Rate (1980–1982)</i>			
Non-White ^b	.2582	.0667	.0667
Population	.2983	.0890	.0223
Urbanization	.3449	.1190	.0300
Population change	.3489	.1217	.0028
Outlets	.3425	.1242	.0025
Alcohol ordinance	.3543	.1255	.0013
<i>Dependent Variable—Suicide Rate (1981–1982)</i>			
Outlets ^b	.2342	.0549	.0549
Population	.2677	.0717	.0168
Non-White	.2728	.0744	.0028
Population change	.2767	.0766	.0022
Urbanization	.2784	.0775	.0009
Alcohol ordinance	.2798	.0783	.0008

^aMultR = coefficient of total multiple correlation R . R^2 = total R^2 .
 Variation accounted for = amount of explained variation accounted for each variable.

^bBest predictor.

Table 2: The Stepwise Multiple Regression analysis between several independent variables and multiple causes of death, in some cases linked to alcohol consumption. Source: *Dry, Wet and Damp...*

We will now take a look at one final table from the study that shows us the link between alcohol ordinances and alcohol related issues.

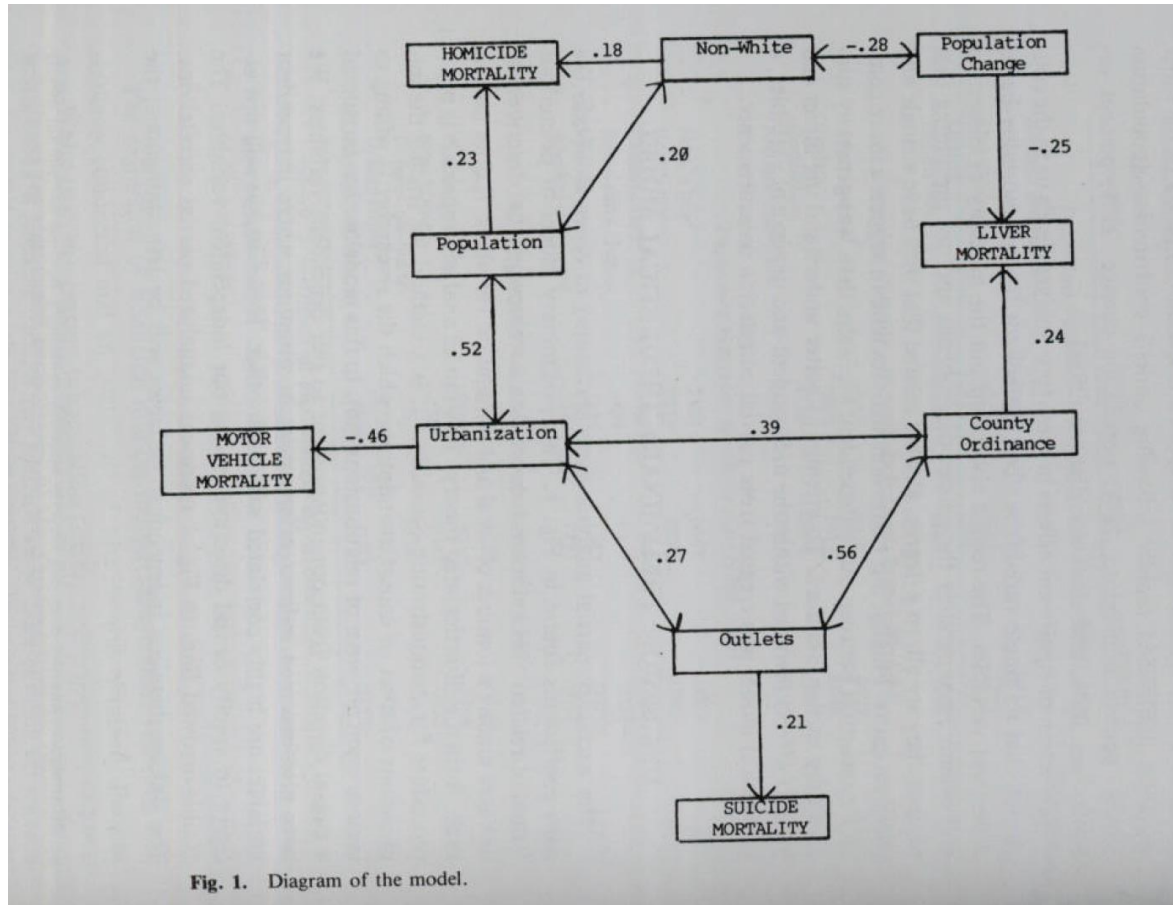


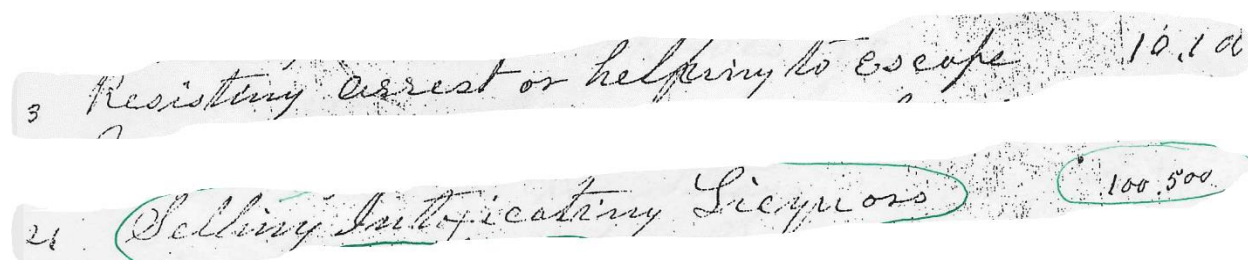
Table 3: This final table gives us a web diagram that simplifies the significant correlations among several of the factors. Source: *Dry, Wet, and Damp...*

In conclusion, this study does an excellent job of explaining the use of ordinances in preventing alcohol related issues. While it is not perfect and cannot track consumption perfectly depending on the county, it can highlight conclusions based on alcohol related issues. This study brings us as close as possible to the reality of the issue and how ordinances affect the consumption of

alcohol.²⁵ While this study was conducted in the late 1980s, it is important to note that similar effects likely would have been experienced in Kansas during the Prohibition Era as the laws during that time were stricter regarding alcohol.

Ordinances During Prohibition in Kansas

Finding ordinances from the early 1900s in Kansas today is a very difficult research task, as many early ordinances have been misplaced through the years and records have been thrown out over time. However, the few examples we do have today shed light on the values of communities in Kansas and just how strict early twentieth-century Kansas was about alcohol consumption.



Figures 10 and 11: The two excerpts above are from Alta Vista, Kansas in approximately 1915. They show that the fine for resisting arrest was only \$10, while the fine for selling intoxicating liquors was \$100. Source: Wabaunsee County Historical Society.

Looking at the excerpts above from the ordinances of Alta Vista, Kansas, in 1915, we can see just how steep the fine for selling alcohol was in comparison to resisting arrest or helping someone evade the police.²⁶ Alta Vista is a town in Wabaunsee County initially located on the Chicago, Kansas, and Nebraska Railway.²⁷

²⁵ Thomas Dull, *Dry, Damp, And Wet*, 512.

²⁶ Ordinances of Alta Vista Kansas circa 1915, Wabaunsee County Historical Society. Accessed January 20, 2018.

²⁷ Emmalee Laidacker, "Built to Last: Community and Persistence in Volland, Kansas, 1887-2016," Chapman Center for Rural Studies, sponsored by Dr. M.J. Morgan, Spring 2016, Accessed March 28, 2018.



Figure 12: An image of the Chicago, Kansas, Nebraska Railway running through Alta Vista around the period of 1915-1920. We can see that Alta Vista is a moderately sized town, built around the rail line as a servicing point. Source: Kansas Memory

Law Enforcement vs. the People in Alma, Kansas

After conducting an interview with James “Tony” Meseke, a local rancher of Wabaunsee County who lives in Alma, Kansas, he explained a few reasons why there were many ordinances governing alcohol in Alta Vista. Tony said, “Alta Vista was the driest town in Wabaunsee County.”²⁸ He went on to explain how in every town around Wabaunsee County, local law enforcement had varying degrees of effect in preventing the trafficking of alcohol during the 1910s.²⁹ Meseke recalls that during Prohibition in Kansas, Alma had law enforcement that enforced the prohibition laws, but the community often resisted the law enforcement.³⁰

²⁸ Interview with Tony Meseke coordinated by Nathan Anderson, Conducted on March 29, 2018 at Wabaunsee County Historical Society.

²⁹ Ibid.

³⁰ Ibid.



Figure 13: August Thowe (left) was the Sheriff in the 1920s and 1930s for Alma, and Gus Kratzer (right) was the undersheriff. Thowe was a major proponent in fighting bootlegging and alcohol consumption in Alma. Source: Kansas Historical Society.

Meseke described August Thowe, the sheriff of Alma, Kansas, in the 1920s and 1930s, as a man who fought very hard to preserve the letter of the law and followed it exactly as it read.³¹

Being a farming community, Alma was known as a “Friday Night Town.”³² This meant that on Saturday night every farmer would come into town on Friday night and sell and buy

³¹ Ibid.

³² Ibid.

supplies they needed for the week.³³ The farmers would all load up and come to Main Street and park along the side of the road to trade goods in the shops.³⁴



Figure 14: Alma, Kansas Main Street around 1912. Source: Kansas Memory



Figure 15: Alma, Kansas Main Street, photo taken in 2011. Source: Flickr.

³³ Ibid.

³⁴ Ibid.

Sheriff Thowe was known to wait out on Main Street and in the brief span of time that farmers spent in the stores, they would come out to a ticket on their vehicles from Thowe.³⁵ Parking was illegal on Main Street because it was a highway, although it saw very little traffic.³⁶ The farmers did not appreciate Thowe's actions, so one day, a farmer decided to "booger" Thowe up and beat him to the point where Thowe could not walk for two weeks; this later led to his retirement.³⁷ When the case went to trial, the farmers all showed up at the courthouse in a drunken state and yelled so loudly that the judge could not proceed with the trial.³⁸ These antics kept up until the case had to be thrown out of court because the judge could not conduct a trial.³⁹

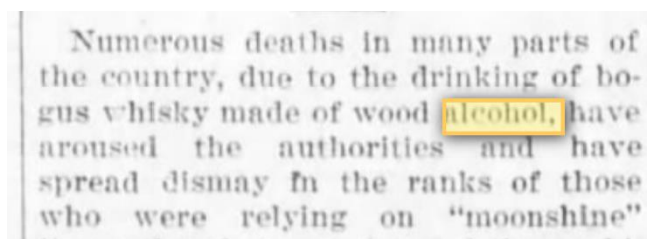


Figure 16: A January 15, 1920 report from the *Alma Signal* shows Thowe knew alcohol was a legitimate threat in the community and he was likely doing his best to protect his community.
Source: *Alma Signal*.

Continuing to examine the communities of Wabaunsee County, we can see various levels of regulation of the alcohol ordinances at the time. Eskridge was a highly religious Presbyterian town in southern Wabaunsee County.⁴⁰ In Eskridge, there was some bootlegging and alcohol consumption going on but the local authorities did their best to keep the issue under control,

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Bo Lin, "Faith in Transformation: Eskridge Covenanter Church and the Reformed Presbyterian Church of North America, Eskridge, Kansas, 1884-1964," Chapman Center for Rural Studies, Sponsored by Dr. M.J. Morgan, Spring 2017. Accessed, April 13, 2018.

similar to Alma.⁴¹ According to Tony Meseke, Paxico, and McFarland were both Rock Island railroad towns in northern Wabaunsee County that were very open about the consumption and sale of alcohol, even maintaining open saloons throughout Prohibition.⁴² McFarland and Paxico were both communities centered on the rail traffic. Cities with railroads often ignored rules relating to alcohol.⁴³



Figure 17: McFarland, Kansas in 1922. Source: Kansas Memory.

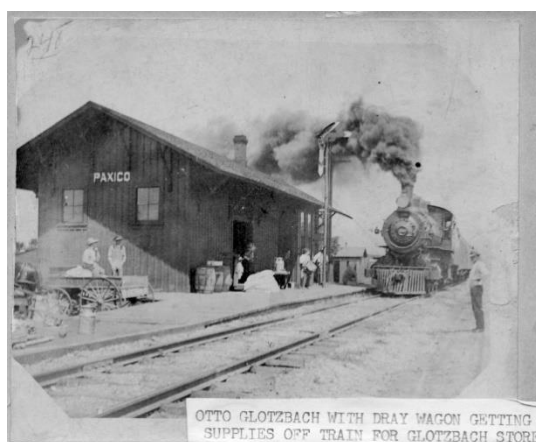


Figure 18: Paxico, Kansas and its railroad station circa 1917. Source: Kansas Memory.

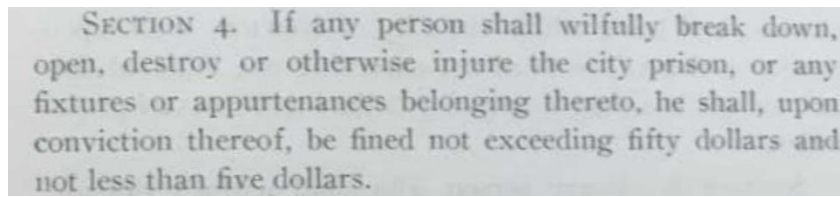
⁴¹ Interview with Tony Meseke.

⁴² Ibid.

⁴³ Ibid.

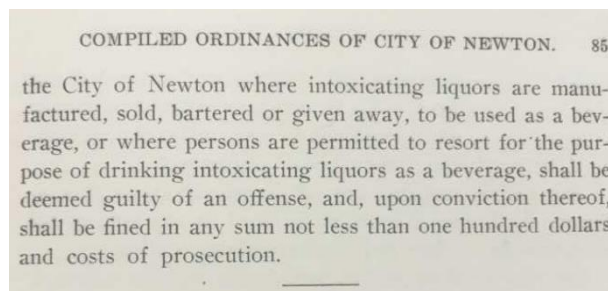
Newton, Kansas Prohibition Ordinances

Another example of ordinances from Prohibition Era Kansas comes from Newton, Kansas, in Harvey County. The ordinances are from 1903, when Kansas's laws were strict on alcohol, but the state was not yet "Bone-Dry."⁴⁴ The ordinances give us a glimpse of how Newton stood on the issue of alcohol: they were remarkably similar to Alta Vista's ordinances.



SECTION 4. If any person shall wilfully break down, open, destroy or otherwise injure the city prison, or any fixtures or appurtenances belonging thereto, he shall, upon conviction thereof, be fined not exceeding fifty dollars and not less than five dollars.

Figure 19: Again, like Alta Vista, the fine for destruction to local property is a maximum of \$50.



COMPILED ORDINANCES OF CITY OF NEWTON. 85

the City of Newton where intoxicating liquors are manufactured, sold, bartered or given away, to be used as a beverage, or where persons are permitted to resort for the purpose of drinking intoxicating liquors as a beverage, shall be deemed guilty of an offense, and, upon conviction thereof, shall be fined in any sum not less than one hundred dollars and costs of prosecution.

Figure 20: In a similar vein to Alta Vista, the fine for selling intoxicating liquor is no less than \$100. The fines for breaking similar ordinances appear to be relatively uniform across Kansas.
Source: Newton Code of Ordinances 1903.

⁴⁴ Arthur Capper, Kansasmemory.org.

The Rise of the Bootlegger

When looking at the history of bootleggers it is important to define what they did and clarify some misconceptions about bootlegging. Not all bootleggers are like the ones portrayed in movies and other forms of popular culture, such as Al Capone, a seemingly untouchable figure who ran the smuggling ring in Chicago during national Prohibition. Rather, in Kansas, Bootleggers worked under the radar and completed simple everyday tasks for their jobs much like anyone of the time, the only difference being the legality of their work.⁴⁵ However, similar to the bootleggers depicted in films, there were the occasional rushes of action and scuffles with the police. The term bootlegging came about as a quite literal definition based on early processes to smuggle alcohol.⁴⁶ In the beginning, local Kansas women would use their boots to stash alcohol when going to visit Indian Reservations to trade the alcohol they were smuggling.⁴⁷

Bootlegging was especially prevalent in the “Little Balkans” of Kansas during Prohibition. This area included primarily Crawford and Cherokee Counties and was so named because many nationalities from Eastern Europe came to work in the coal mines.⁴⁸ The area and its population provided easy entrance into the world of bootlegging. The area was right on the border of Missouri, where alcohol was still legal at the time. The primary economies in the area were the railroads and coal mining. Railroads often brought with them a bevy of saloons,⁴⁹ and mining allowed for an easy place to brew the illegal liquor.⁵⁰

⁴⁵ Cadi Thornburg, “High Heeled Bootleggers: The Role of Crawford and Cherokee County Women during Prohibition Kansas,” Pittsburgh State University, November 15, 2012, Page 6, Accessed April 23, 2018.

⁴⁶ Cadi Thornburg, High *Heeled Bootleggers*, 7

⁴⁷ *Ibid.*, 6.

⁴⁸ Patrick G. O’Brien, Kenneth J. Peak, *Kansas Bootleggers*, 1.

⁴⁹ Nate Ernst, “Settler vs. Railroad: the Battle for the Cherokee Neutral Lands,” forthcoming: Chapman Center for Rural Studies, Kansas State University, August, 2018.

⁵⁰ Patrick G. O’Brien, Kenneth J. Peak, *Kansas Bootleggers*, 60-64.



Figure 21: An early picture of a bootlegger. You can see that she is stashing the liquor in her boot. Source: Marymiley.wordpress.com

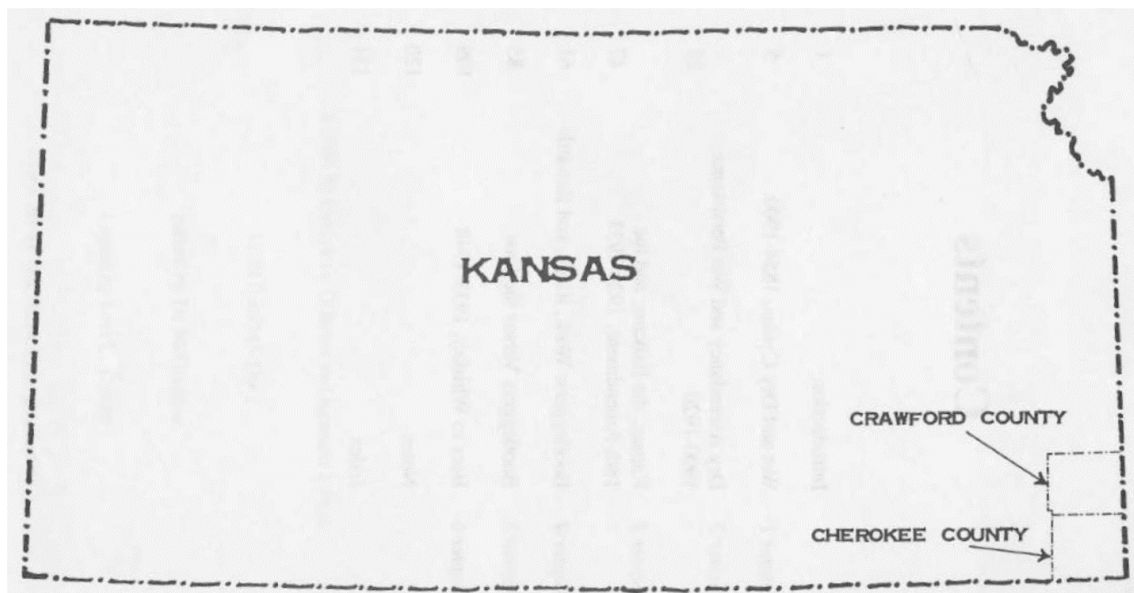


Figure 22: A map of Kansas highlighting the areas known as the Little Balkans. You can see the proximity to Missouri, and Crawford and Cherokee County. Source: Kansas Bootleggers.

The two largest cities in Crawford County were Pittsburg and Girard, the county seat. These cities had the Atchison, Topeka, and Santa Fe Railway and the Kansas City Southern Railways running through them.⁵¹ In addition, many mining communities popped up around the area, such as Croweburg, Frontenac and Klondike. Many of these mining towns, for example Klondike, were unincorporated, so they did not pass local ordinances prohibiting alcohol.

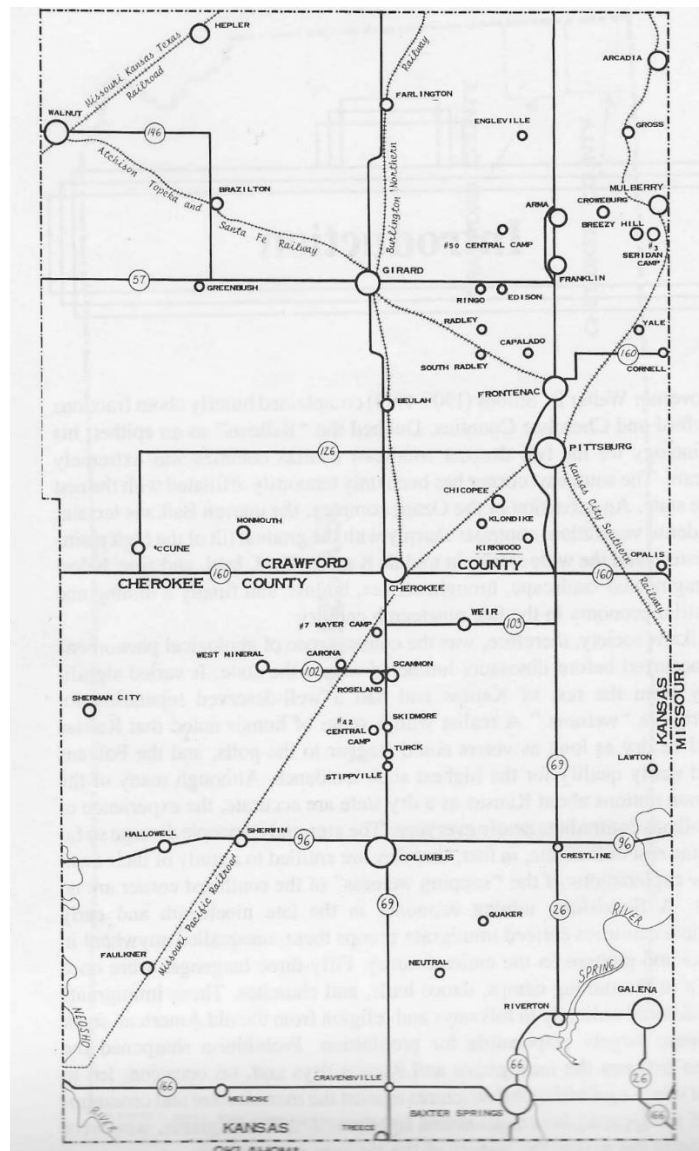


Figure 23: In the map you can clearly see the larger cities of Girard and Pittsburg and the railways that run through them. Source: *Kansas Bootleggers*.

⁵¹ Patrick G. O'Brien, Kenneth J. Peak, *Kansas Bootleggers*, 2.

Violence Against Law Enforcement

Most people in the Little Balkans were European immigrants who were hired by coal companies when coal was discovered in Crawford and Cherokee Counties.⁵² The work was not steady and brought home little income. Strikes were also prevalent, and many workers needed a new source of income.⁵³ So they turned to bootlegging. Law enforcement officers in the area did not take kindly to the business, especially with the prohibition climate in Kansas. When law enforcement acted to rein in these bootleggers, violence often erupted.



Figure 24: The home of O.M. Lamb, the undersheriff in 1921. The porch was destroyed by dynamite, and windows up to a mile away from the home broke with the impact of the explosion. This was the second time Lamb had been targeted by bootleggers in January 1921. Source: Kansas Bootleggers.

⁵² Cadi Thornburg, *High Heeled Bootleggers*, 7.

⁵³ *Ibid.*

Above is the home of O.M. Lamb, undersheriff of Crawford County in 1921. Lamb was instrumental in the fight against bootleggers in Crawford County, but the work was rife with danger. Earlier in the month Lamb was struck with an axe by a bootlegger, John Markovich, while performing a raid in Radley, a town in Crawford County.⁵⁴ Lamb would survive both attacks,⁵⁵ but these examples show the violence that bootleggers used on law enforcement.

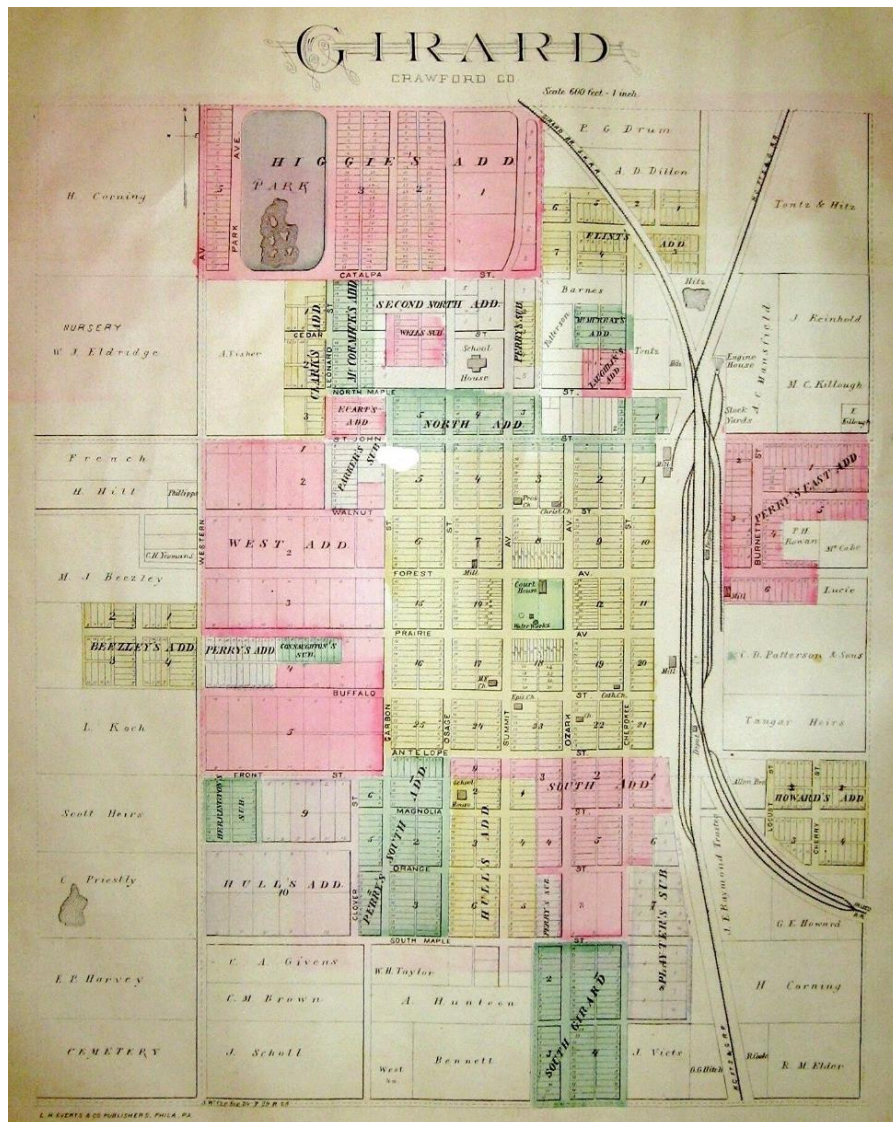


Figure 25: A map of Girard, Kansas circa 1886. While this is an older map, many of the streets remained the same in the 1920s. Using census data from 1920 and cross referencing the map, the mark in white is the likely location of O.M. Lamb's house when it was blown up. Source: Flickr.

⁵⁴ "Dynamiters After Under-Sheriff Lamb," *The Girard Press*, January 6, 1921, Accessed February 1, 2018.

⁵⁵ *Ibid.*



Figure 26: An image of law enforcement agents standing in front of the Crawford County Courthouse with distilling equipment seized from bootleggers, circa 1923. Source: *Kansas Bootleggers*.

When law enforcement agents were seizing bootlegging equipment and combating the criminals as in the image above, they painted a target on their back that led to violence in several forms.

This retaliation continued in the Little Balkans and gradually, law enforcement became increasingly lax in policing of these crimes.⁵⁶ As national protest against Prohibition strengthened, it was clear that it would not last; officers no longer wanted to risk their lives in order to stop a crime that would likely soon be legal.

⁵⁶ Patrick G. O'Brien, Kenneth J. Peak, *Kansas Bootleggers*, 95.

Turning a Blind Eye to the Law

While it is easy to assume that only the poorest members of society participate in bootlegging as a means to make extra money, this is not true. Sometimes it was the men on top who turned a blind eye to the law. In January of 1919, P.T. Foley was appointed to the position of mayor of the City of Parsons, Kansas. At the same time, F.N. Boyd was appointed Chief of Police in Parsons.⁵⁷ In October that same year, the two were charged by the state for neglecting their duties, especially in regard to the Kansas prohibition laws. The trial took place in 1920. The facts against the defendants showed that they were not filing charges against citizens breaking prohibitory laws of Kansas. Instead, they were fining them lesser amounts and keeping the money for themselves.⁵⁸ The two men were blatantly ignoring the prohibition laws in Kansas and the ordinances passed by their city. The men got off because of a discrepancy in the facts of the case, but they admitted to ignoring prohibitory laws in Kansas.

As the Prohibition Era continued in Kansas, many other law enforcers began to become lax in their charging of crimes. The police knew the economic conditions of many of the people they were after, and they knew there was no malicious intent behind their practices.⁵⁹ They also began to tire of the violence and the impact it had on their communities. By the end of Prohibition, many of the law enforcers had grown weary of temperance and even sneaked the occasional drink themselves, which made it hard to prosecute other people for the same crimes.⁶⁰

⁵⁷ "Would Oust City Officials," *Parsons Daily Republican*, October 17, 1919, Accessed March 3, 2018.

⁵⁸ "Reports of Cases Argued and Determined in the Supreme Court of the State of Kansas," Vol. CVII, Recorded by Oscar Moore, June 1, 1920 – November 30, 1920. Page 608-619.

⁵⁹ Patrick G. O'Brien, Kenneth J. Peak, *Kansas Bootleggers*, 95-96.

⁶⁰ Patrick G. O'Brien, Kenneth J. Peak, *Kansas Bootleggers*, 96.

Conclusion

In conclusion, it is clear that Kansas paved a path for the entire country in the legislation and enactment of prohibition laws. Following suit, cities in Kansas passed ordinances that strengthened the validity and enforcing of these policies. These policies proved incredibly helpful in the policing of Prohibition in Kansas. While not every city followed the laws to a T, there were strict punishments for those who did not follow the laws enacted by the state. It is also important to note the effect that ordinances did have when they were enacted and followed properly. Ordinances can be a positive benefit to any community and help regulate many aspects of everyday life.

While Prohibition was successful in many Kansas areas, there are some it did not work in: specifically, the Little Balkans, Crawford and Cherokee County, and also, in many railway communities. These counties had several features that fostered the fight against Prohibition, namely, their proximity to Missouri, the railways that passed through several of their towns, and the robust mining community in the area. While this led to a rise in bootlegging, local law enforcement fought this issue vehemently and often, destructive violence occurred. While Prohibition was not a perfect system and was ultimately repealed, it appeared to provide some stability to the culture of Kansas and the United States at the time.

Taking a step back, we can see the influence that local ordinances can have on their communities. Equally important is the enforcement of these policies. If they are not enforced properly, they cannot be used in the manner they are designed. We can also take lessons away from the rise and fall of Prohibition and its history. We can look through the issues of our nation today to determine the role of local ordinances in addressing larger, national laws.

I would like to offer a special thanks to Dr. M.J. Morgan for guiding me through this process and helping me discover a love and passion for local history. If I had not taken History 300 in the spring of 2017 with Dr. Morgan, I would never have developed the tools and resources that I possess today in researching history. She has served as an inspiration and provided the spark of interest in history that many students today are in need of. She is always willing to go above and beyond for her students so long as they are willing to put in the work. She was the driving force behind helping me get my first piece of history published. And in similar fashion, she helped spark the idea and passion for this paper through a simple conversation that she had no idea would leave the impact that it has. Thank you, Dr. Morgan, and although myself, the Chapman Center for Rural Studies, and Kansas State will miss you dearly, we all wish you the best during your retirement!

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