

BREWING BEER VS. TEMPERANCE IN HASTINGS

by
Dick Darsow

Beer is nearly as old as man. It associated with the development of agronomy and baking, which share the same ingredients, grain and yeast. In the middle ages, brewing was concentrated in the monasteries of the world, and was closely identified with religious and social events. In fact the word "bridal" is derived from the English "bride - ale", a custom in which the bride poured ale for her guests, who in turn brought presents.

During the early exploration of the American continent, beer was an essential provision on ships. Water stagnated quickly, while beer remained quite stable. The dwindling supply of beer on the Mayflower was a factor in the pilgrims' decision to seek harbor ahead of schedule in 1620.

In early America, good employers saw to it that workers had plenty of liquor as a perk. Rightly or wrongly, alcohol was considered a benefit, a blessing and a cure-all. Patrick Henry once remarked that the local pub was the cradle of American liberty, because so many meetings were held in drinking halls.

A prominent Virginia politician ran for a seat in the House of Burgesses on an Anti-Saloon ticket because he did not believe in furnishing alcohol to voters on election day. He was defeated. In 1758 he ran again, and this time he spent 37 pounds 7 shillings for brandy, rum, cider, strong beer and wine, all distributed on election day, and won. That politician's name was George Washington. During the Revolutionary War, spirits were part of the daily ration of soldiers and sailors. Such was life in the Colonies.

Beer was also more popular in northern climates where the cultivation of grapes was difficult. Before the development of hardy vines of today, grapes could only be grown in moderate climates. The northern border of the United States, the 49th Parallel, is almost the southern border of Germany. Although the German climate is more moderate than ours in Minnesota, the northern regions are stern and grapes are not common. Thus the Germans and nations of people in the northern climates took to the sauce with a fervor.

The German love for beer probably stems from the agony of hundreds of years of constant warfare. The oppressiveness of life could be briefly forgotten after a few tankards were downed. It was the German who developed the lager type yeast in 1840, which further stimulated the brewing industry. Cooking with beer was popular, and bread was baked using beer instead of water in the recipe. When he emigrated to America, he brought with him his love for beer. Everywhere he went, he built breweries, from coast to coast, thousands of them. Reading the names of America's large breweries is like reading a German telephone directory:

Eberhard Anheuser, Adolphus Busch, Theodore Hamm, John Hauenstein, Gottlieb Heileman, Jacob Linenkugel, Frederick Miller, Frederick Pabst, August Schell, Joseph Schlitz. Unfortunately one problem which developed in their homeland was brought with them, alcoholism. They did not introduce it in America. That was done when the pilgrims got off the boat. Their love for beer caused many problems, and some immigrants and early Americans had serious drinking problems, hence the eventual rise of the temperance movement, which eventually led to prohibition.

The Minnesota Territory was created by Congress on March 3, 1849. John Blakely surveyed and platted the town of Hastings in 1853, and the sale of lots started in October of that year. While the town was still in its infancy with only several dozen businesses and industries, the first of four breweries, all built by men of German ancestry, underwent construction.



*As a City historian for Hastings, Dick Darsow is unparalleled. He worked for more than 8 years as a volunteer, collecting and organizing information, documents, photographs and artifacts on the history of Hastings. The fruits of his labor filled two rooms in Hastings City Hall. Known as the Pioneer Room, the public research center is currently staffed on Mondays, Wednesdays and Thursdays by Cindy Smith. Among his many other accomplishments, Dick also has served as a trustee for the Dakota County Historical Society and authored the book, **Hastings Archives**.*

THE BREWERIES

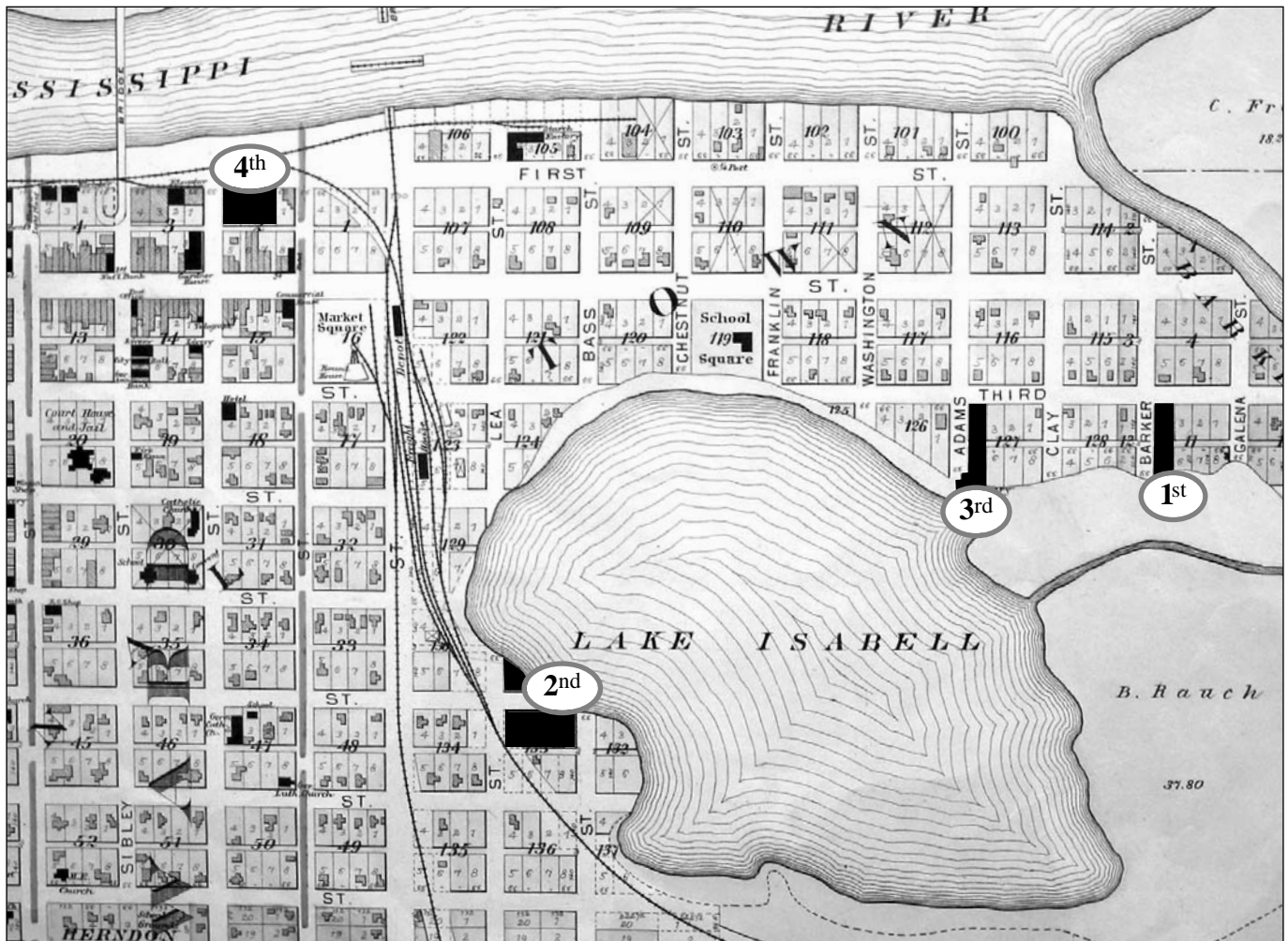
First Brewery

The first brewery was built in 1856 by Michael Schaller with his brother Jacob as an investor, in Block 11, Lot 4 and 5 of Barkers Addition, now 1300 East Third Street. Michael advertised that "he has over 2,000 barrels on hand for sale to river boats and country towns, of the emphatically American favorite, Lager Beer, as good as any made this side of Detroit." Michael died in October 1864 at 44 years of age, and the brewery was sold on December 27, 1866, to Michael Ulmer. Barely three months later, in March 1867, a fire broke out about 4:00 AM in the wooden structure and spread to the stone structure. Ulmer and three men sleeping on the second floor of the stone building, had

to jump out the window, half-dressed to escape. The buildings were rebuilt in 1869 by Philip Boser and John P. Keffler. Boser had been brewmeister at the City Brewery several blocks away for several years. By 1869, there were three breweries in town, able to produce over 1,200 barrels per week. Only a year later, in September 1870, another fire burned all the buildings, which were never rebuilt.

Second Brewery

Built in 1865-66 by Peter Schmith (aka Peter Smith) and Rudolph Latto in Block 131 and 133 on the west shore of Lake Isabel. Production started in November 1866 and reached a capacity of 450 barrels per week.



This 1896 Hastings plat map shows the location of the four Hastings breweries. The 1st brewery built in 1856 by Michael Schaller and his brother Jacob as an investor. The 2nd brewery built in 1865-66 by Peter Schmith and Rudolph Latto. The 3rd brewery built by Charles Saille in 1867. The 4th brewery built by Balthazar "Bat" Steffen in 1885.

That partnership was dissolved in 1868 and succeeded by Peter Schmith and Wendell Graus. In 1870 they excavated a huge ageing cave in the limestone bluff at Nininger Landing, (Now the dead end of Jason Avenue) for use during the summer months. Cooling was not a problem in winter months. This cave was later shared with the Busch Brewery. After the railroad tracks were laid just west of the lake in 1868, access to the brewery was via a trestle over the tracks on Bunker Hill off Lea Street, just north of the East Sixth Street intersection.

A litany of partnerships came and went from 1868 until June 1882. Schmith and Kelnhofer in 1872, Kelnhofer and Marcus Schafer in 1873, Kelnhofer and Peter Ficker in 1874, Ficker and Mathias Doffing in 1875, Ficker and Jacob Donndelinger in 1878, Donndelinger and Steffen in 1881, Steffen and Kelnhofer in 1882. In 1882 Anton Kelnhofer bought out his partner, Bat Steffen, and became sole proprietor,

At an unrecorded date, a concrete lined ageing cavern was excavated alongside the brewery into Bunker Hill. In March 1907 when the railroad was leveling the property, considerable difficulty was reported in the *Hastings Gazette* in dynamiting the concrete. The lime used in the cement was burned in Hastings in one of the many early lime kilns.

This brewery was known as the City Brewery, and marketed heavily along the Hastings and Dakota rail line. Kelnhofer ran the brewery until it closed in 1891. He died in 1894, and his heirs sold the buildings and land to the Chicago Milwaukee Railroad in 1906.

Third Brewery

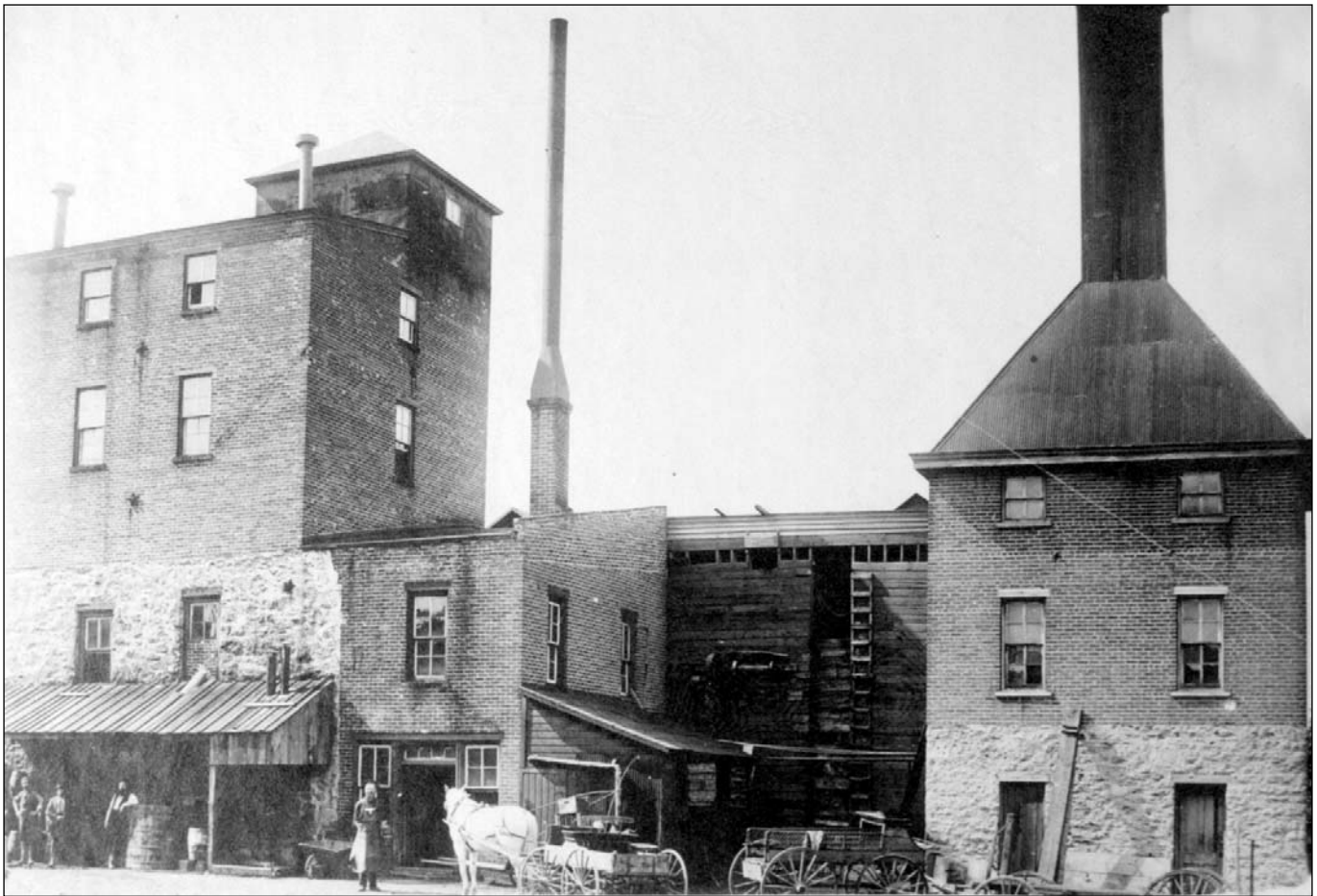
Built by Charles Saille in 1867 on the north shore of Lake Isabel in Block 127, Lot 5, now 1022 East Third Street. It was sold to Charles Yeager in 1869, who in 1870, sold to John L. Busch and his son, E. Frederick W. Busch, who operated as J. L. Busch & Son, until John died in 1894. The brewery was called the Lake Brewery until about 1900 when it became the Teutonia Brewery, the name derived from one of the ancient Germanic tribes, the Teutons. Busch enlarged and remodeled the brewery in 1889, increasing its production of 140 barrels per week to over 400. In 1879 an ageing cave was excavated and lined in concrete in the bank alongside the brewery facing the lake, saving the time and expense of hauling to and from the Nininger Cave.

Fred Busch, who was said to be the best businessman and most successful brewer in town, was involved in civic affairs. He served several terms on the City Council and was elected mayor in 1899. He was on the committees that promoted the construction of the Spiral Bridge in 1895, Central High School in 1899, and the Insane Asylum, later known as the Hastings State hospital, built in 1899-1900.

In February 1901, Busch negotiated a land exchange in which he swapped the brewery, two houses, several lots, the Bibbins Hotel and a brick malt house on the levee to the Minnesota Brewing Company of Minneapolis, for a large improved farm in Ipswich, South Dakota. Three years later in 1904, the brewery was destroyed by fire and was not rebuilt. While on a train bound for Florida for a winter vacation, he suddenly died on November 7, 1917 near Macon, Georgia at age 68.

Adolph Kuenzel (seated) and four of his associates take a moment to enjoy a beer from the Hastings Brewing Company, ca. 1910. Photograph provided by the Hastings Pioneer Room, donated by Elizabeth Kuenzel Hjermstad.





The Kuenzel Brewery ca. 1910. Closest to the horse is Joe Milbauer, Adolph Kuenzel is leaning on the barrel with Charles Mollick to his right. Man on the far right is unidentified. Photograph provided by the Hastings Pioneer Room, donated by Elizabeth Kuenzel Hjernstad.

Fourth Brewery

Balthasar Steffen build the fourth brewery, called the Hastings Brewing Company, in 1885 on the levee east of Ramsey Street in Block 2 Lots 3 and 4. Its early capacity was increased to over 300 barrels per week by 1901. In September 1902, Gustav Kuenzel purchased half-interest in the brewery, and a month later he bought out Steffen completely for about \$14,000. He immediately started enlarging the plant and installed new machinery to boost production and quality. However, for the brewing industry, disaster was just over the horizon.

Kuenzel was a civic-minded brewmeister, serving six years on the City Council from 1914 to 1920. His daughters, Johanna, Elizabeth, Gertrude and Dorothy, and one son, John, were well-educated.

In addition to the local breweries, a number of the other brands from outside of town had distribution warehouses here for their products. The Gund Brewing Company of LaCrosse, the Park Brewing Company of Winona, and the Fountain Brewing Company of Fountain City, Wisconsin. These distributors started in about 1900 and lasted until near prohibition.

In 1875 the State of Minnesota passed an Inebriate Asylum law, leveling a ten-dollar annual tax on all brewers and distributors of alcoholic products, to be paid to the County Treasurer. It was challenged but declared constitutional by the Minnesota Supreme Court in January 1876. Asylum homes were established around the state where hopeless alcoholics could be taken for care and treatment. In May 1876, Peter Ficker, then part owner of the Schmith-Latto Brewery, was arrested and charged for failure to pay his inebriate tax and fined \$25, the minimum set by law.



A souvenir shot glass from the Fred Busch Brewery of Hastings.

Fred's family was in the business of brewing beer in Hastings from 1870 to 1904.

The Ice Business

Brewing requires cooking, hence the numerous brewery fires. The fermentation and ageing process requires cooling, thus the need for ice. All the breweries had ice houses where they stored thousands of tons of ice. In addition, several individuals had ice businesses, which sold and delivered ice to businesses and homeowners for cooling food and drink, all harvested from the Mississippi River, and sometimes from area lakes. Ice houses were specially built to store ice, using sawdust between ice cakes as insulation. With all the sawmills in town, sawdust was plentiful. Before construction of the lock and dam was completed in 1930, ice 15 to 24 inches thick was annually harvested up and down the river right off our levee. The dam regulated the river's flow from an erratic to an around the calendar controlled pace, seriously decreasing the ice thickness below the dam, as it is today.



Mabel Gardner, granddaughter of William and Mary LeDuc of Hastings. ca. 1890. Courtesy of MHS

Early in the 1900s, Mississippi River water was condemned by the Minnesota Public Health Department as unfit for public consumption. During the winter of 1914-15 when a clamor arose over safety, City officials hired an unqualified man to test the ice, who proclaimed it pure. Infuriated by this scam, Mabel Gardner of the Women's Club, composed a scathing

ballad published in the *Hastings Gazette* titled "Frozen Sewage for Lemonade". Let's read excerpts from Mabel's text:

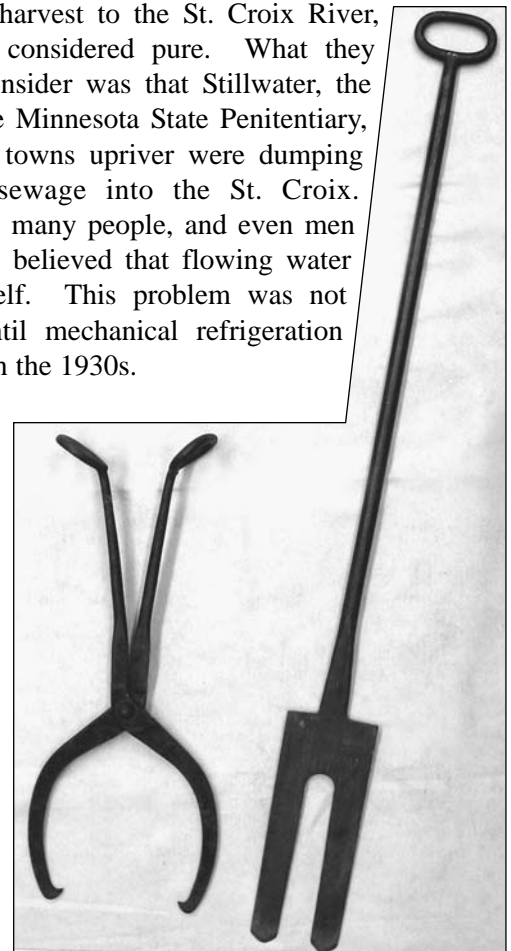
*This is the river at Hastings, Town,
Just where the sewage comes flowing down,
And here are the icemen, are they sure,
That here the ice will be good and pure.*

*Oh said a councilman, that will be,
Quite all right, but the Mayor, he
Having the health of the Town in mind,
Liked to have everything clean and nice,
Sent a man down to test the ice.*

*Testing ice wasn't that man's trade,
Wonder what sort of test he made?
Was it the forty dollar that he was paid.*

The City Council being so publicly embarrassed, quickly passed an ordinance forbidding the sale of Mississippi River ice in Hastings. The icemen simply moved the harvest to the St. Croix River, which was considered pure. What they failed to consider was that Stillwater, the home of the Minnesota State Penitentiary, and all the towns upriver were dumping their raw sewage into the St. Croix. Historically, many people, and even men of science, believed that flowing water purified itself. This problem was not resolved until mechanical refrigeration developed in the 1930s.

Ice tongs and large chisels were tools used by the icemen.



Temperance

The first Temperance Society, known as Star Lodge No. 47 of Good Templars, was organized in Hastings in February 1866, led by Seagrave Smith, lawyer, Dakota County Attorney, state senator and judge. Historians claim the temperance movement got its start in America in 1808. A Good Templars Hall was rented as early as 1869, and numerous temperance organizations were organized over the years by churches, clubs and fraternal orders. A Catholic Temperance Society was organized by the Rev. J.B. Halton. Many of the City's leading citizens, such as F.S. Newell, Albert Reed, Clarence Rust, Philander T. Chamberlain, the Frank brothers, Mr. and Mrs. John Mars, Mary Pearson, Emmett Thorne, C.M. Liddle and hundreds of others were involved in the numerous Temperance movements.

A Union Temperance Association distributed a petition to all liquor dealers in October 1874, requesting they forever abandon sale of this maddening poison to their fellow man. In July 1875, D.T. Wood established a Children's Temperance Society for children from five to fifteen, which remained active into the 1900s. By 1888, a Prohibition City Committee was actively working for temperance reform by publishing fliers on the evils of alcohol and their cost to society.

Sometimes you can't help but wonder why there was so much passion and opposition to alcohol building at that time, but when you read the statistics on alcohol consumption, you can have empathy with the movement. In 1994, Dr. Thomas P. Lowry published a book about the Civil War titled "The Story the Soldier Wouldn't Tell". He states that in the years 1790 to 1830, Americans lived on alcohol, grease, salt and white flour. The average American drank 24 quarts of whiskey a year, and fried his food in lard. Land was cheap and transport was expensive. It was easy to grow corn, but costly to send it to market. The most economic way to ship corn to market was in the form of whiskey and pork. Per capita meat consumption was 180 pounds per year, mostly bacon and ham. An article in the *Farm Journal* at that time had this to say:

Where is your corn going, Neighbor?

A bushel of corn makes 4 gallons of whiskey
 which retails for \$16.70
 The farmer gets \$.50
 The railroad gets \$.80
 The distiller gets \$4.00

The government gets \$4.40
 The saloonkeeper gets \$7.00
 The customer gets Drunk
 The wife & children get nothing but rags & sorrow

Hastings in 1881 had 40 saloons that paid \$4,000 into the City coffers. With a population slightly under 4,000, this was one saloon for every 100 people. In defense of our town I have to explain that Hastings was a center of commerce, with tons of material and hundreds of people passing through.

On June 25, 1903, the nation's loudest and most violent Women's Christian Temperance Union (WCTU) agitator, Carry Nation, appeared on stage at the Yanz Theater. The *Gazette* reported that those who were expecting a violent demonstration were happily disappointed.



Carry Nation

In 1899, Nation broke up her first saloon in Medicine Lodge, Kansas, a dry state where saloons operated openly. She first used a hatchet to break up James Burns' saloon in Wichita in 1901. She soon ordered a large quantity of light-weight, wooden hatchets from a Providence, Rhode Island manufacturer, and sold them for 25 to 50 cents. The hatchet quickly became the symbol of her crusade.

Arrested about 30 times, she needed the money to pay off her mounting fines. At six feet tall, weighing 180 pounds, with unusual strength and a voice of intense volume, she was a formidable foe, scaring the daylights out of many a saloonkeeper.

While Carry was in New York City, the great pugilist John L. Sullivan boasted that if she ever stuck her nose in his saloon, he'd throw her down a sewer hole. When Carry heard of this boast, she promptly showed up with her hatchet, pranced up and down the sidewalk shouting at the champion, daring him to come out and fight. John L. locked the doors, ran upstairs and hid, some say, in a closet. It was said to be the only challenge the great John L. never accepted. Carry died in 1911, and never saw her dream come true.



This hatchet, made of light weight balsam (4 oz) which sold into the thousands, is believed to be an authentic symbol of the temperance movement.

It somehow escaped the stove and the trash can for nearly 100 years. It is owned by the author of this article.

The Referendum

By early 1914, the temperance advocates of Hastings gathered enough signatures to force a referendum on the ballot of the spring election. At that time municipal elections were held in April instead of November. The proposal put before the people was not a prohibition issue; it was a no-license issue, intended to deny the City the right to issue liquor licenses. Even though cleverly masked, the issue was defeated 458 to 286.

Definitely not discouraged, the Hastings Improvement Association, with the support of the Commercial Club, began a long campaign to change the hearts and minds of the voters. Nothing was ever published in the *Hastings Gazette*, but the Association went to Farmington and had a "Hastings News Supplement" to the *Dakota County Tribune* published, and sold subscriptions for 50 cents. At that time, editors could publish or refuse to publish anything they wanted, and apparently the *Gazette* editors, Irving Todd, Sr., and his son, Irving, Jr., were not in support of the dry issue. One of the published fliers stated: "Hastings wet means at least 100 more boys to start drinking before the next election. Will you vote the booze habit on them? A drunken man is likely to be the father of an idiotic or otherwise defective child. Will you vote for this?"

The license issue was forced on the ballot of the April 4, 1916 election again, and this time it passed 466 to 402. The City Council met in special session Thursday, April 13th and certified the election. By order, the saloons and liquor dealers were closed the following day, April 14th, and the City refunded the

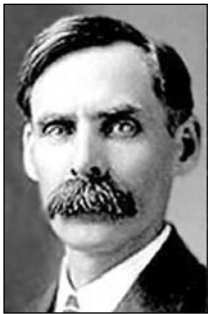
unexpired portion of the annual license fee. Thus, this City went dry, a full three years, nine months and two days before prohibition became national law, but it stayed dry for only two years.

Down but not out, the "wets" waited the required two years, then gathered enough signatures to force the license issue before the electorate again. This time the *Hastings Gazette* carried all the promotional ads, both for and against, giving both sides equal coverage. In the municipal election of Tuesday, April 2, 1918, the license proponents defeated the license opponents by a 155-vote margin, 471 to 316. The City Council met in special session on April 8th and certified the election, and the City went wet. A new ordinance was passed on April 15th, setting the new liquor license fee at \$1,000, plus a \$2,000 bond. A limit of eight licenses was set and issued, while denying at least 50% of the applicants. Nevertheless, the victory was shallow and short-lived.

The 18th Amendment to the Constitution was passed by the 65th Congress on December 18, 1917. Kuenzel, hoping the required number of states would not ratify the Amendment, remained brewing until November 30, 1918, when he shut down. His daughter, Elizabeth Kuenzel Hjermstad said her father lost a lot of money and was ruined by prohibition. Many of his former business clients never paid their bills. Additionally the County and City continued to tax his real property as a viable industry, but he could not use it. He was forced to sell off assets and partially demolish the brewery to lower his tax burden. He later sought employment in Canada in the brewing industry.

Prohibition

On January 16, 1919 the 36th of the 48 states ratified the 18th Amendment, which required a three-fourths majority. The Secretary of State proclaimed adoption of the Amendment on January 29, 1919, and declared it the law of the land, effective January 16, 1920. With one stroke of the pen, between 5,000 and 6,000 breweries in the United States, almost 50 in the Twin Cities, were either crippled or put out of business. During this period, some breweries continued to operate by making root beer or near-beer, which was a non-alcoholic beverage that looked like the real thing. W. C. Field coined a phrase he will always be remembered for when he said, "The man who called it near-beer had poor eyesight." It has been quoted by local connoisseurs that it did make a fine beverage when spiked with a good brand of moonshine.



Andrew Volstead

Lawyer Andrew Volstead, a member of the U.S. House of Representative from Granite Falls, Minnesota, was asked to serve on a committee to draft an enforcement act that bore his name. The Amendment needed a defining judicial instrument to enforce prohibition. The Volstead Prohibition Act was passed by Congress over President Wilson's veto on October 28, 1919.

On January 16, 1920, when America went dry, it stayed dry for less than a day before lawlessness kicked into high gear. An estimated 50 million gallons of liquor had been manufactured prior to prohibition and consigned for safekeeping. It surfaced immediately, and anyone with the courage, a couple of glasses and a room could obtain liquor and open a speakeasy, also called a blind pig. Within a short time Al Capone was the King of the bootleg industry, having some 700 mobsters in his private army. It is estimated he made more than 60 million untaxed dollars a year. Mobsters were looked on by many as serving a need.

August Gaeng, Sr. and his wife, Franciska, opened a saloon at 210 Sibley Street on June 15, 1883. In 1919, at age 72 and fed up with the wet-dry issue, August decided to retire and turn the business over to his son, August, Jr. He hung a sign over his door that read "July 1 is the end of August." With January 16th, 1920, fast

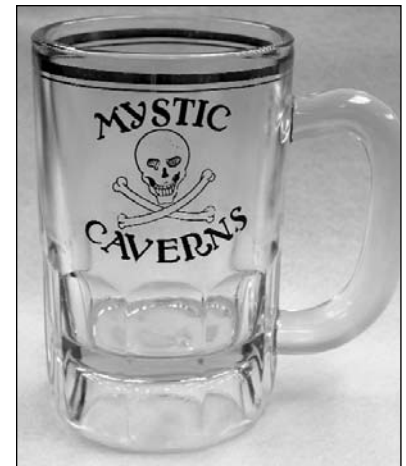
approaching, August, Jr., converted the saloon into a confectionery store in the front, with a blind pig in the back. In a short time it was business as usual. Whenever possible, local police tended to look the other way, leaving enforcement of the unpopular Amendment to federal agents.

This author's mother was a waitress in the speakeasy "Mystic Caverns" in about 1930-31. It was in a cave in the limestone bluff under the High Bride on the West Side of St. Paul. That cave has now been sealed.



Police mug shot of Al Capone

As my mother told this true story, one evening there was great excitement as the manager ushered a group of men to a private upstairs room. Word spread like wildfire that Al Capone was there. My mother was ordered to go upstairs and take an order. She climbed the stairs and knocked on the door. The little door in the big door opened, and a man inside with his face only partly visible, gave her an order for several drinks made with hard liquor and one beer. Now as my mother told it, everyone knew Al Capone drank only beer. (Many years later I would learn this was not always true. He did drink hard liquor in his younger years and in a knife fight, his face was sliced open, giving him the nickname "Scarface"). Therefore, that one beer was for Al. A second round of drinks was ordered, and when the empty glasses were collected, my mother purchased those two Mystic Cavern mugs from the manager, because those were the mugs Al Capone had used. Those people clearly thought prohibition was nuts, and Al was their Robin Hood. It was his booze they were drinking, and here he was, that beautiful bastard, making a friendly public relations call in St. Paul. Those two mugs are with my family today.



A glass mug used by Al Capone

A true incident in St. John, North Dakota is also indicative of the sentiment of the day. Great Northern engine 911 had completed its run, and was ready to be backed into the roundhouse. A fireman appeared out of the snow, climbed into the cab, built up the fire as an attendant joined him. The fireman slowly opened the throttle as the engine left the yard heading north. The self-appointed engineer broke the silence and warned the attendant that they might lose their jobs. "I regret that I have only one job to lose for my country. If the women of this nation get away with prohibition, very soon every man will be led to water like an ox with a ring in his nose," replied the attendant. Fifteen minutes later a borrowed locomotive crossed the border into Canada, through the foothills of the Turtle Mountains to the hamlet of Bannerman, Manitoba. The fireman left the cab, entered the hotel, put down a cache of money, and several cases of Canada's best was quickly loaded in the cab. A blast of the whistle cleared the track of curious onlookers, as 911 ran in reverse back to St. John. The engine was backed into the roundhouse, a waiting auto picked up the two operators and their cargo and whisked them away. That evening of December 25, 1921, was the merriest Christmas ever in the history of St. John.

When the mischief was discovered by the railroad boss, both men were dismissed. "Just what you might expect from a hell-fired Prohibitionist." quipped the good men of St. John.

Prohibition made lawbreakers out of the nicest people, and scams to thwart detection by the law bordered on sheer genius. In downtown Hastings at that time there was a shoe store and a drug store side by side. A knock on the back wall by the druggist meant there was a need for a delivery. The shoestore clerk would take a shoebox off the shelf and walk next door. How did he know which box to take? Simple! The shoeboxes with the covers upside down held the moonshine.

Early on, law enforcement knew that Minnesota, with its large German population, would be a primary player in the bootleg industry. Virtually every "soft" drink parlor in Hastings was raided by federal prohibition agents, some several times. Proprietors paid fines, served prison time in county jails, while some served hard time in federal penitentiaries.

Absolution

After 13 years Americans had enough, and by a joint resolution of the 72nd Congress in February, 1933, the 21st Amendment to the Constitution was passed, repealing the 18th Amendment. Utah was the 36th state to ratify the Amendment on December 5th, and prohibition ended immediately. The "Noble Experiment" went down in defeat, a near total failure. Some claim that is not so, because the per capita consumption had been reduced by prohibition. However, the wet and dry issue remained a hot topic, and by early February 1934, 28 counties in Minnesota had voted to remain dry. Dakota County was not one of them. In September 1933 two-thirds of the eligible county voters turned out to vote the county wet, 6,068 to 1,913.

On January 15, 1934, the Hastings City Council met to discuss the liquor issue. A new ordinance was drafted and passed in February with later modifications. By April 23rd, 19 on- and off-sale licenses had been issued at the new fee of \$500 for an on-sale, \$100 for off-sale. By 1938, 500 breweries nationwide had reopened.

In early August 1933, the Kuenzel brewery began to rebuild with financial backing from a Minneapolis group. For an unknown reason, plans withered and were dropped. The brewery never reopened.

Today about 96% of the beer market is controlled by a handful of breweries. The nation's 1,400, plus or minus, micro-breweries share the other 4%. All look to the nation's 90 million beer drinkers for their support.

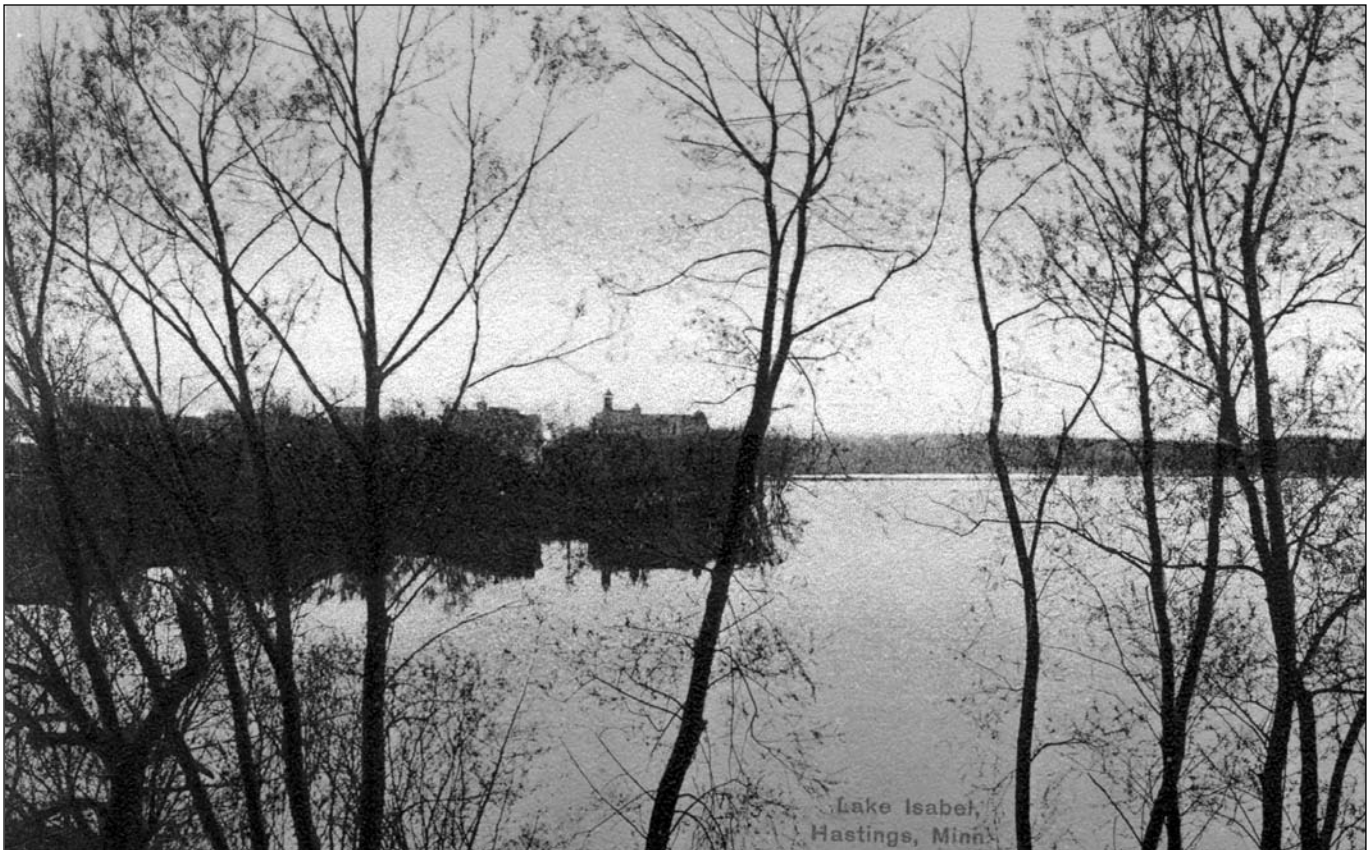
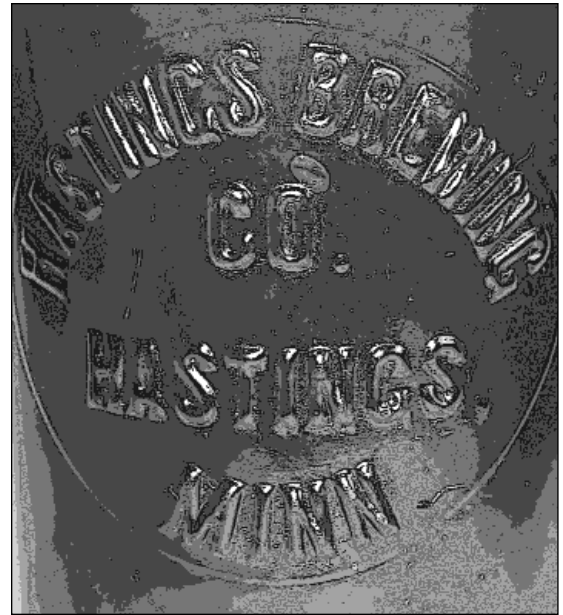
To all the Hastings beer drinkers, I propose a toast. Let's raise a glass to all the brewers, saloon keepers and scoundrels, both good and bad, that helped give this City its character and charm. We have that delightful river town atmosphere that comes from living life to the fullest. Today this ambiance cannot be created or duplicated.

Dick Darsow



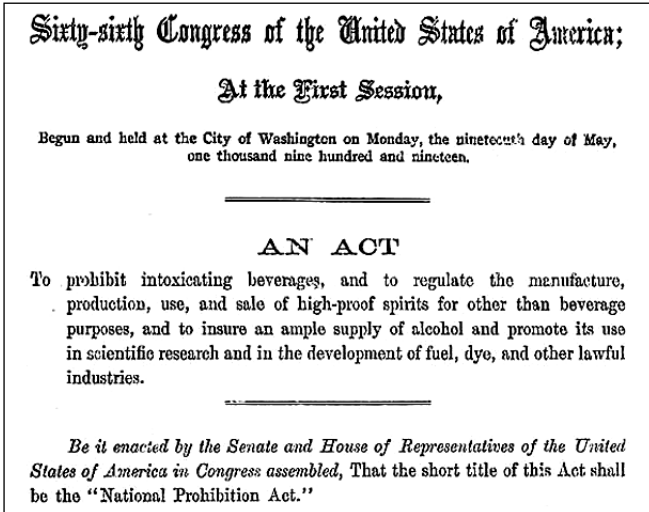
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This photo of the historically beautiful Lake Isabel looking east, was taken before the brewery fire of 1904. The large building left of the brewery is believed to be the Busch home, which was across the street and connected to the brewery by a tunnel under Third Street.

On December 18, 1917 Congress adopted and submitted to the states a Constitutional amendment prohibiting the manufacture, sale or transportation of alcoholic liquors. The 18th Amendment went into effect on January 16, 1920, and was enforced by the following Volstead Act until its repeal in 1933 with the adoption of the 21st Amendment.



TITLE I. TO PROVIDE FOR THE ENFORCEMENT OF WAR PROHIBITION.

The term "War Prohibition Act" used in this Act shall mean the provisions of any Act or Acts prohibiting the sale and manufacture of intoxicating liquors until the conclusion of the present war and thereafter until the termination of demobilization, the date of which shall be determined and proclaimed by the President of the United States. The words "beer, wine, or other intoxicating malt or vinous liquors" in the War Prohibition Act shall be hereafter construed to mean any such beverages which contain one-half of 1 per centum or more of alcohol by volume. . . .

SEC. 2. The Commissioner of Internal Revenue, his assistants, agents, and inspectors, shall investigate and report violations of the War Prohibition Act to the United States attorney for the district in which committed, who shall be charged with the duty of prosecuting, subject to the direction of the Attorney General, the offenders as in the case of other offenses against laws of the United States; and such Commissioner of Internal Revenue, his assistants, agents, and inspectors may swear out warrants before United States commissioners or other officers or courts authorized to issue the same for the apprehension of such offenders and may, subject to the control of the said United States attorney, conduct the prosecution at the committing trial for the purpose of having the offenders held for the action of a grand jury. . . .

TITLE II. PROHIBITION OF INTOXICATING BEVERAGES.

SEC. 3. No person shall on or after the date when the eighteenth amendment to the Constitution of the United States goes into effect, manufacture, sell, barter, transport import, export, deliver, furnish or possess my intoxicating liquor except as authorized in this Act, and all the provisions of this Act shall be liberally construed to the end that the use of intoxicating liquor as a beverage may be prevented.

Liquor for non beverage purposes and wine or sacramental purposes may be manufactured, purchased, sold, bartered transported, imported, exported, delivered, furnished and possessed, but only as herein provided, and the commissioner may, upon application, is sue permits therefor: Provided, That nothing| in this Act shall prohibit the purchase and sale of warehouse receipts covering distilled spirits on deposit in Government bonded warehouses, and no special tax liability shall attach to the business of purchasing and selling such warehouse receipts. . . .

SEC. 6. No one shall manufacture, sell, purchase, transport, or prescribe any liquor without first obtaining a permit from the commissioner so to do, except that a person may, without a permit, purchase and use liquor for medicinal purposes when prescribed by a physician as herein provided, and except that any person who in the opinion of the commissioner is conducting a bona fide hospital or sanitarium engaged in the treatment of persons suffering from alcoholism, may, under such rules, regulations, and conditions as the commissioner shall prescribe, purchase and use, in accord once with the methods in use in such institution liquor, to be administered to the patients of such institution under the direction of a duly qualified physician employed by such institution.

All permits to manufacture, prescribe, sell, or transport liquor, may be issued for one year, and shall expire on the 31st day of December next succeeding the issuance thereof: . . . Permits to purchase liquor shall specify the quantity and kind to be purchased and the purpose for which it is to be used. No permit shall be issued to any person who within one year prior to the application therefor or issuance thereof shall have violated the terms of any permit issued under this Title or any law of the United states or of any State regulating traffic in liquor. No permit shall be issued to anyone to sell liquor at retail, unless the sale is to be made through a pharmacist designated in the permit and duly licensed under the laws of his State to compound and dismedicine prescribed by a duly licensed physician. No one shall be given a permit describe liquor unless he is a physician

licensed to practice medicine and actively engaged in the practice of such profession. . . .

Nothing in this title shall be held to apply to the manufacture, sale, transportation, importation, possession, or distribution of wine for sacramental purposes, or like religious rites, except section 6 (save as the same requires a permit to purchase) and section 10 hereof, and the provisions of this Act prescribing penalties for the violation of either of said sections. No person to whom a permit may be issued to manufacture, transport, import, or sell wines for sacramental purposes or like religious rites shall sell, barter, exchange, or furnish any such to any person not a rabbi, minister of the gospel, priest, or an officer duly authorized for the purpose by any church or congregation, nor to any such except upon an application duly subscribed by him, which application, authenticated as regulations may prescribe, shall be filed and preserved by the seller. The head of any conference or diocese or other ecclesiastical jurisdiction may designate any rabbi, minister, or priest to supervise the manufacture of wine to be used for the purposes and rites in this section mentioned, and the person so designated may, in the discretion of the commissioner, be granted a permit to supervise such manufacture.

SEC. 7. No one but a physician holding a permit to prescribe liquor shall issue any prescription for liquor. And no physician shall prescribe liquor unless after careful physical examination of the person for whose use such prescription is sought, or if such examination is found impracticable, then upon the best information obtainable, he in good faith believes that the use of such liquor as a medicine by such person is necessary and will afford relief to him from some known ailment. Not more than a pint of spiritous liquor to be taken internally shall be prescribed for use by the same person within any period of ten days and no prescription shall be filled more than once. Any pharmacist filling a prescription shall at the time endorse upon it over his own signature the word "canceled," together with the date when the liquor was delivered, and then make the same a part of the record that he is required to keep as herein provided. . . .

SEC. 18. It shall be unlawful to advertise, manufacture, sell, or possess for sale any utensil, contrivance, machine, preparation, compound, tablet, substance, formula direction, recipe advertised, designed, or intended for use in the unlawful manufacture of intoxicating liquor. . . .

SEC. 21. Any room, house, building, boat, vehicle, structure, or place where intoxicating liquor is manufactured, sold, kept, or bartered in violation of this title, and all intox-

icating liquor and property kept and used in maintaining the same, is hereby declared to be a common nuisance, and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or be imprisoned for not more than one year, or both. . . .

SEC. 25. It shall be unlawful to have or possess any liquor or property designed for the manufacture of liquor intended for use in violating this title or which has been so used, and no property rights shall exist in any such liquor or property.... No search warrant shall issue to search any private dwelling occupied as such unless it is being used for the unlawful sale of intoxicating liquor, or unless it is in part used for some business purposes such as a store, shop, saloon, restaurant, hotel, or boarding house. . . .

SEC. 29. Any person who manufactures or sells liquor in violation of this title shall for a first offense be fined not more than \$1,000, or imprisoned not exceeding six months, and for a second or subsequent offense shall be fined not less than \$200 nor more than \$2,000 and be imprisoned not less than one month nor more than five years.

Any person violating the provisions of any permit, or who makes any false record, report, or affidavit required by this title, or violates any of the provisions of this title, for which offense a special penalty is not prescribed, shall be fined for a first offense not more than \$500; for a second offense not less than \$100 nor more than \$1,000, or be imprisoned not more than ninety days; for any subsequent offense he shall be fined not less than \$500 and be imprisoned not less than three months nor more than two years. . . .

SEC. S3. After February 1, 1920, the possession of liquors by any person not legally permitted under this title to possess liquor shall be prima facie evidence that such liquor is kept for the purpose of being sold, bartered, exchanged, given away, furnished, or otherwise disposed of in violation of the Provisions of this title.... But it shall not be unlawful to possess liquors in one's private dwelling while the same is occupied and used by him as his dwelling only and such liquor need not be reported, provided such liquors are for use only for the personal consumption of the owner thereof and his family residing in such dwelling and of his bona fide guests when entertained by him therein; and the burden of proof shall be upon the possessor in any action concerning the same to prove that such liquor was lawfully acquired, possessed, and used. . . .