

HEAR UR
SEASON 4: ROCHESTER RETOLD
EPISODE 2: BOTTLES AND BOOTLEGGERS

By Adina Goldstein, Kathleen Love, and Maddy Wary

INTRODUCTION

GENTLE WAVES ON A LAKE. FOOTSTEPS ALONG BOARDWALK. BOAT BUMPING
AGAINST THE DOCK. CREAKING ROPES. LAKE AT NIGHT AMBIENCE.

MADDY

You are walking down a familiar boardwalk.

SFX: FOOTSTEPS ON DOCK. WHISTLING. NIGHTTIME AMBIENCE.

Tonight is a good night for boating. It's
a crisp Autumn night, and the moon is
hardly a sliver in the sky.

Once a local plumber, you now spend your
days enjoying the riches from your
nighttime enterprise... on the water, with
just you, your boat, and your smuggled
goods.

SFX: FOOTSTEPS DOWN WOOD STAIRS

You have a cargo hold full of alcohol...

SFX: CLINKING BOTTLES

...illegal now in the United States. Law
enforcement is hunting you. Fellow
smugglers and hijackers are out for your
cargo. Each voyage could be your last.

FADE OUT:

This is a day in the life of Ben Kerr.

MUSIC BED IN:

Originally from the Canadian town of
Hamilton, Ontario, Kerr was what you might
call an opportunist.

He began his smuggling business in 1918.
At this time, Canada had enacted a limited

prohibition, intended to last until the end of World War I.

This is where Kerr started his smuggling escapades, smuggling alcohol from the United States into Canada. Canada had only recently begun post-war alcohol production when the United States went dry.

As he already had an operation in place, it was a fairly simple matter for Kerr to flip the direction of his smuggling enterprise.

SFX: OPENING BEER BOTTLE. POURING OUT BEER INTO GLASS.

He started with beer.

FADE OUT:

INTRO

MUSIC BED IN:

MADDY

I'm Maddy Wary,

ADINA

I'm Adina Goldstein,

KATHLEEN

and I'm Kathleen Love, and we are your hosts for Hear UR: Rochester Retold, episode 402: bottles and bootleggers.

FADE OUT:

PROHIBITION BACKGROUND

MORRIS PIERCE

Prohibition was the result of a long standing struggle to get men out of bars and sober them up so they could be productive husbands and fathers.

ADINA

This is Morris Pierce, a Professor in the history department at the University of Rochester who teaches a course on the history of Rochester and Western New York.

MORRIS PIERCE

There was no penalties for possessing alcohol, it was only for selling it or

drinking it at a public place and all that stuff.

MUSIC FADE IN:

Questions

KATHLEEN

So, how far were Rochesterians willing to go to keep alcohol flowing, and how much violence and crime were they willing to tolerate?

PROHIBITION IN ROCHESTER

MORRIS PIERCE

Well, Rochester, interestingly, was then and still arches a conservative place. And they felt that this was a government meddling in a private decision. You know, if you wanted to go buy a bottle of rum and have fun with it, that was your business, not the governments.

And so there was this kind of schizoid attitude, and people still recognized that, you know, it did cause damage. But this was a personal, moral decision and really was not the business of the government. And so local politicians in Rochester just hoped it would go away for the most part.

I mean there were some who supported prohibition, but that seemed to be the kind of the odd man out.

ADINA

When homegrown alcohol was banned, they looked for another way to source it. This gave rise to a new alcohol industry, built upon organized crime.

MUSIC BED IN:

MORRIS PIERCE

A huge problem was that large mobs became the control in manufacturing and distribution and even the speakeasies and they attempted to drive out the little guys. And so there'd be murder and mayhem and all this to control the trade.

ADINA

Smugglers brought in illegal liquor from Canada, and Ben Kerr suddenly became a very well known figure in the Rochester area.

Once alcohol hit the shores, bootleggers ran it to speakeasies. Yet this operation was more than a local phenomenon. Rochester became a center for the movement and distribution of illegal alcohol into the United States.

Canadian Distilleries often focused on filling larger orders from places like New York City and Boston rather than smaller ones from Rochester and Buffalo. This left lake smugglers with only beer to smuggle during the early days of prohibition.

MUSIC BED FADE OUT:

Once distilleries "unofficially" opened their doors to lake smugglers, Kerr primarily did his business with Corby's Distillery in Belleville, Ontario- the only operating distillery on Lake Ontario.

MADDY

Naturally, distilleries and breweries did not want to run into the legal trouble that would come with them officially exporting alcohol to the United States.

So, in order to get the alcohol for his shipment, Kerr had to go through a long and complicated legal process.

FADE IN SFX: OLD TOWN AMBIENCE. HORSE CARRIAGE. MUFFLED VOICES.

First, the American distributor, a bootlegger, would travel to the Corby's head office at 1201 Sherbrooke Street West in Montreal.

He would meet with the general manager, Harry Clifford Hatch...

SFX: CHURCH BELLS. OPENING DOOR. SIDE OFFICE CONVERSATIONS.

DAN (BOOTLEGGER)

"Hey Harry! How's business?"

KEVIN (HARRY)

"Not too bad! You Americans and your new law have been great for me!"

MADDY

...and deposit a hefty sum of around \$20,000 to ensure his credibility.

SFX: BAG OF MONEY DROPS ON DESK

MUSIC FADE IN:

MADDY

Legally, the alcohol he secured would be headed to a shell company, likely in Mexico or Cuba. This would prevent a paper trail of their smuggling operation, which might have been used against them in an American court of law.

The bootlegger would then specify the carrier of the inventory, who, in our scenario, is Ben Kerr.

FADE OUT:

KATHLEEN

Kerr would take his boat to Belleville, where he would meet Jimmy Boyle, the Corby worker in charge of shipping.

SFX: TRUCK. SHIPPING DOCK AMBIENCE. SEAGULLS.

ADINA

A truck from the Corby's plant would then take the shipment to the government docks, where a customs officer would sign the paperwork.

Workers from Corby's would then load wooden boxes of whiskey onto one of Kerr's boats.

SFX: BOOTS SCRUFFING. CLINKING BOTTLES. FOOTSTEPS ON WOOD STAIRS.

He was very protective of his boats, and didn't want so much as a scratch on the mahogany trim.

FADE OUT:

MUSIC FADE IN:

After securing his cargo, Kerr would then shake hands with J.W. Dulmage, the outside customs officer, and tip him around ten dollars to thank him for his services.

The whisky is now Kerr's to transport legitimately under Canadian law. The fact that his boats were far too small to travel across the Atlantic Ocean to Mexico or Cuba was ignored, as was the fact that his boats would be back at his boat house in Belleville the next day.

FADE OUT:

MADDY

The next step in Kerr's journey was the crossing. His favorite craft, *the Martimas*, could carry 1200 cases of whisky or beer in a single trip.

KATHLEEN

Kerr made quite the impression on the locals of his chosen ports. Reg Powers, who worked on his father's farm in Prinyer Cove, remembers that everyone was terrified of Kerr, saying that he always carried a big revolver, and that

PHILIP (REG POWERS)

we figured if he caught any of us on his boat, he'd shoot ya.

MUSIC FADE IN:

MADDY

However, smugglers were not the only criminals on the lake. And one of the most dangerous parts of the journey was the drop point.

FADE OUT:

SFX: SOUND OF A BOAT SLOWLY MOVING FORWARD IN LAKE, THEN CUT AND HUM OF THE IDLE ENGINE. BACKGROUND LAKE AMBIENCE AT NIGHT. DOG BARKING. WIND AND WATER.

In the dead of night, Kerr was delivering cargo on a shore east of Rochester. He had pulled his boat into shallow water, the bow facing into the lake and the engines

idling so he could cut and run at a moment's notice.

SFX: FOOTSTEPS. SOUNDS OF PASSING BOTTLES. WADING THROUGH WATER. ROWING THROUGH WATER.

He was handing bags of ale over the sides of the boat to bootleggers, some in a small rowboat and others wading out up to their waists to carry the bags to shore. It was business as usual. Then...

SFX: GUN SHOTS FROM A DISTANCE. DISTANT YELLING.

MADDY

Hijackers who raided alcohol shipments had targeted Kerr's drop point.

SFX: MORE GUNSHOTS. YELLING. SPLASHING. RUNNING.

The bootleggers fled for cover as bullets arced over their heads. Kerr picked up his rifle and immediately began to return fire, giving his associates a chance to get clear.

SFX: RETURN FIRE. DIFFERENT GUN AND CLOSER.

An expert shot, Kerr drove the band of hijackers back down the beach on his own. They were at an impasse. And Kerr made the next move.

SFX: START UP OF BOAT ENGINE.

MADDY

Taking his boat two hundred yards east, he landed quietly on the shore with his .303 rifle in hand, a 12 gauge shotgun in the other, and a .45 revolver in his belt.

He came up behind the hijackers...

SFX: COCK SHOTGUN. FIRE SHOTGUN.

...firing the three guns at random to sound like he had a whole band of men with him.

SFX: MORE GUNFIRE. MEN SHOUTING AND RUNNING ON GRASS. WAIT LONG ENOUGH TO NO LONGER HEAR FOOTSTEPS.

Caught by surprise, the hijackers fled the shore.

MUSIC BED IN:

They had not taken a single case of alcohol.

ADINA

After Kerr had handed his cargo off to the bootleggers at the shore of lake Ontario and turned back for Hamilton, the alcohol headed for the speakeasies.

MUSIC BED OUT:

SFX: RUSHING LOWER FALLS AUDIO

KATHLEEN

Shrouded in mist and almost impossible to see from a distance, the Lower Falls cave in the city proper was occasionally a stop in alcohol's journey to Rochesterians.

LOWER FALLS

ADINA

Maddy and I ventured down to Lower Falls to try and find the caves for ourselves.

MADDY

Yeah I couldn't get there.

ADINA

Yeah okay okay cool.

MADDY

I tried to walk all the way down along the river but the water is too high and going too fast. I eventually got to a clearing and it was just the falls under the huge bridge. And there was so much mist that I couldn't open my eyes to move forward, so I had to stop just short of the caves.

ADINA

So that's something the smuggles probably experienced too. It must have been super hard to get that close to the caves.

KATHLEEN

Man made during Prohibition before the Genesee river was dammed, the cave was

used to store alcohol before bringing it up to the speakeasies on the street.

FADE OUT:

MADDY

Thanks to smugglers like Kerr keeping a steady flow of alcohol coming into the city, Rochester had adopted speakeasy culture with fervor.

MUSIC BED IN:

MADDY

Many of these locales were even in the same places where Rochesterians had gone for alcohol before Prohibition. Some were in more subtle locations- in apartments, houses, garages, barber shops, social clubs, cigar stores, and hotels.

MUSIC BED OUT:

MUSIC BED IN:

MADDY

In 1931, a raid uncovered half a barrel of beer from a supposed "bookstore" on Monroe Avenue that was secretly a speakeasy. College Town stands on what was once Benedict Spiegel's hotel, which was raided four times during Prohibition.

An exclusive location called "the Viper Club" was on the third floor of a building on East Avenue now used by the IRS. Louis Dustin ran a "beer flat," which was slang for a speakeasy hidden in an apartment or other private location, on Swan street, which is right by Eastman School of Music's Hatch Recital Hall.

KATHLEEN

You may wonder, how did all of these bars manage to avoid getting caught? Well, they had a few methods, some better thought out than others.

One solution was to hide their identities by fronting as other businesses. Fancy naming schemes often came into play, such as calling themselves "soft drink"

purveyors and secretly serving alcohol on the side.

MUSIC BED OUT:

KATHLEEN

1924 was a big year for raiding in Rochester. In March alone, Prohibition agents raided 24 speakeasies, dismantled 4 breweries, and poured 120 barrels, or about 30,000 pints worth of beer, into the sewers.

But what happened after they got caught? Not very much. Even after being raided, most speakeasies paid a fine and simply reopened.

MADDY

Despite participating in raids, law enforcement was unhelpful in curbing Prohibition. In June of 1932, four deputy sheriffs were suspended after being found drinking in an East Main Street speakeasy at ten in the morning, with their uniforms on hand for their upcoming duty.

A speakeasy even operated on Exchange Street a stone's throw away from the RPD headquarters.

PROHIBITION ATTITUDES, ROCHESTER AND VIOLENCE

MUSIC BED IN:

ADINA

Rochester became a hub for distributing alcohol even further inland due to its convenient location on the shore of the lake and it's easy access to waterways. This also made it a hub for organized crime networks, composed of mercenaries and violent men like Kerr.

END OF PROHIBITION AND END OF KERR

MADDY

The sneaking, smuggling and illicit drinking all came to a close when the Twenty-First Amendment abolished prohibition in 1933. Much like when it was first announced, Prohibition's end was met with little fanfare in Rochester.

Many of the speakeasies that were open stayed open. One speakeasy owner is quoted saying, "I don't think it was such a celebration. Hell, the saloons in Rochester were wide open anyway!"

FADE OUT:

MUSIC BED IN:

KATHLEEN

Although life went on much as it had before after Prohibition ended in 1933, the end was not always as peaceful for the criminals who had kept alcohol moving during that period.

Kerr himself would meet a mysterious and tragic end.

His body would be found on the lake that made his career, floating lifelessly in the water. There was no big funeral for Kerr; his family, ashamed of having his crimes associated with their name, buried him under an alias.

But the industry he eventually sacrificed his life for continues to this day. Rochestarians still maintain a strong drinking culture, and the same drinks made in speakeasies during Prohibition from alcohol that Kerr smuggled across Lake Ontario are still made today in local bars like Cure, The Daily Refresher, and Good Luck.

END CREDITS

ADINA

HearUR is a podcast created by students at The University of Rochester.

This episode was created by Maddy Wary, Adina Goldstein, and Kathleen Love.

Our engineer was Maddy Wary. Our lead researcher was Kathleen Love, and our head producer was Adina Goldstein.

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Hear UR is created using Faders, a collaborative online audio production workstation. It offers browser-based audio recording and editing, all within an easy-to-use interface - all for free! Go check out [Faders.io](https://faders.io).

The coordinating producer for this season of HearUR is Celia Konowe. The executive producers are Thomas Fleischman and Stephen Roessner. And, be sure to check out the other episodes of HearUR Season Four: Rochester Retold at HearUR.Com

FADE OUT:

~ end ~

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