

# Prohibition, Distillers and Brands

by Bret Heinemann

Prohibition terminated the liquor industry in the United States on January 26, 1920 until it was repealed. The bottles used to identify specific brands of whiskey, wine or some other liquor were no longer needed and ended up in the trash. Gone were liquor, distillers, beers, brewers, wines, winemakers, and even some medicines. Gone was that evil demon rum, too. Wouldn't it be great? No longer could any evil beverage destroy anyone's life. Sure, now all of those "weak" individuals would now be able to lead productive wholesome lives.

Talents that had been used by the distillers, retail stores, wholesale merchants, and especially those saloons would be freed. Now free, talented people would no longer suffer enslavement to evils and vice. Men, women, and children would now be safe from terror. There was freedom to work in the cities and on the farms, to play or even just to take a family walk.

Well, that was the dream anyway. Unfortunately, everyone didn't have it, and still others would turn it into a nightmare in the 1920s and early 1930s. It would be nightmare since there would be enough people ignoring the law to create an atmosphere in which crime, violence and other vices would flourish - BUT that's another story.

The bottles of these distillers and merchants wouldn't be gone forever, though. Collectors in later generations would eventually begin to gather them all up. Each bottle has its value (not just in dollars and cents), and its own story to tell. Whether the bottle is quite common or rare, the bottles are all that remain of once prominent brands and merchants. Bottles that are collected for their trademarks, the company they represent, color, design, crudeness, by shape and size.

## PROHIBITION

The passage of Prohibition was the result of the belief that most of the ills in society could be cured if liquor was no longer available. Men who spent their time in saloons were seen as a threat to both women and the sanctity of the home. Saloons were regarded as a threat to men's jobs; and the men who frequented saloons were viewed as more likely to abuse or abandon their wives and children.

The temperance movement began in Ohio in the early 1870s with a campaign to shut down the saloons there, a campaign that was only temporarily successful. In 1873, a group in Chicago founded the Women's Christian Temperance Union under the leadership of Anne Wittenmeyer. The WCTU was one of the major forces behind the temperance crusade. In 1879 Frances Willard became the leader of the WCTU, and she changed it from a Midwestern prayer group into a national militant organization. Willard also enlarged the scope of the organization to include a plan to reform all of the social evils in society. The WCTU would grow and have 160,000 members by 1890 and 245,000 by 1911.<sup>1</sup>

The attitude of many distillers and merchants was to support national laws to stabilize their industry and to protect themselves from more severe local laws. Those were the Sunday laws, designs of buildings, and even outright prohibitions. They would even try, though unsuccessfully, to get Congress to regulate the industry.<sup>2</sup>

The excise taxes paid to the Treasury Department were the most significant regulation of the era, which ended on January 16, 1920; and here are some of brands and merchants from that era now passed.

## AAA Whiskey

Luke Marish distributed AAA Whiskey prior to 1895. The trademark for AAA whiskey was registered on April 9, 1872 to the New York firm of Martin R. Cook and Jacques A. Bernheimer.<sup>3</sup>

## Atlas

Atlas Bourbon of the Mohns

and Kaltenbach Company was located at 29 Market Street. John Bach and Herman Meese were the wholesale liquor dealers in San Francisco from 1880 to 1901.<sup>4</sup>

## Hollywood

In 1864, Eugene, Richard, and Terence Hollywood were operating separate businesses until 1876 when they combined and became Hollywood Brothers.<sup>5</sup>

## Eagle Glen

Eagle Glen Whiskey was located at 29 Market Street. The United States agents for Eagle Glen Whiskey, produced by the Wilson Distilling Company, were Werle and Wiloh.<sup>6</sup>

## Jesse Moore

Understanding the West Coast distributors for Jesse Moore Whiskey is best done by examining Henry Browne Hunt, Elias Chielovich, and George H. Moore.

Henry Browne Hunt (born in Phillipsburg, Pennsylvania in 1836) traveled to San Francisco in 1849 with his uncle, who started a business there and spent a couple of years learning about this business. Henry then went back to the East to finish his education only to return to San Francisco in 1854 with his mother. Two years later, he moved to Oroville, where he became involved in the mining business, made money and lost it. Henry changed careers, returning to the retail business, and was elected as the Treasurer of Butte County. He next tried moving to Sacramento and worked as a salesman for the wholesale liquor business of Power and Company. In 1867 he moved to San Francisco and became a clerk for the firm of Edward Martin. Five years later, he traveled to Downieville to his fiances' parent's house to marry her there. Back in San Francisco, he went to work for Elias Chielovich in the wholesale liquor business.<sup>7</sup>



Elias Chielovich, in partnership with Walter Hoge and Jesse Moore, sold Jesse Moore, Musser Bourbon, Mattingly Bourbon, Nelson Bourbon, and Durham Whiskey. After 1875, Durham Whiskey became Chielovich's primary brand. Many of the Durham bottles have a double base, which allows the bottle to stand in the traditional upright position or on its side. The side position was useful on riverboats, ships and trains. One of Chielovich's business strategies seems to have been aimed at the river traffic. Elias Chielovich became the owner of a bowling alley in the late 1880s. It is not clear whether Elias Chielovich also had a saloon or not.<sup>8</sup>

In 1875, George H. Moore (son of Jesse Moore) sent Cornelius Deweese, Jr. west to improve the western sales for the Jesse Moore brand. In response, Deweese formed a partnership with the Moore-Hunt Company's owners, George Moore and Henry Hunt, to promote and distribute Jesse Moore Whiskey in the West. In 1888, Deweese sold out his interests to Thomas Kirkpatrick, who became the president of the company by 1895. Two years later, the company became consolidated as the Jesse Moore Hunt Company. In addition to San Francisco, the company conducted business in Boston, Buffalo, Chicago, Cleveland, Denver, Indianapolis, Kansas City, Louisville, Pittsburgh, New Orleans, New York, and San Diego. The other brands they sold included AA and B & C.<sup>9</sup>

In 1871 legal problems developed when a Jesse Moore shipment of whiskey arrived at their San Francisco agent in barrels which resembled those of J. H. Cutter. Although the barrels were clearly marked with the Jesse Moore trademark, a lawsuit resulted between the Anson Hotaling Company, seeking \$15,000 in damages from Jesse Moore. The lawsuit eventually ended up in the United States Supreme Court, where the court ruled that a products package, if it were so unique as to be identified with a product exclusively, could be considered part of the company's trademark.<sup>10</sup>

Although, this would be the only time anyone would attempt to copy the Cutter barrel, trademark infringement would always be a problem between companies. For example, in the case of the California Fig Syrup Company vs. Frederick Stearn and Company, the court ruled that any business had the right to seek an injunction against another company for using a marketing technique or symbol, not eligible

for trademark protection, to mislead the public into believing the product was the same as the other company.<sup>11</sup>

### J. H. Cutter

Anson Parsons Hotaling and his company became western agents for J. H. Cutter Whiskey in 1862. The owner's of J. H. Cutter at this time were Charles P. Moorman and Milton J. Hardy. These two had purchased the company from John H. Cutter on either July 2, 1860 - five days before his death - or shortly thereafter.

Charles Moorman had been a partner of John H. Cutter since 1858; and Milton Hardy had been a partner since 1859. Hardy was also the J. H. Cutter wholesale distributor for Boston and would eventually handle the legal and management of the business from New York, beginning in the 1870s. Charles Moorman was involved in the distilling operations until the 1870s. After 1879, Moorman had the sole rights to the J. H. Cutter name.<sup>12</sup>

In 1867, Anson Hotaling (1830-1899) had a wholesale wine and liquor business in San Francisco at the corner of Jackson Street and Johnson Alley. In 1873, Hotaling opened an office in Portland, Oregon; and in 1877, began operations in Australia. He sold the Portland business in 1894.<sup>13</sup>

Henry R. Sherwood and William R. Sherwood started a wholesale food and liquor distributing business in San Francisco around 1886 at 212214 Market Street. In a few years, their business grew to include warehouses located at 15 and 17 Pine Street; and by 1905, they bought the Hotaling families interest in the J. H. Cutter Company. In 1905, Charles Moorman

retired and sold his share of the J. H. Cutter to W. C. Wheeler and Alex Semple.<sup>14</sup>

### W. A. Gaines

W. A. Gaines and Company of Frankfurt, Kentucky was distributed in the West by the Livingston Company. Initially, Louis Livingston was in the grocery business in San Francisco. In 1864, however, he began to sell wholesale liquor as well.<sup>15</sup>

In 1867 Louis Livingston formed a partnership with Isaac Levy; and by 1876, Abram P. Williams and Joesph May had bought a portion of the business. In 1869, Livingston (while keeping his share of the business) left Levy, Williams, and May to operate it. He then returned to his native Germany, leaving Edward May to eventually own the entire business. Jacob Wertheimer was a partner in the business for a while. May died in 1906 and his widow, Margaret C. May, continued to operate the business. The 1906 San Francisco earthquake later destroyed the Davis Street warehouse, and so it was moved to Seventeenth Street. Another location of the business was 220 and 222 California Street. Besides San Francisco, the company in time also conducted business in Covington, Kentucky.

The Livingston Company along with the Sunnybrook and Willow Creek distilleries had a partnership or business arrangement in 1911-1917, but in 1917, the company ceased operations. The brands Livingston sold included Old Sunny Brook, Pride of Kentucky, and Livingston Blackberry Brandy.<sup>16</sup>

### James Pepper

The James E. Pepper Distillery, in Lexington, Kentucky, may have been established as early as 1780. Commercially, however, the James Pepper production occurred after 1840; since the 1840s are the earliest years that the brand was sold nationally. The brand is listed in the Cincinnati business directories from 1877 to 1918.

The San Francisco wholesale liquor business of Carroll and Carroll was the agent, starting circa 1888-1902. In 1882, Richard L. Carroll and George L. Carroll formed a partnership with John Abrahms. Five years later, the Carrolls bought out Abrahm. In 1898-1902, the Carroll's sold the business to their managers, Donald McDonald and William Cohn. The business became known as McDonald and



Hotaling Whiskey Warehouse



Cohn in 1903, and continued to operate until 1911.<sup>17</sup>

### Old Judge

Before 1900 there were several agents for the Old Judge brand in the West. Newmark and Gruenberg were agents for Old Judge in the 1880s, and after 1900, the Samuel B. Rothenberg Company then distributed Old Judge exclusively.

Newmark and Gruenberg began as minor partners in the Kane and O'Leary Company.

In 1849, Michael Kane (who had immigrated from Ireland with his parents in 1830) arrived in Hangtown, California and then moved back East. After sometime in the East he returned to California. Kane was a United States mail agent, customs inspector, a government storekeeper, and a United States Appraiser before he eventually became a liquor salesman for Wand and Company.<sup>18</sup>

In 1860, William Hunter operated a saloon on the corner of Third and Folsom Streets in San Francisco; and in 1861, he went into the wholesale liquor business at 612 Front Street. In 1862, Wand and Hunter became partners. In 1871, Hunter sold his interests to Michael Kane, and in 1874, Wand sold his interests to Fergus O'Leary. The business moved to a larger building in 1881 and Kane's brother, Charles C. Kane, became a silent partner. Kane, O'Leary, and Company sold the Garfield brand of whiskey.<sup>19</sup>

Kane and O'Leary were located at 221- 223 Bush Street in San Francisco. Michael Kane retired in 1882 and moved to Alameda. The business was taken over by his junior partners, Myer J. Newmark and Max Gruenberg. Eventually, Max Gruenberg bought out Newmark.<sup>20</sup>

### S. B. Rothenberg

In 1887, Sara Rothenberg opened a wholesale liquor business at 864 Broadway in Oakland, and her son, Samuel B. Rothenberg, began running the business that same year. One year later, Samuel Rothenberg purchased the Gruenberg Company at 525 Front Street, and moved his Oakland

business to 117 Battery Street in San Francisco. Samuel Rothenberg's son, Henry Rothenberg, became involved in the business around 1907-1910, and Sanford Rothenberg became involved by 1913.<sup>21</sup>

In 1902 the name of the company was changed to The Rothenberg Company. Louis Rothenberg became the president around 1907. In 1916, the company was sold to the Rosenberg Company. In addition to Old Judge, the Rothenberg Company sold Berliner Magan Bitters, Quaker Club, Old Rye, McBrayer's, Cedar Brook, Asparagus Gin and Cedar Brook Handmade Sourmesh (from Anderson County, Kentucky).

Samuel's brother, Mendleson, opened his own wholesale liquor business in 1895 at 432 Kearney Street in San Francisco where he sold the Miller's Game Cock brand of whiskey.<sup>22</sup>

### FROM VINEYARDS AND ELSEWHERE

Although most merchants would sell both liquor and wine, there were some that dealt more exclusively in one type or another. Featured below are some examples of dealers who dealt more exclusively with wine, brandy, bitters, and medicated beverages.

### De Turk

Isaac De Turk owned a vineyard in Santa Rosa from 1870 through 1896, when he sold it to C. M. Mann, who had been his salesman and manager in San Francisco.<sup>23</sup>

### Gundlach

In the 1850s, J. Gundlach planted a vineyard in Sonoma that he grew to become a large wholesale dealer of wine, brandy and whiskey. These brands included Defiance and Banner whiskey. In 1897 his son-in-law, Charles Bundschu, became a partner in the firm.<sup>24</sup>

### Renz

John Renz produced bitters when he was doing business with the Charles Langley Company of San Francisco. Charles Langley was a

manufacturer of cordials and syrups, which John Renz had been associated with since the 1850s. In 1875, he opened a wholesale and retail liquor business at 315 Commercial Street in San Francisco, but was out of business by 1896. The products he sold included Renz's Blackberry Brandy and Bonanza Bourbon.<sup>25</sup>

### Schesinger

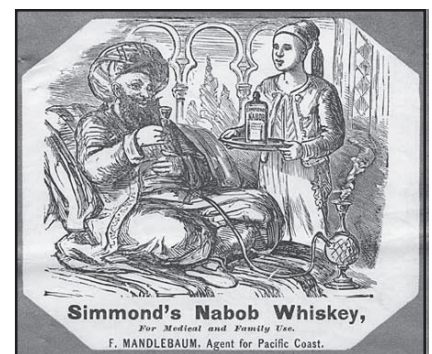
By 1879, Adolph Schesinger had a vineyard in Fresno, California. Noah Bender, who had worked as an agent for LaGranda Laundry in 1885, formed a partnership with him in 1890. They also opened and maintained an office in San Francisco until 1895. They sold wines and brandies.<sup>26</sup>

### St. Georges Vineyard

Malter was the owner and operator of the St. Georges Vineyard near Fresno, California. The firm also had an office in San Francisco. St. Georges was distributed by the Lash's Bitters Company until the earthquake of 1906. In 1907, a bottle was produced for that year's product.<sup>27</sup>

### Nabob

In 1877, George Simmonds arrived in San Francisco, but it was in Boston that he got his start in the liquor business. He opened an office on Montgomery Street (not far from Market Street) and sold medicated barley and whiskey products throughout the West. The product became quite popular and was well distributed.<sup>28</sup>



### Southery & Chernery

In 1870, Richard Chernery and Joseph Southery formed a partnership in San Francisco. In 1874, Chernery became a silent partner and concentrated on mining investments. The brands they sold included Dr. Bennett's Wild Cherry Bitters. In 1879, Southery bought out Chernery, and turned the business exclusively over to medicines, including Dr. Abernathy's Green Ginger Brandy.<sup>29</sup>





### Turner

In 1853, the Turner Brothers (James, Malcom, Archibald, Thomas, and Robert) opened a branch in San Francisco, but their main office was in New York. They produced alcohol based medicines, syrups, ginger wine, wormwood bitters, stomach bitters, cordials, and absynthe. The McMillan and Kester Company bought their San Francisco business in 1865.<sup>30</sup>

### Endnotes

- <sup>1</sup> Nancy Woloch, Women and the American Experience, (New York: McGraw-Hill Inc., 1994) 287-288.
- <sup>2</sup> David Stauber, "Attitude of the Distillers and Wholesale Liquor Dealers on the Regulation of the Liquor Traffic," The Annals of the American Academy of Political Science and Social Science, 32 (November, 1908), 539.
- <sup>3</sup> John L. Thomas, Whiskey Bottles of the Old West, (Bend: Maverick Publications, 1977) 57.
- William Wilson and Betty Wilson, Spirit Bottles of the Old West, (Wolfe City: Henington Publishing Company, 1968) 112.
- <sup>4</sup> Wilson, Spirit Bottles of the Old West 29.
- <sup>5</sup> Wilson, Spirit Bottles of the Old West, 84.
- <sup>6</sup> Wilson, Spirit Bottles of the Old West, 63.
- <sup>7</sup> Wilson, Spirit Bottles of the Old West, 87.
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- <sup>8</sup> Thomas, Whiskey Bottles of the Old West, 29.
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- <sup>9</sup> Thomas, Whiskey Bottles of the Old West, 29.
- Wilson, Spirit Bottles of the Old West, 87.
- <sup>10</sup> Thomas, Whiskey Bottles of the Old West, 29.
- <sup>11</sup> William Mida, Mida's Compendium of Information for the Liquor Interests, (Chicago: Criterion Publishing Company, 1899) 67.
- <sup>12</sup> Wilson, Spirit Bottles of the Old West, 53.
- Thomas, Whiskey Bottles of the Old West, 10-11.
- <sup>13</sup> John L. Thomas, Picnics, Coffins and Shoo-Flies, (Bend: Maverick Publications, 1977) 66.
- <sup>14</sup> Thomas, Picnics, Coffins, and Shoo-Flies, 66.
- Wilson, Spirit Bottles of the Old West, 54.
- <sup>15</sup> Thomas, Whiskey Bottles of the Old West, 34.
- Wilson, Spirit Bottles of the Old West, 100.
- <sup>16</sup> Wilson, Spirit Bottles of the Old West, 137.
- <sup>17</sup> Wilson, Spirit Bottles of the Old West, 115.
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- <sup>18</sup> Wilson, Spirit Bottles of the Old West, 90, 108.
- <sup>19</sup> Thomas, Whiskey Bottles of the Old West, 24.
- <sup>20</sup> Wilson, Spirit Bottles of the Old West, 90.
- Thomas, Whiskey Bottles of the Old West, 24.
- <sup>21</sup> Thomas, Whiskey Bottles of the Old West, 24.
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- <sup>22</sup> Wilson, Spirit Bottles of the Old West, 125.
- <sup>23</sup> Wilson, Spirit Bottles of the Old West, 61.
- <sup>24</sup> Wilson, Spirit Bottles of the Old West, 77.
- <sup>25</sup> Wilson, Spirit Bottles of the Old West, 121.
- <sup>26</sup> Wilson, Spirit Bottles of the Old West, 128.
- <sup>27</sup> Wilson, Spirit Bottles of the Old West, 137.
- <sup>28</sup> Wilson, Spirit Bottles of the Old West, 108.
- <sup>29</sup> Wilson, Spirit Bottles of the Old West, 45.
- <sup>30</sup> Wilson, Spirit Bottles of the Old West, 142.

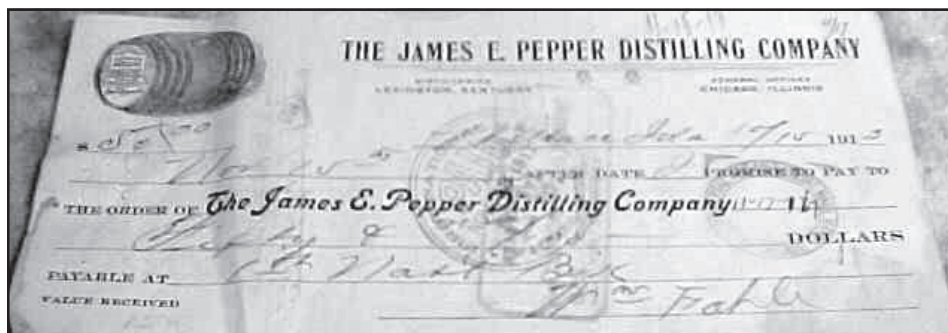
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### Endnotes

- <sup>1</sup> Because this information is a compilation of all the above-mentioned sources, I have not attempted to cite each researcher individually in this section.
- <sup>2</sup> The 1836 date was chosen by the various researchers because 1837 is the first listing in the city directories (Hawkins). However, Hawkins found a previously-unknown 1888 document that claimed the year was 1838. Thus, 1837 becomes an acceptable compromise.
- <sup>3</sup> Hawkins' 1888 document stated that the name did not officially become C. Ihmsen & Co. until 1855. The name may have been used informally at an earlier date, or the document's author may have already confused the business with the Ihmsen Glass Co.
- <sup>4</sup> Innes (1976:36) claimed that the Birmingham (Pittsburgh) Flint Glass Co. was operated by Ihmsen & Ulam beginning sometime after 1850 and that the factory closed in 1860.
- <sup>5</sup> McKearin and McKearin (1941:590) claimed that the Ihmsen Glass Co. began in 1855. Although McKearin and Wilson (1978:153) and Toulouse (1971:262) parroted that date, it is not corroborated by any other source. Pittsburgh directories were in print at least as early as 1837, yet the first mention of the Ihmsen Glass Co. is in 1878, a much more likely date for the start of the company. Christian T. Ihmsen, Jr. would have been 10 years old in 1855. By 1878, he would have been 33.
- <sup>6</sup> The name was changed to Monongahela City in 1837 and today is called Monogahela.
- <sup>7</sup> At least one flask is embossed I G CO (capital "O") on the base, so the lower-case "o" may only be consistent on beer bottles (Bill Lindsey collection).



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