

Vermont History



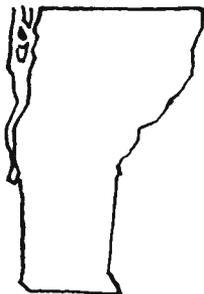
THE PROCEEDINGS OF THE VERMONT HISTORICAL SOCIETY
VOLUME 48 • NUMBER 3 • SUMMER 1980

SUMMER 1980

VOL. 48, NO. 3



The PROCEEDINGS of the
VERMONT HISTORICAL SOCIETY



“Before we could overtake him, he had unloaded his contraband cargo. I can still picture him swerving sharply to the starboard and heading toward...the New York shore.”

The United States Customs Boat Patrol on Lake Champlain During the Prohibition Era

By A. BRADLEY SOULE, M.D.

The Lake Champlain Boat Patrol, an arm of the United States Customs Service set up from 1924 until 1933 to enforce the Eighteenth Amendment, the “Prohibition Amendment,” worked to close the lake to illegal transportation of alcoholic beverages. Among the many books and articles published about prohibition and measures taken to enforce it, few discuss smuggling on Lake Champlain. One exception, Allan S. Everest’s *“Rum Across the Border: the Prohibition Era in Northern New York,”* (New York, Syracuse University Press, 1978), recounts a number of rollicking smuggling episodes including several involving the Customs Patrol Boat. But Professor Everest did not know of many of the escapades of the Patrol found in my personal recollections and those of my friends and half hidden in old clippings from the *St. Albans Messenger* and the *Burlington Free Press*.¹

Efforts to enforce the Volstead Act in Vermont and on Lake Champlain were the responsibility of the United States Customs Service, District #2, with headquarters in the Federal Building on lower Kingman Street in St. Albans. Initially, they largely limited their activities to the inspection of vehicles at the border stations and of passengers and their luggage on railroads operating from Canada to the United States. Enterprising bootleggers soon made smuggling a profitable venture. They obtained powerful and speedy automobiles such as Cadillacs and Pierce Arrows, stripped them down to carry maximum loads of liquor, and drove on back roads across the border, frequently in convoys of a dozen or more. Occasionally they sent an empty pilot car ahead to scout out the proposed route and telephone back if all seemed clear or vice versa. Frequently they would dispense with the pilot car and trust to chance. Largely undermanned, the Customs Service border patrols only stopped a minority

of the contraband-laden cars and arrested the drivers for violation of the Volstead Act. They destroyed the liquor and later sold the cars at auction, often to the previous owners who, having paid fines and only rarely jailed, were soon back in business again.

While most smuggled liquor crossed the border by land, a few entrepreneurs realized the potential for smuggling by water. Soon rumors filtered back to Customs headquarters about beer and hard liquor brought from Canada via the Richelieu River and Lake Champlain in boats and barges of various sizes and descriptions. One popular loading place for booze was a night club on the Richelieu known as the "Bucket of Blood." This led to the development of the Boat Patrol with headquarters at the Kendrick camp on the Georgia shore of St. Albans Bay.

A native of St. Albans, I entered the University of Vermont as a pre-medical student in the fall of 1921 at about the time that prohibition began to affect the area. By the summer of 1925, I had finished the first year in medical school. Jobs were hard to come by. By chance, I learned about the United States Customs Boat Patrol, organized a year before. I made an appointment to meet its commander, Captain Jack B. Kendrick, who told me that though the core of the unit consisted of career officers, he had openings for two or three young men for the summer months when the Patrol was most active. I applied for the job and, after taking and passing a Civil Service examination, was accepted as "Deputy Collector and Inspector of Customs for District #2 in the State of Vermont." Several weeks later, I received a letter from General Lincoln C. Andrews, Assistant Secretary of the Treasury, confirming my appointment as a Prohibition Agent at the rate of \$1,680 a year.

So I started work. I wore a uniform of a double-breasted blue serge suit fitted with brass buttons supplied by the Service, and I bought a peaked type of hat to which was affixed the brass insignia of the Customs Service. I also purchased a .32 calibre revolver and belt and joined a crew which consisted of from eight to twelve officers serving at any one time.

By far the most interesting was our Commander, Captain Kendrick, known to everyone as "Jack." About thirty years of age, tall, slender, and handsome when I met him, he had a delightful sense of humor and an outgoing personality which made him well-liked by everyone, except possibly the bootleggers. During World War I he had enlisted in the French Foreign Legion early in the conflict and then transferred into the United States Army when we became involved. After the Armistice he worked with the reconstruction program headed by Herbert Hoover and served in Poland and Belgium. Returning after several years, he entered the Customs Service, which assigned him to a post in Canaan, Vermont. Finding life a bit dull in this remote station, he learned of the pending



The author cleaning brass on the "Flopsy Jane." The "Old Pops" stands by at the United States Customs Boat Patrol headquarters at St. Albans Bay in July, 1926.

organization of the Boat Patrol for Lake Champlain and applied for transfer. Soon he was directed to organize the patrol. Having had for some time a camp in St. Albans Bay, he established headquarters there and set about selecting officers, who mostly came from career men in the service who were intrigued by work on the lake, love of boats and boating and, in a few cases, because they simply needed the job. Some of those on the patrol during my two summers included Leon Griffin and Hugh Lyons from Waterbury, Elmer Palmer, a farmer from Georgia, Carl Bashaw and Walter Buckley from Richford, Roy Cheney and Fay Templeton from St. Albans and Eddie Salvas from Winooski. Eddie and Elmer were especially handy with motors and engines so we seldom had to seek service from professionals. Eddie, in particular, spent most of his time going over the engines to keep them in top running condition.

At the time I started work on the patrol, it had three boats, all of them reasonably fast even by modern standards. I believe the patrol acquired its first craft by purchase in 1923 or 1924, a so-called "river boat" named *Flopsy-Jane* which was rather long and narrow and difficult to handle in heavy seas. The second was a Chris Craft, a varnished mahogany boat, fairly speedy and well-suited for the job. The third boat, named *Old Pops*, had been seized the year before, loaded with bags of beer. A crude-looking vessel resembling an oversized lifeboat and powered by a heavy Sterling engine, it was sold at auction after my time and then recaptured by the patrol in 1932.

The patrol worked on the lake at night for the most part. We mainly concentrated on the area from the Canadian border just beyond Rouses

Point to the section opposite Burlington near the Four Brothers' Islands. Each craft had a three-man crew, and one or two boats would go out each evening unless poor weather conditions prevailed. We usually left about sunset and headed out of St. Albans Bay through the so-called Gut between North and South Hero islands, which brought us into the broad lake west of the Heros. On a reasonably calm night, we would cruise to some point where we thought that we could hear the engine whine of the smugglers' boats as they came down the channel. We would either anchor or let the boat drift and then take turns watching and listening until daybreak. The two members of the crew not on watch would roll up in blankets in the bottom of the boat and sleep. If the man on watch heard a boat, he would have to locate it by ear, since we had no special devices to pick up sound. He would then wake up the other members of the crew. The captain would start the craft and speed toward the sound. After several minutes, we would cut the motor and listen again. We repeated this maneuver until we could see the boat. Since most of the bootleggers did not use running lights, we had to trust our hearing and vision. Several of the craft used by rum-runners were quite speedy when unloaded, but with a heavy cargo of beer or liquor on board, they were slowed down considerably. We had to encounter them before they saw us, but we, too, were quite visible, mainly because of the spray that arced out from the prow of our craft. If they saw us and recognized us, they would usually dump their load. Many of them were equipped with shelves along the sides of the boat so that they could quickly toss the bags of bottles overboard before we could reach them. The really fast boats, with their loads overboard, could then turn about and escape our somewhat slower craft.

One of the fastest boats was owned by a man named Snyder who spent his winters off the Jersey coast bringing liquor in from larger boats in the Atlantic to docks on shore. In the summer months, he moved to Lake Champlain where he had a summer camp on the west side of the lake near Point au Roche, north of Cumberland Head. We chased him a number of times. As soon as he saw us, he would dump his load before we could overtake him and then speed away with the aid of two powerful World War I Liberty airplane engines in a converted lifeboat. After three or four of these episodes, the Collector of Customs ordered us to bring him in under any legitimate circumstances, even if we could not prove that liquor had been or was on board.

On a quiet but overcast night in the middle of the summer in 1925, we lay in the Chris Craft in mid-channel near the Sister Islands between Grand Isle and the New York shore. Fay Templeton, the captain, had the first watch from ten until midnight and had turned in with George Graves, leaving me on watch from midnight until two a.m. About one-



Captain J.B. "Jack" Kendrick, commanding (second from the left), and Officer Cyrus Eastman (extreme right) and other members of the Patrol in 1927.

thirty, I began to hear the faint pulsing sound I could easily identify as Snyder's boat, heading toward us but still well north of us. I awoke my boatmates, and we followed our usual procedure, starting the boat, speeding toward the sound of Snyder's boat for about five minutes, stopping and starting again. We soon saw the boat in the distance with spray cascading from the sides and no running lights showing. It was obvious that he had seen and recognized us, as there were signs of great activity on board and we could see men hurriedly throwing bags into the lake. As we headed toward him, Captain Templeton fired tracer bullets well over his bow. Snyder obviously had a heavy load on board; he was traveling much more slowly than when his boat was empty. Before we could overtake him, he had unloaded his contraband cargo. I can still picture him swerving sharply to the starboard and heading toward his own landing on the New York shore. We followed him and drew up at his mooring dock. He started laughing, somewhat bitterly, and shouted at us, "Well, you made me lose my load, you s.o.b.'s, but you haven't got anything on me!" Templeton in his usual quiet, unruffled manner said that he wanted to board his boat and look it over, which we did. We found no liquor, but we also found no life preservers, and no whistle, siren or bell,

all required on motor boats. He had also failed to show running lights while underway. Each of these deficiencies carried a fine of \$100. Worst of all, he had no copies of the "Pilot Rules" on board, two of which the regulations required. This infraction carried a \$250 fine. So we duly arrested him and took him to our headquarters on St. Albans Bay and then to the Franklin County sheriff's office. Later we seized his boat. Snyder succeeded in raising money for his fine and later bought the boat back at auction. Within a month or so he was back on the lake again.

During my second year on the Boat Patrol, early in the summer of 1926, three of us had been cruising around near the New York shore about opposite Burlington. We had stood our usual two hour watches, and about 4 or 5 a.m. we all turned in on the bottom of the boat and went to sleep. Later, Snyder told a story which, whether it was true or not, certainly was amusing and could have happened.

We had not seen him on the lake and wondered whether he would return from New Jersey for another season. According to Snyder, he returned about the first of June. One night not long afterward he set out on a trip up the lake from the Canadian border to deliver a cargo of scotch and fine liquors (it was more likely beer!) to Whitehall, New York, at the head of the lake. It was a foggy morning with poor visibility. He said that he had reached the approximate location of Schuyler Island when suddenly ahead of him appearing out of the morning mists was a Chris Craft flying the United States Customs flag and apparently drifting with no one in sight. He said that he approached the boat very quietly and, peeking inside, saw three forms swaddled in blankets on the floor of the boat. He slowly reversed gears and quietly circled the boat and went on his way to deliver his load as planned. True or not, it made a good yarn, and we came in for kidding.

Our third direct encounter with Snyder occurred a month or so later. Captain Hugh Lyons, George Graves and I were scheduled to go out on patrol, but, as the night was windy with scattered showers, we thought it useless to take the boat out. Instead the three of us decided to drive around Malletts Bay, for we had heard rumors that a load of liquor had come ashore there. As we drove along the south shore of the Bay near Marble Island, then occupied by the Lake Champlain Club, we saw two empty trucks, with their headlights off, turn into the club roadway. The drivers had foolishly called our attention to the fact that they were up to no good. We followed them cautiously to a point near the club but well out of sight and sound of the trucks which had moved on toward the shore. We parked our car and carefully made our way toward the shore where we heard sounds of great activity, with much heaving and hauling, apparently from men loading the trucks with heavy cargo. By this time the weather had cleared, and a full moon improved the visibility.

We took our time and moved slowly, because by then we knew that the smugglers were loading bags of beer or liquor into the trucks, and, if so, we might as well let them do the heavy work. When they had finished, we bolted across an open field in bright moonlight, since there was no other path. When they saw us, they took off for the bushes. I remember firing a few blank shots from my .32 and yelling. The men scattered, but we picked up two of them. The trucks were loaded, as we had suspected, with bottles of beer sewn into bransacks. Captain Lyons took the two prisoners to jail in Burlington, and George and I remained quietly on the beach waiting for the other smugglers who might have thought that we had left with Lyons and his captives. Soon we heard sounds of activity near a small summer house on the lakeshore where we arrested a third man. We were sure that there were several more around, but could not locate them. After several hours Hugh returned with other officers from St. Albans. In the midst of this uproar the manager of the Lake Champlain Club appeared on the scene, apparently much surprised to learn that beer had been landed on his beach, although the evidence suggested that part of it was for his club.

As we drove back along Mallett's Bay Road toward Burlington in the early forenoon, whom should we encounter but Snyder tramping along the highway a mile or so from the Lake Champlain Club. We had no direct evidence against him and could not arrest him, but we stopped and asked him what he was doing so far from home. He replied that he was taking a morning constitutional so, being good fellows, we picked him up and gave him a ride into Burlington.

The men we did arrest were rather forlorn characters. I presume they had been paid \$5 or \$10 apiece, if that, to do the work. Some weeks later they were arraigned in Federal Court in Burlington. We testified against them, and they were found guilty, fined, and released.

The total size of the haul was 9,600 bottles of Canadian ale and beer, one of the largest seizures made by the patrol in the early days. We destroyed the cargo by loading it into an old barge which we towed into the middle of St. Albans Bay where we smashed the bottles with hammers and axes and dumped them into the water.

We suspected that friend Snyder had once owned the barge. It had become government property one sunny day as we cruised from St. Albans to Burlington with Jack Kendrick and several men. While in the main channel of the lake a bit west of the Rutland Railroad fill, we saw an object which, from a distance, looked like a floating log. Whenever we found logs or other floating hazards to navigation, we dragged them ashore. As we approached the presumed log, to our surprise we saw instead a sort of barge anchored in such a way that the top of it lay awash. About ten feet long, six feet wide and four feet deep, it had a hatch on the top



The small building on the right at the Rouses Point-Alburtz railroad bridge served as the final headquarters of the Patrol.

which, when removed, disclosed a cargo of sacks of beer which weighted the barge sufficiently to keep it awash. Presumably towed by a small boat in stages over several nights, we assumed that the smugglers would tow it as far as they dared during the night hours and would then anchor it in the hope that no one would discover it during the day. We towed the barge with its contents back to St. Albans Bay and again destroyed the alcoholic contents. The 1932 clippings from the *St. Albans Messenger* refer to a "submarine" bought at auction. Jack Kendrick later told me that this was the same barge which we had found floating in 1926.

In the summer of 1926 as we cruised along the west shore of the lake near Isle La Motte, with Jack Kendrick at the helm, we noticed a small outboard motor boat with no running lights close to the New York shore. As we cautiously approached it, the boat veered to the west and turned into the Chazy River. Two men were on board, neither of whom saw us. Kendrick, nattily dressed in well-pressed white duck pants and white shoes, blue jacket with brass buttons and white peaked cap bearing the Customs insignia, slowly followed the boat up the river and slipped up alongside without the men being aware that they were being followed. Kendrick turned the controls of our boat over to one of us and stepped lightly into the outboard motor boat. The men looked up, startled, and one of them exclaimed, "Jesus H. Christ!," whereupon Kendrick, very much the captain, replied, "No, only the United States Customs Patrol." These were very small operators, but we still seized their boat and a relatively small load of liquor.

Some years after my time on the lake, the patrol met with a near tragedy, which fortunately had a happy ending. In the summer of 1932, the patrol sighted a 28-foot Chris Craft runabout on a moonlit night.



Officer George White destroying seized contraband.

Patrolmen Laurence Iazard and Armand Lavigne pursued the craft and brought the Customs boat alongside. Iazard boarded the boat at the stern. Two smugglers were in the bow; they rushed aft and struck Iazard on the head and body with a club, knocking him unconscious and tossing him overboard. Not realizing that his companion had been thrown from the boat, Lavigne continued the chase until the much speedier Chris Craft outdistanced him. He returned and by good seamanship and amazing luck found his companion floating in the water unconscious but sustained by a kapok life jacket which he wore under his clothing. Fortunately, Iazard recovered. Later the patrol discovered the empty Chris Craft in Otter Creek near Vergennes.

Among the other seizures made in 1932 one involved *Old Pops*, the 45-foot speedboat which the patrol captured before I joined. After several years of duty, the old boat was sold, apparently to a bootlegger. The patrol re-captured *Old Pops* in 1932 with a large load of beer and wine in the main channel of the lake west of Grand Isle. A newspaper account stated that: "The Old Pops, a powerful craft, was one of the first speedboats seized by the Lake Patrol seven or eight years ago. It had been fitted out with a cabin for patrol service and used for several seasons until a cabin cruiser was added to the Lake Champlain fleet. After its sale at auction, the cabin and all other extra weight was removed by the new owners and the Sterling engine replaced by two Liberty motors before returning to rum running."

In the middle of August, 1931, the patrol did suffer a tragedy as members seized a 40-foot motor launch carrying a load of scotch and rye whiskey. Jack Kendrick was in the Customs craft accompanied by Lavigne and L.E. Babcock. Near the middle of the lake they had heard a boat without running lights approach from the north. Kendrick ordered tracer bullets fired over the heads of the bootleggers who continued on their way. Kendrick then turned his spotlight on the fleeing craft, revealing two men feverishly engaged in throwing their cargo overboard. One of the patrolmen grabbed a bag filled with bottles and negotiated it into the Customs boat. Overtaking the launch, Lavigne boarded it and arrested the three occupants. Inspector Babcock, attempting to board the seized boat, fell overboard. He immediately sank beneath the surface, and his body was never recovered.

Most of the operations of the patrol lacked glamor; they usually involved hard work. Dr. Cyrus D. Eastman, now of Woodsville, New Hampshire, who served on the Boat Patrol several years after I left, told me about an experience which he had in the summer of 1927. At that time a steady procession of tugboats plied the lake from Canada to the Champlain-Hudson Canal near Whitehall. They pulled or pushed cargoes of hay and lumber, and the patrol always suspected them of carrying liquor as well. In 1927 an informer reported that a certain tugboat had a large cargo of beer on board. The patrol unloaded the tug in Burlington during the hottest two or three days of the summer as the *Burlington Free Press* and the *Daily News* reporters and photographers covered the hard labor and wrote amusing accounts of the arduous search which failed to locate a single bottle of beer.

Throughout my service none of the bootleggers we chased fired at us, though I understand that this did occur several times during the years after I had left the patrol. However, as far as I have been able to determine, no one was ever hit. Nor to the best of my knowledge did the bootleggers ever try to bribe the Customs officers on Lake Champlain. Most of the contraband, after all, crossed the border by automobile, and, by comparison, the rum running operations on the lake were relatively trivial. We did read in the press of bribery in other parts of the country.

A month after Franklin Delano Roosevelt's sweeping victory, Republican Senator John J. Blaine of Wisconsin presented to the Congress a joint resolution calling for submission to the states of the 21st Amendment, which would end prohibition. On December 5, 1933, Utah, the thirty-sixth state, cast the deciding ballot for the amendment, thus allowing the President to sign a proclamation which announced repeal, and with the demise of prohibition the saga of the United States Customs Boat Patrol on Lake Champlain ended.



Officer Armand "Midget" Lavigne standing in "Old Pops" after the Patrol seized it in 1932 for the second time. Note the bags of beer on the shelf where the smugglers could quickly dump the contraband overboard.

NOTES

¹When it occurred to me to record some of my recollections of the summers of 1925 and 1926 work for the United States Customs Patrol on Lake Champlain, it dismayed me to learn that all of the other participants had either died or disappeared from the scene. I was fortunate to chat with Mrs. Jack B. Kendrick (St. Albans, 1978), widow of the dashing commander of the Patrol, who was the only person I could locate who was familiar with the Patrol from its start in 1923 to its end in 1933. Along with the treasures from her vivid memory, Mrs. Kendrick also provided a few clippings and official documents.

Dr. Cyrus B. Eastman, M.D. (letter, 1978), a semi-retired physician from Woodsville, New Hampshire, and Armand L. Lavigne (letter, 1979), now of Syracuse, New York, both provided important information. (Lavigne was the bantam weight champion of Vermont when he served on the Patrol and was best known to his peers as "Midget.")

When I attempted to locate the official records of the Patrol, I discovered that they had all been destroyed, not only in the Customs House at St. Albans, but also in the regional office in Boston and the national office in Washington, D.C. Letters to the author from William Thornton, Collector of Customs, District #2, St. Albans, Vt., 1978; Anne K. Lombardi, Public Information Office, United States Customs Service, Department of the Treasury, Boston, Mass., 1978; and Richard J. McGowan, United States Customs Service, Department of the Treasury, Washington, D.C., 1978. Inquiry to the National Archives proved equally unproductive. Letter to the author from James L. Harwood, National Archives, 1979.