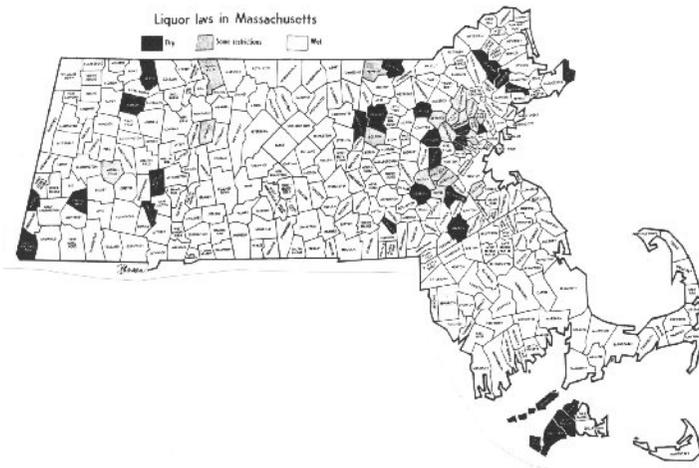


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This map, published in the Christian Science Monitor on October 12, 1970, shows the 30 communities still “dry” at that time. Today that number stands at 12.

“Spirituous & Intoxicating Liquors:” Alcohol Regulation in Weston

[Editor’s Note: As Weston prepares to vote at the May Town Meeting on whether to establish a restaurant at the Josiah Smith Tavern—a restaurant that, for economic reasons, will need to have a full bar—this article provides an answer to the question “How long has Weston been a dry town?”]

Despite their straight-laced reputation, the Puritans were not abstainers. Hard cider was the daily drink. Distilled spirits were a popular feature at marriages, funerals, ordinations, and meeting house raisings. Rum and cider were important to the economy throughout New England.

In his *History of the Town of Weston, Massachusetts: 1630-1890*, Col. Daniel S. Lamson writes about the role of alcohol in the 18th century, a time when water was often unsafe to drink and tea was a luxury. With a hint of irony, he describes the differences between that era and the 1880s, when he was writing his history:

In these days of much-talked-of prohibition it seems strange to look back to the time when our progenitors never looked upon water as made to drink. In fact, water was scarcely used by them as a common beverage. New England rum and cider were looked upon as the proper drink. Tea was a luxury, used in sickness or on special occasions of social gatherings. It was purchased by the ounce. Coffee was not in general use, and among farmers never seen on the breakfast table, as now. Two quarts of rum and a pint of molasses was the weekly allowance of the average family. This was independent of the frequent potations of flip--a home-made beer of hops, heated by a flip-iron always at hand. The rum and molasses charges in the books of retailers and grocers in early days are a sight that would overturn the equilibrium of our Prohibitionists. (Lamson, 105)

In Lamson's day, women were at the forefront of the temperance movement. In contrast, he describes his colonial foremothers adding to the domestic supply of spirits by making wines and cordials:

The women aided and abetted in the general use of wines and liquors, but their brew was of their own make. In every house could be found an abundance of currant, elderberry, and noyau wines. [Ed. note: noyau wine was a cordial flavored with the kernel of a bitter almond or peach stone.] No visitor, however humble, was allowed to depart without an invitation to the sideboard or cupboard. To have overlooked this act of hospitality was an offence not to be forgotten or readily forgiven. (Lamson, 105)

Weston also had a brewery or "malt house" operated by the Livermore family at the west end of what is now Boston Post Road.

Lamson believed that the regular imbibing of rum, malt beverages, hard cider, and domestic wine did not create the same problems in colonial Weston as it did in his own time. His explanation was that the hard work needed to survive in a harsh environment was not conducive to abuse:

Notwithstanding the universal use of spirits, confined to no one class and forming a part of all contracts between master and servant, there was little or no drunkenness, as we see it in its disgusting form in our day. The men drank hard, perhaps; they certainly drank often; but they worked hard, and black-strap was with them an article of food as well as drink. (Lamson, 105)

In asserting that excessive drinking was seldom a problem for the sturdy, God-fearing farmers of colonial days, Lamson demonstrates his tendency to idealize the past.

The Role of Taverns

Colonial innholders and retailers were required to register with the Middlesex County Court of Sessions. The earliest Weston resident to do so was Thomas Woolson, who obtained his first license in 1686. In an article in the March 1973 *Weston Historical Society Bulletin*, Brenton H. Dickson III reported that Woolson was apparently selling liquor before that, because in 1685 he was convicted “of selling strong drink without license, contrary to the law. . . [and] fined twenty shillings or to sett one hour in the stocks and to pay costs of eight shillings.”

Considering that the community did not have its own church until the “Farmer’s Precinct” was set off from Watertown in 1698, it is clear that taverns were an essential element of life in early Weston. Two mid-18th century tavern buildings have survived: one operated by Josiah Smith and his descendents (358 Boston Post Road) and the second by Isaac Jones at the Sign of the Golden Ball (662 Boston Post Road). Two other prominent taverns, run by John Flagg and by the

Woolson family and later Samuel Baldwin, were located near 725 and 625 Boston Post Road respectively. A number of other taverns operated at various times along the Post Road and Weston’s other major travel route, North Avenue.



The Flagg Tavern was operated by John Flagg from the late 1770s until 1812, then by others until about mid-century. The building, which stood near the present 725 Boston Post Road, was destroyed by fire in 1902.

Lamson writes about the prevalence of taverns and their essential role in hosting travelers along main routes such as Boston Post Road:

It has been found impossible at this late date to give what would otherwise be a highly interesting history of the old-time taverns that existed in such great numbers throughout Massachusetts previous to, and for many years after, the Revolution. It is often asked how it was possible for so many taverns to have been profitable in so close proximity to each other, as was the case in every village along main routes throughout New England. The main road through Weston was the most important thoroughfare in early days, connecting Boston with Connecticut, New York, Pennsylvania, and Washington. (Lamson, 186)



Detail of 18th century wood panel depicting what looks to be a gentleman with punch bowl and wine glass.

There were few houses of any importance in all these years that had not first or last served as taverns. It was the most profitable business of all country towns along the main arteries of travel. It was not unusual for fifty to one hundred teams to be put up over night at a single tavern. (Lamson, 190)

While the latter statement would seem to be an exaggeration, it is clear that taverns thrived through the late 18th century. The number of public houses more than doubled in Middlesex County between 1730 and 1770, from 106 to 231.

In addition to hosting travelers, taverns were important community gathering places where all levels of society could socialize and discuss public issues. Official and semi-official business was conducted there, too; for example, the Proprietors of the Great and Common Field in Concord held their annual meeting at a local tavern. Taverns also provided a venue for yet another activity that would become a target of 19th century reformers: gambling. Note in Lamson's nostalgic

description of tavern life his observation that card-playing was a common practice for all ages and social classes:

It is deeply to be regretted that much of the jovial and social life within these taverns has not been handed down to us. Gambling, or, perhaps more correctly speaking, card-playing, was before the Revolution, and for many years after, a common practice, not by any means confined to any one class of people, but prevailed generally among rich and poor, old and young alike. (Lamson, 191)

Peter Thompson writes about tavern culture in his book *Rum Punch and Revolution: Taverngoing and Public Life in Eighteenth-Century Philadelphia* (1999). He argues that prior to 1750, taverns offered a vehicle for public discourse at all levels of society. As new and more class-based social institutions became available, the older notion of the tavern as a special place for the intermixture of social groups began to change. By the time of the American Revolution, different classes and political groups went to different taverns.

While Weston did not have the range of social institutions available in cities like Philadelphia or Boston, there is evidence that in the years prior to the outbreak of war, Tory sympathizers patronized the Golden Ball Tavern, whose proprietor, Isaac Jones, was known as a “friend of the government.” Those who favored independence would have likely imbibed at the tavern of Joel Smith, son of Josiah and a known “Liberty Man.”

According to Jack Larkin in his 1988 book *The Reshaping of Everyday Life, 1790 to 1840*, the decades after the Revolution witnessed a striking upsurge in liquor consumption. This created a strong backlash in the form of attacks on all types of drink.

The Temperance Movement

The early 19th century temperance movement was an organized effort to encourage moderation or complete abstinence from alcohol. Its ranks were filled with women who, along with their children, suffered because husbands and fathers abused alcohol. Alcohol was blamed for many of society’s ills, including severe health problems, destitution, and crime.

Among the earliest temperance organizations were those founded in Saratoga, New York, in 1808 and in Boston, where the Massachusetts Society for the Suppression of Intemperance was founded in 1813. The movement spread through the formation of hundreds of voluntary societies and the mass distribution of printed appeals. Religious revivalism of the 1820s and 30s stimulated movements toward perfection in human beings. Sometimes known as the First Reform Era, it

was a period of sweeping humanitarian reform including crusades against alcohol, gambling, and slavery, and in favor of civilized manners and good conduct. Prominent physicians like Benjamin Rush warned Americans that beverages once considered healthful were poisonous to body and soul.

The precedent for seeking temperance through law was set by a Massachusetts law passed in 1838 and repealed two years later. The law, which was aimed at retailers, prohibited sales of spirits in less than 15-gallon quantities. Lamson wrote about its unintended consequences this way:

About the year 1830 commenced the temperance and anti-card-playing crusade, resulting in 1838 in the first stringent laws against liquor selling, and especially against retailers. This movement led up to the famous "fifteen-gallon law," the result of which was that, from being obligated to have a large quantity of spirits on hand at one time, old toppers were perpetually drunk. (Lamson, 191)

Lamson reports that George W. Cutting, respected proprietor of Cutting & Sons general store in the center of Weston, was arrested for the sale of liquor sometime in 1838 or 1839 and taken to a Cambridge jail. (Lamson, 120).

According to Jack Larkin in the above-mentioned book, by 1840 alcohol consumption had declined by more than two-thirds in the nation as a whole, from almost four gallons per person per year to less than one and a half. (Larkin, 296) It probably declined even more in New England, where the temperance movement was especially powerful. Larkin writes that the movement was also stronger in rural towns than in cities, "where those who wished to drink and carouse could do so under less watchful eyes."

Mid-19th Century: From Moral Persuasion to Legal Prohibition

By the mid-18th century, temperance crusaders had completed the transition from moral persuasion to legal coercion. In 1846, Maine passed the first statewide prohibition law that, as revised in 1851, became the model for other states. Between 1846 and 1855, more than a dozen states, including Massachusetts, passed prohibition laws.

In 1855, the Massachusetts legislature passed a resolution prohibiting the sale of intoxicating liquors except by authorized agents. Officers were authorized to arrest, without warrant, any person found in the act of illegally selling or distributing such liquors. In Weston, the Selectmen appointed Joel Upham as its sole



The Cutter farm specialized in cider and vinegar. The massive barn and three-story cider mill were located just south of South Avenue near Park Street. Benjamin Franklin Cutter (1827-1903) also made champagne cider filtered through fine sand from a beach in Ipswich. His granddaughter Alice recalled Harvard boys coming to the house to try to buy the fermented brew.

agent, in a resolution defining his job as follows:

... agent for the purchase of spirituous & intoxicating liquors to be used in the arts, or medicinal, chemical & mechanical purposes only, and also to sell the same for such purposes and no other as the law directs. To be kept and sold at his present dwelling house in Weston.” (Town of Weston records, June 19, 1855)

Upham was reappointed every year through 1867, with an annual salary of \$30.

One consequence of the temperance movement was the closing of taverns. The tavern established by Josiah Smith in 1757, for example, closed in 1838—a date coinciding with the passage of the “Fifteen Gallon” law. The temperance movement was not the only reason for the decline of taverns. Business was hurt by changes in transportation patterns, including the coming of the railroads and decline in stagecoach travel. Lamson writes that by the mid-19th century, Weston was not only “dry” but also completely lacking in public overnight accommodations:

So great has been the change in this respect in Weston that for more than thirty years there has not been an abiding-place for man or beast in the town outside of private hospitality. (Lamson, 192)

Post-Civil War Period

The next important legislative changes occurred between 1867 and 1870. The 1855 Massachusetts state law had prohibited the sale of all intoxicating liquors, including beer, ale, and cider, and also forbade the sale of any “mechanical or medicinal potions” by anyone except agents appointed by the state. In 1867, petitioners proposed a licensing system to regulate rather than totally prohibit the sale of alcohol. The bill was rejected but proponents continued to press their case. The governor at the time, Republican Alexander Bullock, refused to sign an early version of the licensing bill, commenting as follows:

The fourth section of the bill throws open public bars and tipping houses in every quarter of the state. It is destructive to the influences of the family and the fireside, adverse to good morals, and repugnant to the religious sentiment of the community.

In 1869, the legislature enacted a prohibitory liquor law (1869, Chapter 415), but the following year, the law was amended to permit the sale of ale, lager beer, strong beer, porter, and cider in towns and cities where inhabitants voted to authorize such sale. Hard alcohol, defined as “pure and unadulterated spirituous or intoxicating liquors, and malt liquors” could still be obtained only from licensed druggists and apothecaries “for medicinal, mechanical or chemical purposes only.” (1870, Chapter 389)

In 1875, after five years of back-and-forth legislative wrangling, the 1870 law was rewritten and expanded, allowing licenses to be granted annually by the town’s governing body, which in Weston is the selectmen. The law created five classes of licenses differing in the types of alcohol allowed and whether it could be drunk on the premises. The town was allowed to collect fees, with a percentage to



Francis Blake

Thursday Evening Club
24 April, 1902.

Boston & Albany Railroad Co., 140 fares,	\$14.56
H. L. Lawrence Co., Turkeys & chickens,	17.35
Somerset Club, Cigars & cigarettes,	16.60
S. S. Pierce Co., Cigars,	17.00
Charles G. Tinkham, Barges,	36.00
B. Johnson, Sweetbreads,	17.50
Deerfoot Farm Co., Cream,	4.20
R. Hollings & Co., Wiring for wireless teleg.	7.17
Masten & Wells Fireworks Mfg. Co., Owl Lights,	19.12
Charles Evans, Waiters,	23.80
10 Qts. Apollinaris Water,	1.80
13 " Burgundy, Chambertin 1883,	45.00
19 " Champagne, Moet 1893 Cuves 81,	57.00
Rich & Matthews, Oysters, Salmon & Lobsters,	33.73
Philadelphia Ice Cream Co., 18 Qts.,	8.80
Isaac Locke & Co., Lettuce,	1.00
Daniel P. Wise, Cake & rolls,	2.55
Gas and electric light, (estimated-	5.00
Total:-	\$328.18

81 persons present.

Francis Blake (photo opposite) enjoyed expensive spirits and maintained a large wine cellar. He kept careful records when he entertained. Note that for the 1902 meeting of the prestigious Thursday Evening Club, his 81 guests drank 13 quarts of fine Burgundy and 19 quarts of high-class champagne.

be remanded to the state treasurer. (1875, Chapter 99)

For four years following passage of this law, Weston selectmen did not bring the issue to voters. Perhaps they were making a unilateral "No License" decision. It was not until 1881 that Town Meeting was asked to vote "to see if the Town will vote yes or no to grant licenses for the sale of intoxicating liquors." The question was defeated by a vote of 65 "no" to 6 "yes". The

following year, the vote was a similarly lopsided 71 against and 7 in favor. Although 1881 appears to have been the first year of an official "No License" vote, the town had been effectively "dry" for decades.

Alcohol in Turn-of-the-Century Weston

Although late 19th and early 20th century Weston had no bars or retail outlets for alcoholic beverages, this did not mean that all its residents were abstainers. Prominent estate owner Francis Blake was renowned for his discriminating taste in food and wine. His estate, Keewaydin, had a large wine cellar, and Blake saved extensive correspondence with New York wine dealers regarding choice wines ordered by the case, aged Scottish and rye whiskey, and expensive champagne. He kept a scrapbook of wine bottle labels, along with the receipts, and often recorded what wines and liquors he served his guests and how many bottles they drank.

In her diary, Blake's wife, the former Elizabeth Hubbard, records details of a small picnic held for her 19-year-old daughter, Agnes, during her debut year, 1895. Guests were picked up at the train station in a hay wagon and enjoyed an afternoon of games and lunch including ice cream, strawberries, and champagne.

Blake served as a selectmen from 1890 to 1910. As a public official, he was concerned about problems caused by alcohol, and he supported the town's annual "no license" vote. His position is made clear in a private letter to Alfred L. Cutting in May, 1900, regarding the proposed introduction of street railways through Weston:

I . . wonder whether you have considered. . .whether the establishment of a frequent, rapid and cheap method of transportation between our town and Waltham would not practically deprive us of the moral advantages hitherto derived from our yearly "no license" vote.

My own well stocked wine cellar and daily habits do not permit me to masquerade as a "total abstainer", but I am nevertheless, strongly of the opinion that grave evils to our community would result from a close connection between our rural village and the licensed bar-rooms of a factory city. (Mass Historical Society, Blake Papers, 65.936)

Cutting replied the following day as follows:

Any good thing may be abused, and I hardly think it would be fair to deprive the many people who would use the Electric Cars. . .of their rights, simply because some might take this way of getting their drink. . .

Alice Tyler Fraser was born in Weston in 1903 and grew up in local farm family of comfortable means. Her grandfather, Benjamin F. Cutter, and later her Uncle Charles ran the family cider and vinegar business. In an interview with Regis College student Dianne T. Murray in 1969, Alice remembered a woman who came to her grade-school class and spoke to students about the evils of drink. Each child was requested to sign a pledge, promising that he or she would never touch liquor. Alice declined to sign because the pledge required abstinence from hard cider as well, and her uncle's cider mill also made champagne cider.

In the 1969 Murray interview, Alice Fraser recalled that drinking was not a thing that young people did when she was growing up in the first two decades of the 20th century. She and her contemporaries were raised in the temperance era. Alice noted that she never saw a bottle of liquor in her house, and that it was not until her teens, when she was at a New Year's Eve party at an English friend's house, that she had a drink—a champagne toast. Not until college did she have a drink outside the family circle, on a blind date with a boy who brought a bottle of wine.

ORIGINAL LIQUOR PRESCRIPTION STUB
E378812

DATE PRESCRIBED _____

FULL NAME OF PATIENT _____

ADDRESS _____
NUMBER _____ STREET _____

CITY _____ STATE _____

AILMENT FOR WHICH PRESCRIBED _____

KIND AND QUANTITY OF LIQUOR PRESCRIBED _____

SIGN FULL NAME _____ M.D.

ADDRESS _____
NUMBER _____ STREET _____

CITY _____ STATE _____ PERMIT NUMBER 97

ORIGINAL PRESCRIPTION FORM FOR MEDICINAL LIQUOR
E378812

R

KIND OF LIQUOR _____ QUANTITY _____ DIRECTIONS _____

FULL NAME OF PATIENT _____ DATE PRESCRIBED _____

PATIENT'S ADDRESS _____
NUMBER _____ STREET _____ CITY _____ STATE _____

PRESCRIBER'S SIGNATURE _____ PRESCRIBER'S PERMIT NUMBER _____

PRESCRIBER'S ADDRESS _____
NUMBER _____ STREET _____ CITY _____ STATE _____

CANCELED _____ DRUG STORE NAME AS ON PERMIT _____ PERMIT NUMBER _____

DISPENSER'S SIGNATURE _____ DATE FILLED AND CANCELED _____ STRIP STAMP NUMBER _____

STORE ADDRESS _____
NUMBER _____ STREET _____ CITY _____ STATE _____

SEE REVERSE SIDE FOR INSTRUCTIONS
DO NOT REFILL OR TRANSFER UNDER PENALTY 97

FORBIDDEN UNDER PROVISIONS OF THE NATIONAL PROHIBITION ACT

This official government form from the 1920s was needed during Prohibition to acquire whisky by prescription for strictly medicinal purposes.

Prohibition

The efforts of the Prohibition Party, founded in 1869, along with the National Woman’s Christian Temperance Union (WCTU, 1874) and the Anti-Saloon League (1893), helped prepare the way for passage in December 1917 of the 18th Amendment to the Constitution, prohibiting the “manufacture, sale, or transportation” of intoxicating liquors for beverage purposes. National prohibition became law in January 1919, after the amendment was ratified by three-quarters of the states.

The Weston chapter of the WCTU was organized in November 1920. Miss Laura E. Jones and Mrs. Bessie Jones, sister and wife of estate owner Charles H. Jones, conducted devotional exercises at the initial meeting at First Baptist Church, where Mrs. Charles E. Peakes was elected first president. Attendees were advised that, although the 18th Amendment had been ratified, liquor traffic was by no means dead; and much work remained before Prohibition became a fact.

The illegal manufacture, sale, and consumption of alcohol continued in Weston as elsewhere in the country. According to Brenton H. Dickson III in *Once Upon a Pung*, moonshiners tried to avoid detection by operating in the more remote southwest part of town. Dickson recalled a raid on a still off Pine Street and on a Winter Street operation described as the town’s finest:

New plumbing fixtures and flues were installed in a house to convert it into an efficient operation. The owners made the stupid mistake of dump

ing their refuse into a brook that flowed past the house. As the water became more polluted, downstream neighbors complained of the smell. Suspicion was aroused. The Federal Agents were notified and subsequently a raid was staged. (Dickson, *Pung*, 54)

Rumors abounded of rum-running at the small airport at Winter and Brown Streets, which acquired a bad reputation that led to pressure to shut it down. On Bogle Street, a “tea room” in a converted farmhouse was patronized almost exclusively by Wellesley college students, who smoked and were rumored to be searching for beverages more stimulating than tea.

Weston Continues as a Dry Town

The 18th Amendment was repealed by the 21st Amendment, which was fully ratified by December 1933. Weston continued to exercise its local option to prohibit licenses for the sale of all types of alcohol, whether on the premises or packaged for home consumption. In 1940, for example, voters turned down the sale of all types of alcohol by a vote of 376 “yes” to 1617 “no.” That same year, a larger percentage voted “yes” on the sale of alcoholic beverages in packages (609 vs. 1372). Voters were always more favorably disposed to approve package stores, although “no” votes always outnumbered “yes” by at least two-to-one.

In 1970, Weston was one of 30 Massachusetts communities that remained dry. As of April 2007, Weston was one of only 12 such towns, the others being Alford, Chilmark, Dunstable, Gayhead, Gosnold, Hawley, Montgomery, Mount Washington, Tisbury, West Tisbury, and Westhampton. The lack of licensed liquor stores and restaurants has not precluded the serving of alcohol at country clubs and at private functions at Regis College, Henderson House of Northeastern University, and other venues. In addition, Weston residents patronize liquor stores conveniently located over the town line in adjacent communities.

In May 2004, Town Meeting voters defeated a home rule petition authorizing the selectmen to issue up to two licenses for stores to sell “wine and malt” but not spirits. No license would be available to a restaurant or bar. The petitioner stated her opinion that the town would benefit from the convenience of a fine wine store. The measure was defeated by a vote of 67 to 97. In 2006, Weston Town Meeting approved a statewide ballot initiative to allow local authorities to issue licenses allowing food stores to sell wine. The ballot vote was 2590 “yes” to 2302 “no.” In May 2007, Town Meeting voters agreed to allow the Omni grocery store to sell wine. Before this can go into effect, the change must be approved by ballot vote this May.