

Local and Special-Purpose BAR ASSOCIATIONS

The Iron County Bar Association

Martin McDonough and the Rum Rebellion

By Hannah Goodman

For more than a century, the Iron County Bar Association and its members have played an instrumental role in fashioning the area's history. The establishment of the association predates the birth of the State Bar of Michigan by several decades, and over the years it has benefited from a dedicated membership of local attorneys committed to serving the needs of its community.

In the early 1920s, an event that received national attention and is still celebrated today in Iron County as the "Rum Rebellion" involved local state's attorney Martin McDonough, who also served as president and secretary of the Iron County Bar Association. On February 25, 1920, McDonough intervened on behalf of the city of Iron River to protect its famous heritage of home winemaking, which thrived in the community despite the threat of prosecution during Prohibition. Major A.V. Dalrymple, federal Prohibition agent, came to Iron River to stop the community's alleged defiance of the National Prohibition Act (known informally as the Volstead Act) and, specifically, seize eight barrels of red wine rumored to be stored in the basement of a local mercantile. For several weeks, Iron River received national attention as the standoff over the destruction of the wine barrels played out across front pages nationwide.

The mercantile basement provided an ideal storage location for the large supply

of wine created from California grapes that had been infamously labeled by the community as "Dago Red." Prohibition did not deter the group of merchants from making wine, relying on a loophole in the National Prohibition Act that allowed people to make "non-intoxicating cider and fruit juice exclusively for home use" as long as it was not sold or delivered except to "persons having permits to manufacture vinegar."¹

When an unanticipated surplus of grapes arrived by rail, the merchants were left with no option but to crush a significant amount into wine to prevent them from spoiling, setting the landscape for the federal raid in Iron River. Local officers learned of the wine and raided the mercantile, seizing roughly 400 gallons of wine. Using the legal system to his advantage while keeping in mind the best interests of the community, McDonough demanded that the officers return the wine as they had failed to present an authorized warrant, thus violating the local citizens' due process. A second wine raid took place five days later, and once again, McDonough demanded that the wine be returned for failure to present a valid warrant.

McDonough is said to have stated, "If federal authorities attempt to remove the wine again, open fire on them."² Despite the evidence to the contrary, McDonough refused to admit that the local citizens were violating Prohibition law. His adamant refusal resulted in Dalrymple's arrival.



Photos courtesy of the Iron County Historical and Museum Society

State's attorney Martin McDonough is remembered in Iron County as the attorney who challenged the right of federal Prohibition agent Major A.V. Dalrymple to arrest, without a warrant, any citizens involved in local winemaking operations.

Dalrymple came to Iron River to arrest McDonough, the merchants, the chief of police, and the deputy sheriffs—all of whom he felt violated Prohibition laws and openly rebelled against the U.S. government. Dalrymple promptly requested a search warrant from H. B. Hatch, federal Prohibition commissioner, for a third raid on Iron River. Hatch directed Dalrymple to District Attorney Myron Walker, who reasoned that in



Jack Singler Dray Company unloading confiscated wine barrels and stills during Prohibition in Iron River, Michigan in 1920.

light of the seriousness of the case, agents were authorized to execute the raid without a warrant.

During their initial encounter, McDonough told Dalrymple that he was prepared to serve a warrant for his arrest for “publications of false and malicious stories” about McDonough and Iron County.³ The following morning, Dalrymple and his men packed 600 rounds of ammunition to raid the basement of a priest’s home where McDonough had moved the wine for safekeeping. Officers removed the barrels, rolled them into the alley between the St. Agnes Church and the local school, broke them open, and dumped the red wine onto the snow. Several days later, Hatch ordered Dalrymple to reach a compromise with McDonough.

Throughout his career, McDonough continued to fight against laws seeking to establish and enforce Prohibition. In the years preceding his death, McDonough shared a law practice with Les Fisher. In the late 1980s, McDonough was honored at an Iron

County Bar Association banquet; his contributions to Iron County were fondly remembered and shared with fellow bar members by Fisher, his colleague.

In the 1990s, the Iron County Courthouse was rededicated, an event attended by three Michigan Supreme Court justices and Judge V. Robert Payant, a former district, circuit, and probate judge in Iron County and president of the National Judicial College from 1990 to 1998.

While the Iron County Bar Association has not always enjoyed the same level of excitement that garnered national headlines in the 1920s, it has maintained its commitment to advocating for the community and its members. In the late 1990s, the association merged with the Dickinson County Bar Association in hopes that the resulting Dickinson-Iron County Bar Association would gain members and increased participation; however, in an attempt to revitalize participation in Iron County, the Iron County Bar Association determined it

could better serve the needs of its community through reorganization.

In June 2012, the Iron County Bar Association elected to reorganize. Nearly all of its local attorneys joined, resulting in an impressive 20-member organization. Since reorganization, the association has focused on educating the community about the legal system and ongoing changes through town-hall events such as “Ask the Lawyers.”

Our members have also demonstrated a continued commitment to law-related education. The Iron County Bar Association has actively participated in both Constitution Day and Law Day, offering programs to local schools and community members with the goal of increasing their knowledge of changing laws and their legal rights and giving back to the community in a positive way.

The current officers of the Iron County Bar Association are President Hannah L. Goodman of the Law Office of Steven J. Tinti, Vice President Jonny Waara of Petrucci & Waara, and Secretary-Treasurer Geoffrey Lawrence of Lawrence Law Office. ■



Hannah Goodman has served as president of the Iron County Bar Association since its reorganization in 2012. She is a graduate of Northern Michigan University and Thomas M. Cooley Law School. She practices at the Law Office of Steven J. Tinti in Crystal Falls in the areas of estate planning, elder law, and real estate.

ENDNOTES

1. Hathaway & Kegerreis, *The History of Michigan Wines: 150 Years of Winemaking along the Great Lakes* (Charleston: The History Press, 1970), p 38.
2. *Id.* at 41.
3. *Id.*