

# Fred Diebolt and Cleveland's Saloonkeeper Revolt

by Jack Sullivan  
Special to the Ohio Swirl

German saloons were numerous in Cleveland during the late 19th Century, their owners content with the steady business they attracted for their lager beer and genial atmosphere.

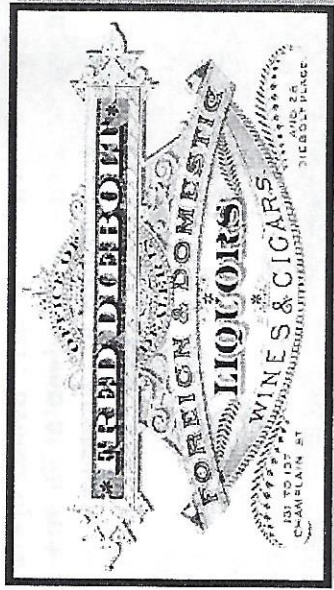
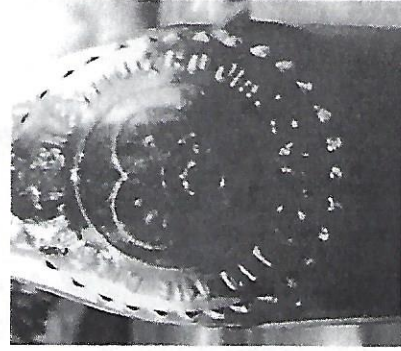
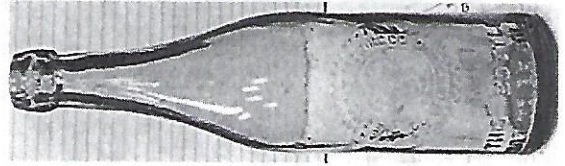


Figure 1

Then a freshman Ohio state legislator stepped up, wrote, and pushed through a law that ordered the state's saloons closed on Sunday, one of their busiest days. One liquor dealer and saloonkeeper named Fred Diebolt, rallied his colleagues to civil disobedience—with unforeseen consequences (Fig. 1).



Figures 2, 3, 4



Diebolt was a native Clevelander, whose father owned a bakery combined with a tavern. The family was related to the Diebolts who ran a local brewery. Diebolt beer bottles are shown here (Figs. 2-4). Fred apparently went to work for his father as he matured and in the 1870 census was listed as "saloon keeper." By 1871, with a partner, he was operating a bottling works in conjunction with a saloon at 76 and 78 St. Clair Street..

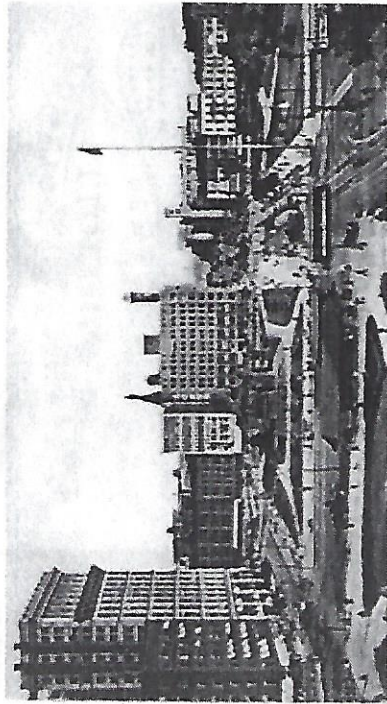


Figure 5

By 1879 Diebolt was operating a saloon and billiard parlor at 28 SW corner of Public Square (Fig. 5) and a wholesale liquor house at 47 Prospect. By 1881, apparently needing more space for his liquor sales, he moved to 133-137 Champlain (Fig. 6). This building of three stories gave him ample space to store whiskey

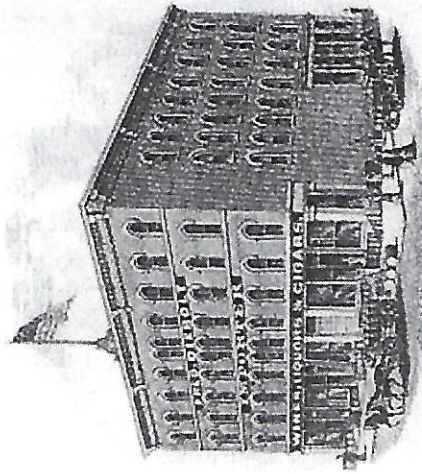


Figure 6

and other alcoholic products.

Enter Frank V. Owen, a lawyer from Mount Vernon, Ohio, 105 miles south of Cleveland (Fig. 7). In 1887 Owen ran for a seat in the state legislature and won. An opponent of alcohol sales he saw an opportunity to replicate the "Blue Laws" then in fashion throughout the U.S., statutes that banned specific activities on Sunday. He introduced a measure in the Ohio House requiring that all saloons be closed on Sunday. It passed and became law, a statute widely known as the "Owen Sunday Closing Law."



*F. V. Owen*

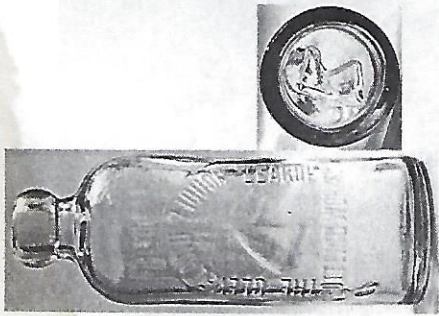
Figure 7

The news of this development hit Cleveland's German saloonkeepers like a thunderclap. Sunday was perhaps the busiest day of the week for those establishments. Germans, both Catholics and Lutherans, attended church services then whole families repaired to a tavern for beer, fellowship and perhaps a meal. The owners turned for leadership to Fred Diebolt, among the wealthiest and most influential of their group.

He was ready to give it. Defy the Owen Law, he advised. Stay open on Sunday. If all of us fail to comply, the authorities will have to back down. Twenty-one of his fellow German publicans took his advice. When the first Sunday mandated for closing arrived in August 1888, they stayed open. The police, alerted by news stories to this open defiance, arrived and the owners, including Diebolt, were arrested. Each requested a jury trial, hoping that acquittals would help null the law.

There were problems with Diebolt's approach. He was far from getting universal acceptance from his colleagues for the strategy. Many German proprietors rejected civil





disobedience. His plea to the Ohio Liquor League, a bottling coop of saloons — its bottle shown here (Fig. 8) — was unavailing. Churches, newspapers and prominent citizens called vigorously for enforcement. The police were pleased to oblige.

Diebolt apparently was the first to be tried. While Clevelanders watched in fascination, he was found guilty in his first trial by a jury said in the press to be predominantly German. Because of unexplained “irregularities,” however, that verdict was thrown out and he was granted a new trial. The second jury also found him guilty. The Judge was George R. Solders, a well-respected jurist and a man active in Cleveland’s German-American community. Many Clevelanders doubted that Judge Solders would mete out the kind of stiff sentence to Diebolt he often handed down to “poorer and less influential men.”

Solders proved up to the job. He fined Diebolt \$100 (equivalent to \$2,500 today) and sentenced him to ten days in the Cleveland Workhouse. Clearly stung by the result, Diebolt declared that he intended to carry the case to a court of appeals and, likely feeling the heat from his co-conspirators, announced that he planned to get out of town for a while. Meanwhile the remaining hapless German saloonkeepers were left to contemplate their fates.

I have not found the results of the other trials nor of Diebolt’s appeal. Cleveland saloons, however, all stayed shuttered on Sunday. Eventually, however, the Owen “Blue” Law” was overturned and Cleveland’s saloons and beer gardens were allowed to stay open on the Lord’s Day until National Prohibition in 1920.

Illustrations:

Fig 1: Fred Diebolt letterhead

Fig. 2: Diebolt beer #1

Fig 1: Fred Diebolt letterhead

Fig. 2: Diebolt beer #1

Fig. 3: Diebolt beer #2

Fig 4: Diebolt bottle detail

Fig. 5: Cleveland Public Square

Fig. 6: Fred Diebolt building

Fig. 7: Frank Owen

Fig. 8: Liquor League bottle