

THE TEMPERANCE MOVEMENT

IN

OKLAHOMA

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By

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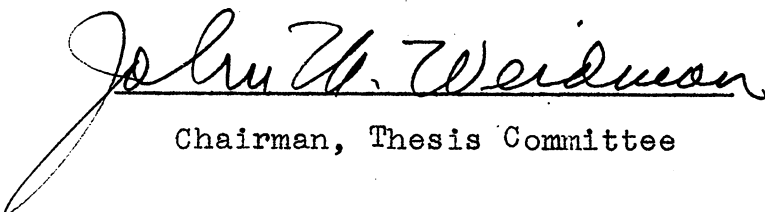
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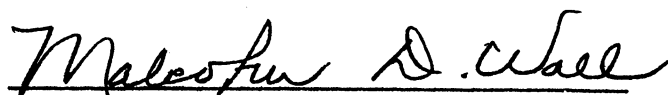
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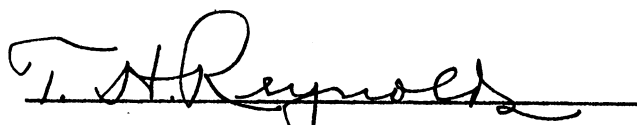
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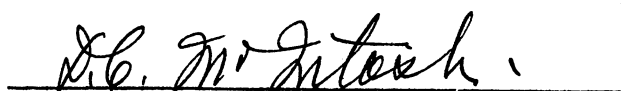
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To my father, James Henry LeGrand,
who was in the run of '89.

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Walter LeGrand

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CHAPTER I

THE CHEROKEES' FIGHT FOR PROHIBITION

In 1819 the Cherokee Indians enacted the first Prohibition law in American history.¹ Therefore, Prohibition was in force among the Five Civilized Tribes before they moved to the portion of Louisiana Territory that is now Oklahoma.

Upon arrival in Oklahoma the Cherokees set up their legislature at Tahlequah and passed laws for the tribe. The sixteenth law was one prohibiting the liquor traffic, and was even more strict than their Prohibition law in the old South.

Other tribes who came developed similar laws and since that time the Cherokees have clamored for protection from the white man's liquor; they have insisted on protection and fought for it with every resource at their command.

In 1834 Congress promulgated a Prohibition law to cover "Indian country," interdicting the manufacturing, sale and introduction of liquor therein. Among other early restrictions on liquor selling were regulations governing the Territory of Louisiana----taverns were regulated, requiring a license to sell, limitations on quantity sold, and prohibition of selling to minors, Indians, soldiers, and slaves under certain conditions.

¹ E. H. Cherrington, Standard Encyclopedia of the Alcohol Problem, Vol. 5, p. 2059.

Prohibition remained in Oklahoma Territory until April 22, 1889. At this time liquor men and gamblers came into the central counties of Oklahoma Territory with others in "the run." The region, still a territory, remained subject to the laws of the United States prohibiting the sale of intoxicants in Indian Territory. Captain D. F. Stiles, stationed in Oklahoma City with a large force at his command, tried faithfully to enforce the liquor laws, but had little success.

On May 2, 1890, Congress divided the territory in half, the eastern part remaining Indian Territory, and under Federal Prohibition laws, while the western half was organized as Oklahoma Territory. "Oklahoma" had been the popular name for the territory for some time. Beginning in 1869, many bills were introduced in the United States Congress providing for the organization of the Indian Territory as a federal territory with the name "Oklahoma." For many years these bills failed to pass, but the May 2, 1890 bill, known as the Organic Act, did pass Congress. Pointing out the need for stronger measures to control liquor in the Indian Territory, Section 37 of the Act dealt specifically with penalties for liquor law violations. Section 37 provided:

That if any person shall, in the Indian Territory, open, carry on, promote, make or draw, publicly or privately, any lottery, or

scheme of chance of any kind or description, by whatever name, style or title the same may be denominated or known, or shall, in said Territory, vend, sell, barter or dispose of any lottery ticket or tickets, order or orders, device or devices, of any kind, for, or representing any number of shares or any interest in any lottery or scheme of chance or shall open or establish as owner or otherwise any lottery or scheme of chance in said Territory, or shall be in anywise concerned in any lottery or scheme of chance, by acting as owner or agent in said Territory, for or on behalf of any lottery or scheme of chance, to be drawn, paid or shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined for the first offense, not exceeding five hundred dollars, and for the second offense shall, on conviction, be fined not less than five thousand, and he may be imprisoned, in the discretion of the court, not exceeding one year. And jurisdiction to enforce the provisions of this section is hereby conferred upon the United States court in said Indian and Citizens of Indian tribes and nations, shall be subject to its provisions and penalties.²

Oklahoma Territory included several Indian reservations which remained more or less under Federal Prohibition. In the rest of the Territory the license policy was instituted and was the law for sixteen years, alcohol and gambling running riot; breweries, distilleries and saloons springing up everywhere.

Outlaws went to Indian Territory where, with only four courts and eight judges to administer the law for the entire Territory, the reign of lawless-

² Joseph B. Thoburn, A Standard History of Oklahoma, p. 908.

ness and evil went almost unchallenged.

Prohibition involved all the Indians of Oklahoma, with the Cherokees waging the hardest fight to maintain Temperance. Aside from their natural interest in the fight, there was one other factor which had a lot to do with their interest in Prohibition----their location in Indian Territory. The Cherokee Nation was located in northeastern Oklahoma in the direct line of the liquor traffic.

The laws enacted by Congress were intended to prevent the introduction of whiskey, but white men could ply their trade profitably without violating them. At Fort Smith, Evansville, Maysville, and othertowns along the Arkansas and Missouri border, the principle industry was the retailing of whiskey to Cherokee Indians, and there was scarce an issue of the "Cherokee Advocate" that did not contain an account of a murder of, or by, a drunken Indian.³ By resolution of the Cherokee Council January 10, 1845 the governors of Arkansas and Missouri were solicited to aid in the suppression of the traffic.

Another lawless section was that immediately surrounding the military reservation containing Fort Gibson. Here grogshops and brothels were established, usually by a low class of Cherokee citizens who catered to the sensual appetites of the soldiers at

³ Grant Foreman, The Five Civilized Tribes, p. 379.

the post. In drunken brawls in March 1845, several soldiers were killed and their friends in reprisal burned the houses of some of the Cherokee participants. A military inquiry was instituted at Fort Gibson and when the Cherokee citizens were called to testify, on the objection of Colonel Mason the court held that the testimony of an Indian could not be received to contradict that of a white man; this was the law in Arkansas, the court held, and therefore would be the law in a military tribunal.

Much excitement resulted. The Cherokees held a mass meeting in Tahlequah to express their indignation at the ruling of the military court and the scenes of dissipation and prostitution near the reservation. Resolutions couched in well chosen words were adopted, representing to the United States Government the great menace to the peace and order of the Cherokee Nation caused by the presence of Fort Gibson, and praying that it be abandoned. The matter reached the grand jury of Little Rock, Arkansas, that, with quaint naïvete, condemned the Cherokee Indians for maintaining grogshops near Fort Gibson, which, they said, should be suppressed by the potent arm of the United States. But the grand jury of white men from Arkansas had no words of condemnation for their own citizens who, in violation of the law, furnished the whiskey and sent it into Indian country, or retailed

it on the border.

Aside from the enforced removal of the Indians from their eastern homes, nothing had brought so much distress, misery, and apprehension to the Cherokee people as the introduction among them of whiskey by white people.⁴ At the time they needed every facility and encouragement possible for the reconstruction of their homes and institutions and to recover their morale, their faltering efforts were harassed and nullified by this devastating curse. All the crimes in the calendar were committed under its influence. Indians neglected the building of their homes and cultivation of their crops for their sustenance. Peaceable citizens were terrified in their homes and on the highways by drunken Indians.

Next to the successful defense of their tribal government against jealous and disappointed factionists, the Cherokees' handling of their Temperance movement was most commendable. The Cherokee Temperance Society was organized by the western Cherokees September 12, 1836 and it grew as its needs became more and more apparent. The immigrants who had arrived in the winter and spring of 1839 had witnessed the debauchery caused by the introduction by white men of whiskey in their land in the South and in the camps along their sad journey. It was the influence

⁴ Ibid, p. 378.

of their Temperance Society of more than 2,000 members which influenced their council to enact their Prohibition law. At the inter-national Indian council held in Tahlequah in the summer of 1843 the sheriff seized and destroyed more than 1,700 gallons of whiskey introduced within the premises occupied by the delegates, their families and other visitors.⁵

Largely attended temperance meetings were held at Fairfield in Flint district just west of the Arkansas line near where large amounts of liquor were retailed to the Indians. The meetings were called by Walter S. Adair, president of the National Society. Songs and speech were rendered both in Cherokee and English, gaining many pledges. The Indians were lectured on the dangers to health created by drinking. Temperance slogans and songs were all played up by the "Cherokee Advocate."

The Cherokees continued their battle against liquor until Prohibition Statehood was won.

⁵ Ibid, p. 379.

CHAPTER II

PROHIBITION STATEHOOD WINS

The fight carried on by the "dry" forces of Oklahoma and Indian Territory began to reach its climax in 1906. However, the real climax came when "Prohibition Statehood" became a reality after the returns were in from the general election of September 17, 1907. The people of Oklahoma had been won to the cause of Prohibition, but to win Oklahoma was not enough, the battle in Congress had to be won. For Congress, in the last analysis, held the power to control the territories.

Both groups, "wets" and "drys" alike, waged their respective fights in Congress. In December, 1905, a delegation of nearly 100 representative citizens went to Washington, where several weeks were spent interviewing members of the Senate and House of Representatives in the interest of Statehood for Indian and Oklahoma Territory. This group, representing the last statehood convention, which was held in Oklahoma City, were chiefly interested in statehood; but there was also an interest in Prohibition.

The Prohibition forces were the first to carry their fight to Congress, a Congress well aware of the liquor problem in Oklahoma because of the liquor irregularities among the Indians, no liquor being legally

allowed in Indian country.

William H. Murray reports (typical of the many speeches heard by members of Congress) the following speech by chief Pleasant Porter of the Creeks made in 1906 before the committee of the United States House of Representatives which was considering the Enabling Act. He was in Washington as one of the committee seeking approval of the Sequoyah Constitution, which, it was now manifest would not be approved:

"Gentlemen, you are going to pass a bill making the Indian Territory part of a new state. For this action I do not blame you. Perhaps it is best for us, the price of our own progress. But before you pass this bill I want to remind you of some facts.

"When the Five Civilized Tribes were forced to move from their homes east of the Mississippi two solemn pledges were given by the Great White Father. First, we were to be free; no government would ever be set up over us without our consent. Second, the Federal Government would help us to prevent forever the sale or use of intoxicating liquors in our nations. Believing in the integrity of our white brothers, we consented to a great migration westward. The bones of over sixteen thousand of our people lie along that gruesome trail through swamps, deep woods and prairies. These died from hardships, who in their old homes might have lived many happy years. Homesickness and despair wrung our hearts, but we believed in the pledge of our Great White Father, and we kept our pledge to him.

"Now, with that experience graven deeply in our hearts and the hearts of our children, we feel that we must remind the Government of its obligations to us. If a new state is to be, if we are to be required to sacrifice our tribal governments, the White

Father must remember our sixteen thousand dead and our travail, and his promises to us.

"One of those promises you are now about to break; you cannot avoid it. We are asked to give up our right to govern ourselves.

"But we do not submit to the breaking of the other promise, to a change that would fill our country with saloons, that would poison the bodies of our people and demoralize their souls with the white man's liquor.

"The United States Government, as it gives us statehood, must also give us a guarantee that this thing shall not happen to us.

"Will you do it? I believe you will."¹

They did. The result was the Prohibition provision in the Enabling Act.

After a great deal of heated debate, the Hamilton Statehood Bill, House Bill No. 12,707, was passed June 14, 1906, and was signed by President William Howard Taft. The Bill consisted of forty-three sections, the first eighteen of which related only to the proposed State of Oklahoma. The first two dealt with Temperance, and one has only to read the following portion of the Enabling Act dealing with Temperance, to realize the influence of the Temperance groups of Oklahoma on Congress:

¹ Victor E. Harlow, Oklahoma, Its Origin and Development, p. 308.

First, the perfect toleration of religious sentiment shall be secured, and that no inhabitant of said State shall ever be molested in person or property on account of his or her mode of religious worship, and that polygamous or plural marriages are forever prohibited.

Second, that the manufacture, sale, barter giving away, or otherwise furnishing, except as hereinafter provided, of intoxicating liquors within those parts of said State, now known as the Indian Territory and the Osage Indian Reservation and within any other parts of said State which existed as Indian reservations on the first day of January, nineteen hundred and six, is prohibited for a period of twenty-one years from the date of the admission of said State into the Union, and thereafter until the people of said State shall otherwise provide by amendment of said constitution and proper State legislation. Any person, individual or corporate, who shall manufacture, sell, barter, give away, or otherwise furnish any intoxicating liquor of any kind, including beer, ale, and wine, contrary to the provisions of this section, or who shall, within the above-described portions of said State, advertise for sale or solicit the purchase of any such liquors, or who shall ship or in any way convey such liquors from other parts of said State into the portions hereinbefore described, shall be punished, on conviction thereof, by fine not less than fifty dollars and by imprisonment not less than thirty days for each offense; Provided, that the legislature may provide by law for one agency under the supervision of said State in each incorporated town of not less than two thousand population in the portions of said State hereinbefore described; and if there be not incorporated town of two thousand population in any county in said portions of said State, such county shall be entitled to have one such agency, for the sale of such liquors for medicinal purposes of alcohol which shall have been denaturalized by some process approved by the United States Commissioner of Internal Revenue; and for the sale of alcohol for scientific purposes

to such scientific institutions, universities, and colleges as are authorized to procure the same free of tax under the laws of the United States; and for the sale of such liquors to any apothecary who shall have executed an approved bond, in a sum not less than one thousand dollars, conditioned that none of such liquors shall be used or disposed of for any purpose other than in the compounding of prescriptions or other medicines, the sale of which would not subject him to the payment of the special tax required of liquor dealers by the United States, and the payment of such special tax by any person within the parts of said State hereinabove defined shall constitute prima facie evidence of his intention to violate the provisions of this section. No sale shall be made except upon the sworn statement of the applicant in writing setting forth the purpose for which the liquor is to be used, and no sale shall be made for medicinal purposes except sales to apothecaries as hereinabove provided unless such statement shall be accompanied by a bona fide prescription signed by a regular practicing physician, which prescription shall not be filled more than once. Each sale shall be duly registered, and the register thereof, together with the affidavits and the prescriptions pertaining thereto, shall be open to inspection by any officer or citizen of said State at all times during business hours. Any person who shall knowingly make a false affidavit for the purpose aforesaid shall be deemed guilty of perjury. Any physician who shall prescribe any such liquor, except for treatment of disease which after his own personal diagnosis he shall deem to require such treatment, shall, upon conviction thereof, be punished for each offense by fine of not less than two hundred dollars or by imprisonment for not less than thirty days, or by both such fine and imprisonment; and any person connected with any such agency who shall be convicted of making any sale or other disposition of liquor contrary to these provisions shall be punished by imprisonment for not less than one year and one day. Upon the ad-

mission of said State into the Union these provisions shall be immediately enforceable in the courts of said State.²

Although the Constitutional Convention members were in favor of Prohibition, they were not willing to place Prohibition in the new constitution--they did not want the Prohibition "bee" on their backs--so they tossed the whole thing back into the laps of the people, saying that it was a peoples' question and should be settled by the people. Accordingly a Prohibition provision was drafted and sent to the people to be voted on with the Constitution.

The Prohibition measure was merely a re-draft of Section Two of the Enabling Act. The provision reads:

The manufacture, sale, barter, giving away, or otherwise furnishing, except as hereinafter provided, of intoxicating liquors within this State, or any part thereof, is prohibited for a period of twenty-one years from the date of the admission of this State into the Union, and thereafter until the people of the State shall otherwise provide by amendment of this Constitution and proper State legislation. Any person, individual or corporate, who shall manufacture, sell, barter, give away, or otherwise furnish any intoxicating liquor of any kind, including beer, ale, and wine, contrary to the provisions of this section, or who shall, within this State, advertise for sale or solicit the purchase of any such liquor, or who shall ship or in any way convey such liquors from one place within this State to another place therein, except the conveyance of a lawful

² Joseph B. Thoburn, A Standard History of Oklahoma, p. 770.

purchase as herein authorized, shall be punished, on conviction thereof, by a fine not less than fifty dollars and by imprisonment not less than thirty days for each offense: Provided, that the Legislature may provide by law for one agency under the supervision of the State in each incorporated town of not less than two thousand population in the State; and if there be no incorporated town of two thousand population in any county in this State, such county shall be entitled to have one such agency, for the sale of such liquors for medicinal purposes; and for the sale for industrial purposes, of alcohol which shall have been denaturalized by some process approved by the United States Commissioner of Internal Revenue; and for the sale of alcohol for scientific purposes to such scientific institutions, universities, and colleges as are authorized to procure the same free of tax under the laws of the United States; and for the sale of such liquors to any apothecary who shall have executed an approved bond, in a sum not less than one thousand dollars, conditioned that none of such liquors shall be used or disposed of for any purpose other than in the compounding of prescriptions or other medicines, the sale of which would not subject him to the payment of the special tax required of liquor dealers by the United States, and the payment of such special tax by any person within the State shall constitute prima facie evidence of his intention to violate the provisions of this section. No sale shall be made except upon the sworn statement of the applicant in writing setting forth the purpose for which the liquor is to be used, and no sale shall be made for medicinal purpose except sales to apothecaries as hereinabove provided unless such statement shall be accompanied by a bona fide prescription signed by a regular practicing physician which prescription shall not be filled more than once. Each sale shall be duly registered, and the register thereof, together with the affidavits and prescription pertaining thereto, shall be open to inspection by any officer or citizen of the State at all times during business hours. Any person who shall knowingly make a false affidavit for the purpose aforesaid shall be deemed guilty of perjury. Any phy-

sician who shall prescribe any such liquor, except for treatment of disease which after his own personal diagnosis he shall deem to require such treatment, shall upon conviction thereof, be punished for each offense by fine of not less than two hundred dollars or by imprisonment for not less than thirty days, or by both such fine and imprisonment; and any person connected with any such agency who shall be convicted of making any sale or other disposition of liquor contrary to these provisions shall be punished by imprisonment for not less than one year and one day. Upon the admission of this State into the Union these provisions shall be immediately enforceable in the courts of the State; Provided, that there shall be submitted separately, at the same election at which this Constitution is submitted for ratification or rejection, and on the same ballot, the foregoing Article-----entitled "Prohibition," on which ballot shall be printed FOR STATEWIDE PROHIBITION and AGAINST STATEWIDE PROHIBITION: And provided further, That, if a majority of the votes cast for and against Statewide prohibition are for Statewide prohibition, then said Article-----shall be and form a part of this Constitution, and be in full force and effect as such, as provided therein; but, if a majority of said votes shall be against Statewide prohibition, then the provisions of said article shall not form a part of this Constitution and shall be null and void.

I hereby certify that the above and foregoing provision and ordinance submitting the same separately to a vote of the people of the State as heretofore adopted on the 11th day of March, A. D. 1907, as above engrossed was adopted as engrossed, upon roll call for the purpose of such separate submission, on this the 22nd day of April, Anno Domini, 1907.³

WM. H. MURRAY,
President,

The Constitutional Convention of
the proposed State of Oklahoma.

ATTEST:

JOHN McLAIN YOUNG,
Secretary,

³ Harlow, op. cit., p. 434.

As a result of the election, both the Constitution and Prohibition were adopted. With the election of the whole Democratic ticket of state officers, Charles N. Haskell was the first governor of the State of Oklahoma. The Democrats also elected four out of five of the first representatives to the United States Congress. Since the people of Oklahoma had carried out the provisions of the Enabling Act, President Theodore Roosevelt issued a proclamation declaring Oklahoma a State, on November 16, 1907.

On this same day a pageant was given showing the marriage of Miss Indian Territory to Mr. Oklahoma Territory---the Temperance fight had really paid off, but the Temperance forces were soon to realize that they would not be able to sleep on the job.

CHAPTER III

THE FIGHT IN THE CONSTITUTIONAL CONVENTION

The Constitutional Convention of Oklahoma was to be composed of 112 delegates. The constitution to be framed was to conform to the usual requirements in that it was to be republican in form and was to be submitted to a vote of the duly qualified voters for approval or rejection, and the State was to be formally admitted into the Union by proclamation of the President of the United States.

In the campaign for Prohibition Statehood a legislative board was appointed by the Oklahoma Territory Union. The committee was composed of Mrs. Katie McWethey, Mrs. N. M. Carter, Mrs. Kate Anderson, and Mrs. Abbie Hillerman. Their headquarters was at Guthrie during the Constitutional Convention.

Court decisions had resulted in "dry towns" throughout the Territory--the Temperance agitation was paying off. Judge Gillette of Lawton held that an applicant for a saloon license must have a petition signed by thirty resident taxpayers in the ward where the saloon was to be located. This decision, according to the "Edmond Sun," made every town in Comanche County "dry" except Lawton. Judge Burford made a similar order at Chandler. His order closed the saloons at Agra and resulted in "dry" towns throughout Lincoln County

except Chandler and Stroud. The last saloons of Beaver County were closed during the weeks of this decision. The Burford-Gillette decisions pointed to the closing of all saloons in the Territory except in the large cities.

The W. C. T. U. of Oklahoma Territory and the W. C. T. U. of Indian Territory, combined at the time of the Constitutional Convention fight, were assisted in their struggle for Prohibition Statehood by the Anti-Saloon League of Oklahoma Territory and the Church Federation of Indian Territory. Hundreds of letters were sent to ministers and colleges. Mrs. Hillerman, Territorial president of the Union, had 5,000 names of petitioners for Statehood Prohibition. These were placed on desks of members, and each morning the clerk would read petitions for Prohibition Statehood. Just how well the Union was reinforced by petitions is shown by the following listings of petitions, just a few of the many submitted:

Mr. Wood of 8, presented, by request, Petition No. 121, with 735 signatures, praying for State-wide Prohibition, which was referred to the Committee on Liquor Traffic, Jan. 10, 1907.¹

Mr. Rose presented, by request, Petition No. 143, being a petition for State-wide Prohibition with 67 signatures, which was referred to the Committee on Liquor Traffic, Jan. 11, 1907.²

¹ Proceeding of The Constitutional Convention of the Proposed State of Oklahoma, p. 150.

² Ibid, p. 152.

Mr. Asp presented, by request, Petition No. 207, with 481 signatures, from West Guthrie, for State-wide Prohibition--referred to Committee on Liquor Traffic. Jan. 19, 1907.³

Mr. Berry, Consti. Proposition No. 338, being a proposition relating to the Liquor Traffic, which was read, read a second time by title and referred to the Committee on Liquor Traffic, Dec. 13, 1906.⁴

Mr. Roberts, presented, by request, Petition No. 81, being a petition of the citizens of Britton, Oklahoma, relating to Prohibition by Consti. Provision, which was referred to the Committee on Liquor Traffic. Jan. 3, 1907.⁵

Hearings held on the proposed Prohibition provision in the State Constitution were held in Convention Hall. Mrs. Hillerman arranged for the first public hearings before the Liquor Traffic Committee. Mrs. Nannie Webb, of Texas, spoke to the Committee. If ever there were a busy committee, the Liquor Traffic Committee of the Constitutional Convention was that committee, the W. C. T. U. never once letting them forget that there was a fight for Prohibition.

After weeks of debate and deliberation the Convention voted to submit Prohibition Statehood as a separate question to be voted on at the same time as the Constitution. A majority vote was needed for the Proposition to become a part of the Constitution. Knowing this, Mrs. Hillerman attended the Convention

³ Ibid, p. 174

⁴ Ibid, p. 109

⁵ Ibid, p. 130

84 days. She and Mrs. McWethey gave more than two months of their time without compensation. As soon as the Union realized that the Convention would not make Prohibition Statehood a part of the Constitution, they switched their fight to the polls. Headquarters were set up in Oklahoma City from May 15 to October 1. Mrs. Cora D. Hammett was in charge. Although they had not won their fight to place Prohibition Statehood in the Constitution, they had won the next best thing, the opportunity to get their Proposition before the people. The fight was on again and they fought it through until their battle was won.

CHAPTER IV

THE PROHIBITION PARTY

The Prohibition Party was not an Oklahoma creation; neither was it a national party from its beginning. It was first organized in Michigan by Reverend John Russell. The movement had the backing of the church groups, and it was Russell who was responsible for the following resolution which was adopted at the convention held to form the Party:

That it is the imperative duty of the people of this State to organize a political party pledged, among otherwise governmental measures, to enforcement of legal prohibition of the traffic in intoxicating liquor.¹

The Michigan party was formed in 1867, but it was 1902 before correspondence between Charles Brown and Reverend Parker started the Prohibition Party movement in Oklahoma.

The Oklahoma organization convention met in Guthrie June 6, 1902. Only 40 or 50 delegates were present because of the extra heavy rains; however, this small group effected a party organization. Reverend E. S. Stockwell, Perry was elected state chairman; J. J. Hill, Guthrie, was elected secretary; Reverend L. T. Van Cleave, Oklahoma City, was nominated delegate to

¹ E. H. Cherrington, Standard Encyclopedia of The Alcohol Problem, Vol. 5, p. 2217.

the United States Congress, the only territorial officer the people were allowed to elect, the rest being appointed by Congress.

Little work was done in the Territory that year except in Woods County, and Grant County was the only other county organized. In the election 1070 votes were cast for Van Cleave, Woods County giving 270 of them, and 70 votes was the largest number any other county gave to the first Oklahoma Prohibition Party candidate.

Woods County continued to stage personal work, rallies and even issued a paper to aid their fight for the party. New recruits were constantly added--especially from the ministry--ministers of the Free Methodists, Wesleyan Methodists, Christian, and Friends being for Prohibition almost to the man. Ministers of the other churches rapidly took part in the movement. The ministers preached Prohibition from their pulpits and invited Prohibition speakers to occupy their pulpits. These militant groups which formed the nucleus of the Prohibition Party meant business, and the liquor element wasn't long in realizing that it had a formidable foe.

The politicians became extremely bothered--they were afraid to offend either of the opposing groups. A good indication of the trend was the "scratched" tickets of the election of 1902. The W. C. T. U. and

the Anti-Saloon League were strong factors in creating this Temperance sentiment which backed up the Party.

In 1904 plans were made for an active Temperance campaign along the line of the Prohibition Party work. This active campaigning of the Party aroused the liquor interests to such an extent that they organized and chartered a Liquor Men's Protective Association for the purpose of raising funds to fight Prohibition. The Association was active in political circles, and this was used by the Prohibition Party groups to impress good men in both of the old parties that they had no hope in either of them. At this same time the national movement had been established in Oklahoma and was active politically.

The Prohibition Party served its purpose, that of forcing the Democrats to realize that the Prohibition forces had to be recognized politically. If the Democrats had failed to recognize the strength of the Temperance groups and nominated a "wet" instead of a "dry," maybe the Prohibition Party would have furnished Oklahoma's first governor.

CHAPTER V

THE ANTI-SALOON LEAGUE

The first general organization against the saloon in Oklahoma Territory was a branch of the Anti-Saloon League of America.¹ It was formed in 1898. The first meeting was held on January 20, 1899 in the First Baptist Church of Oklahoma City. The officers were: president, Tipton Cox, Hennessey; vice-president, Reverend J. W. Sherwood, Kingfisher; secretary, Reverend T. H. Harper, Oklahoma City; treasurer, Honorable F. E. McKinley, Guthrie; superintendent, H. E. Swan, Oklahoma City. Oklahoma Territory had become wet with the opening of April 22, 1889 and since saloons were being established all over Oklahoma Territory, the Anti-Saloon League felt it had little time to waste.

A special campaign organization was formed in 1904. Its members, with other Temperance groups, met and formed a federation of churches and other civic organizations for the purpose of uniting their efforts to secure Constitutional Prohibition. A Prohibition convention was called November 24, 1904, in Oklahoma City to devise a plan to push Prohibition once Oklahoma was submitted for statehood. One hundred workers from twelve different denominations and Temperance or-

¹ E. H. Cherrington, Standard Encyclopedia of the Alcohol Problem, p. 2056.

ganizations were present. Reverend T. F. Brewer was made president. The Convention adopted the following resolutions: One, unwavering hostility to saloons; two, a Constitutional article to forever forbid the manufacturing and selling of liquor as a beverage; three, State control of non-beverage sales. A central committee to arrange for immediate steps to promote the aims of the Convention was selected: (A. S. L.) H. E. Swan, Norman; (W. C. T. U.) Mrs. M. S. Fellow, Alva; (L. O. G. T.) Leslie Baker, Oklahoma City; (Baptist) L. M. Hunter, Oklahoma City; (Congregational) L. S. Childs, Seward; (Fr.) J. E. Snavely, Cherokee; (M. E.) M. Porter, Lawton; (M. E. S.) G. H. Ray, Chickasha; (Pres.) W. C. Miles, Guthrie; (N. B.) E. A. King, Stillwater; (Civic Fed.) S. W. McCann, Oklahoma City. This committee was to act as a legislative committee, allowing any other church group representation which wished to be represented.

Also in 1904 an Anti-Saloon League was begun in Indian Territory. Its purpose, too, was to agitate for Prohibition Statehood. The first test of this group came in Congress--the Federal Government realizing the fact that the obligation between the Indians and the Federal Government demanded that protection against the liquor traffic be included in any Statehood Enabling Act that Congress might pass.

In 1905 a group meeting was held in Reverend T. F. Brewer's home in Muskogee. This group called a

convention to meet in McAlester on September 7, 1905. On that date, in the First Baptist Church, the Indian Territory Church Federation for State-wide Prohibition was formed, with Captain McKennon as president and Reverend E. M. Sweet, Jr., as secretary. Reverend Sweet was sent to Washington as the Federation representative. He was to watch the form of Statehood and see that the Indian treaties concerning Prohibition were not violated. Captain McKennon, Reverend Sweet, and E. C. Dinwiddie, active in Washington, laid the foundation for State-wide Prohibition.

The Anti-Saloon League and the Church Federation of Indian Territory carried on various activities, lecturing in the churches and elsewhere, building sentiment against liquor by every means available, placing pressure on Congress to put the two Territories under one enabling act.

The first fight of the Anti-Saloon League centered in Congress, where the League was successful in having a twenty-one year Prohibition clause written in the Enabling Act for Indian Territory, Osage Nation, and Indian reservations of Oklahoma Territory, the Congress requiring the same to be embodied in the Constitution of the New State before it could be admitted to the Union.

On June 12, 1907, in the First Methodist Church, Oklahoma City, the Anti-Saloon League and the Indian Territory Church Federation were consolidated, be-

coming the Anti-Saloon League of Oklahoma. Captain McKennon became the president of the League. At this same time the League waged its second big fight, the fight for Constitutional delegates who favored Prohibition.

Their fight, coupled with the efforts of the W. C. T. U., was successful and the September 17, 1907, election carried the Prohibition Statehood Provision through with a majority of 18,103 out of 242,619 votes.

CHAPTER VI

WOMEN'S CHRISTIAN TEMPERANCE UNION

Conditions in Oklahoma at the time the W. C. T. U. began to weld its organization into a potent force of opposition to the liquor traffic were not too commendable. On December 24, 1890, the first Legislature of the Territory adjourned, having passed a liquor law "about as loose a thing as ever was dignified with the name of a statute."¹ What had been before pandemonium became doubly so.

Few changes in the liquor laws of Oklahoma were made after 1893. The liquor code remained very much the same until Prohibition. This code provided:

County clerks and commissioners granted license to sell liquor on a petition of 30 taxpayer citizens after two weeks, providing there was no remonstrance. If, after the hearing, all signers were found to be legitimate, the license was granted providing the seeker was acceptable. The nonincorporated villages had to get the majority of taxpayers (free holders) in the township and meet the same conditions as the incorporated towns.

The Liquor Law of 1893 prohibited the sale of liquor to minors and habitual drunks; on Sunday after

¹ E. H. Cherrington, Standard Encyclopedia of the Alcohol Problem, p. 2057.

midnight, before 5:00 A. M., and on general and special election days. It wouldn't allow chairs or other seats, screens, pool or billiard tables, or any gambling devices in rooms where liquors were sold. These restrictions were constantly violated by liquor dealers.

Thirty "wets" could force a saloon on a whole ward, and the neighboring ward had no protection. Many bills were presented by "drys" in 1902 and 1905, but they were defeated because of mismanagement. One of the bills presented was an optional bill. The Prohibition groups continued to oppose the liquor traffic from time to time but with little success because they were bucking a liquor Legislature.²

The pioneer Temperance organization was the W. C. T. U. of Indian Territory. There are few records covering the activities of the Indian Territory Union, which was organized at Muskogee in July, 1888, by Francis Willard and Anna Gordon, while on a visit to the West. Mrs. L. Jane Staples became the first president of the Indian Territory Union. The first convention was held in Tahlequah on June 4, 1889, in Mrs. Staple's home, where Miss Willard and Miss Gordon were again present. The attendance was small, only two Unions present. Mrs. Staples served as president of the Union until her death in 1899. During the ten

² Ibid, p. 2057.

years of Mrs. Staple's presidency, Unions were organized at Muskogee, Tahlequah, Atoka, Vinita, Wagoner, Claremore, Prior Creek, and Poteau, and conventions held in each town.

In 1900 several new departments were added and a special evangelist was appointed to work among the Indians--35,000 in the Territory. It was in this same year that Mrs. Tennessee M. Fuller, Tahlequah, the vice-president of the Union died. More Unions were organized by Mrs. Mary Kuhl, national evangelist, in 1900, and by 1901 there were twenty-one in operation. In 1901 Miss Willard visited the Territory again and spoke in Muskogee and Atoka. She was accompanied by the first missionaries to the Indians, Reverend and Mrs. Marrow.

The first official organ of the Territory Union was published at Muskogee in 1903, with Miss Martha Gilmore its editor. She received \$15 per month for editing the paper, "Our Helper."

From the very first the National W. C. T. U. showed great interest in Indian Territory, helping to carry on the work by donations and the supplying of field workers. In 1905 they declared for women suffrage and Statehood Prohibition, and Lillian Stevens and Miss Gordon, National leaders, spoke on the subject throughout the Territory.

The first Union in Oklahoma Territory was organized, through the leadership of Mrs. Emma Miller, at Guthrie,

April 9, 1890, with Mrs. W. L. Rhodes as president. Soon after this Frances Rastall, President of the Kansas W. C. T. U., organized Unions in Oklahoma City, El Reno, Edmond, Kingfisher, and Norman. Delegates from these Unions met in Oklahoma City April 29, 1890, to organize the Territorial Union. The meeting was held in the First Methodist Church, and Mrs. A. G. Murray, president of the Oklahoma City Union, presided. The first officers were: President, Mrs. W. L. Rhodes, Guthrie; vice-president, Mrs. A. G. Murray, Oklahoma City; corresponding secretary, Mrs. Holzapful, Oklahoma City; recording secretary, Miss Alma Carson, Guthrie; treasurer, Mrs. Sprigg, Kingfisher. There were no funds for the new Union so a "cold water" social was staged to start the drive for funds. At the social people paid 10¢ a glass for cold water and drank a toast to the "cold water" state of Oklahoma.³

In 1890 the Unions were unsuccessful in their attempt to petition the Legislature for a law to govern liquor manufacturing and sale and the sale of cigarettes to minors.

In 1901 Mrs. Dorothy J. Cleveland, president of the National W. C. T. U., fought the proposed dispensary system for the Territory, declaring that the Union would make no compromise, their aim being State and National Prohibition.

³ Ibid, p. 2057.

The Union of Oklahoma Territory was successful in securing laws against prize-fighting and gambling, and helped defeat a bill proposing to lower the age of consent to seven years.

How the Oklahoma Territorial Union was successful in the fight to get Statehood Prohibition is discussed in another chapter. However, after its success at the polls, it dissolved and a new organization, the Oklahoma Union, was formed. The work of this new Union is discussed in the chapter "Prohibition in Effect."

CHAPTER VII

PROHIBITION IN EFFECT

A constitutional amendment providing for a "medical purposes" dispensary was submitted to the people in 1907 and was defeated. However, a court ruling made it possible to use liquor for medical purposes. After this a Legislative fight was started to keep unscrupulous doctors from abusing their right to prescribe liquor for medicine.

"The International Review Report" of 1908 showed Oklahoma to have 2,135 liquor dealers, and the same source showed a decrease of 856 dealers in 1909. This decrease was due to a more efficient law-enforcing measure passed by the Legislature. The measure had Administration backing as well as the backing of the municipal governments, all that was needed to have the measure carried out effectively.

In 1910 an effort was made to repeal Prohibition by a license amendment to the Constitution. The proposed amendment was voted on November 8 and was defeated by a majority of 21,077 of the 231,159 votes cast. In this same election large numbers of state and county officers were elected on pledges of strict enforcement. During the 1907-1910 period every clause of the Prohibition Law was carried to the Supreme Court and every clause was sustained by that body.¹

¹ E. H. Cherrington, Standard Encyclopedia of the Alcohol Problem, p. 2061.

Effects of the rigid enforcement were in evidence everywhere. People, the Prohibition fight being largely over, were turning their energies to other tasks. Business improved, 3,500 school houses were erected within two years, drunkenness and arrests decreased in all the large cities, and the New State showed signs of prosperity everywhere. Even those merchants (typical of the small town of Marshall) who had favored the saloons as bringing trade to the town were converted to the new order; they sold shoes and sugar to men who had formerly spent their money for drink.²

The hardest fights to maintain Prohibition were fought in the large cities. Oklahoma City was especially hard to control. From January 9 to November 10, 1911, 90 bootleggers were convicted in Oklahoma County with fines totaling \$31,000.

On June 20, 1912, the Supreme Court of the United States gave a decision holding that the Federal Prohibition Law for Indian Territory, Osage Nation, and the Indian reservations of Oklahoma Territory which were reservations on January 1, 1906, had not been repealed and that was still the law of the Indian Country. The Court also held Constitutional the twenty-one year Prohibition clause for the Indian country; consequently under this clause it was impossible for the liquor interests to submit a whiskey amendment to

² Angie Debo, Prairie City, p. 132.

the Constitution of the State for the Indian Country portion of Oklahoma until November 16, 1923. The Court had no trouble in rendering its decision concerning the "twenty-one year" clause because the provision was not only a part of the Oklahoma Constitution but was a part of the Enabling Act.

In 1913 the Oklahoma Legislature amended the Prohibition Law, making it a felony to keep a place for the purpose of violating the Prohibition Law anywhere in the State, or for second and subsequent convictions for violating any provision of the law; also making drunkenness and excessive use of intoxicants while in office a sufficient cause for impeachment and removal from office of any State official. During this year there were 1,658 persons holding Federal retail liquor-tax receipts, including drug-stores and all other retail places. In 1915 the Legislature passed a resolution memorializing Congress to adopt the Shepard-Hobson resolution for National Prohibition. Later in the same year three members of the Lower House introduced a resolution proposing re-submission of the Prohibition question. It was defeated by a vote of 66 to 4. In 1917 the Legislature passed a law giving the Supreme Court of the State original jurisdiction to try cases for the removal of officers for failing, neglecting, or refusing to enforce the laws of the State, especially the Prohibition and anti-gambling laws.

In 1917 by a vote of 33 to 5 in the Senate and 89 to 7 in the House of Representatives a "bone dry" law was enacted prohibiting any person from receiving directly or indirectly from any common or other carrier any liquors, the sale of which was prohibited by law. The law also authorized the forfeiture of all vehicles used in transporting forbidden liquor. In 1917 the number of persons holding Federal liquor-tax receipts decreased sharply, only 474 holders remaining. In 1918 a suit was brought to test the validity of the Prohibition Law with regard to the use of wine for sacramental purposes. The Supreme Court of Oklahoma decided that the State prohibitory law did not forbid the importation of wine for sacramental purposes, even though there was no specific exemption of wine for that purpose in the Law.

Laws governing liquor became more stringent each year. In 1921 a bill was passed by the Legislature prohibiting the manufacturing, sale and possession of a "still." In 1923 a law was enacted making it murder to sell or furnish any liquor causing death, and a second measure prohibited the manufacturing or possession of "stills" and the manufacturing of mash under penalty of a fine of \$100 to \$5,000, and imprisonment for 1 to 10 years. Another measure provided penitentiary sentences for persons transporting liquor in automobiles or driving them while under the influence of liquor or narcotics.

Oklahoma outlawed alcohol as a medicine, doctors and druggists being prohibited from handling intoxicating liquors for any purpose. Bonded druggists could secure a permit from the State to purchase pure grain alcohol for the compounding of medicines and prescriptions which are not capable of being used as a beverage, and which were not subject to the payment of the special liquor-dealers tax to the Federal Government.

Since Oklahoma entered the dry column the Representatives from that state have stood solidly for Prohibition whenever the issue was presented in Congress. In the 64th Congress the 2 Senators and 3 Representatives from Oklahoma voted for Prohibition in the District of Columbia and Alaska, for the Anti-liquor Advertising Law, and the bone-dry Amendment; in the 65th Congress for the submission of the Prohibition Amendment to the Federal Constitution; in the 66th Congress for the Volstead Law, even over the veto of the President; and in the 67th for the Anti-beer Law and other measures backed by the Anti-Saloon League. When ratification of the Prohibition Amendment to the Federal Constitution was introduced in the Oklahoma Assembly, the vote was: in the Senate 43 for, none against, and one member absent who later went on record as favoring ratification; in the House, 90 for, 8 against, 6 absent; making Oklahoma the 18th state to ratify.

CHAPTER VIII

THE CURRENT WORK OF THE W. C. T. U.

I just finished a conversation with Mrs. Elizabeth House, Stillwater, who is state president of the W. C. T. U. After talking with her it is not difficult for me to realize what a formidable foe of the liquor traffic the W. C. T. U. is. Mrs. House, like the Union leaders before her, is a public spirited, Christian individual, ready for a fight when Temperance is at stake. She realizes that the fight is continual and must be won largely through education.

Just what is being done in the W. C. T. U. educational campaign? The "Oklahoma Messenger," the Union newspaper, is sent to all members monthly and to any others who wish to receive it. The Paper is printed in Bristow, and is used to keep the work of the Union before all its members. However, there is one issue, the "Temperance Day" issue, which far exceeds all the others in importance. "Temperance Day" is observed on the Friday nearest January 16 of each year. The "Oklahoma Messenger" on this day is devoted solely to the schools of the State and suggests the type of program the schools might follow. The following quotations are typical of the Issue:

"Your parents, with those who direct and teach in our schools, are eager that you may have such instruction as shall help you to develop strong bodies and active minds."--Oliver Hodge¹

¹ "Oklahoma Messenger," December, 1947, Vol. 41, No. 10, p. 1, c. 1.

"Miss America For 1947 Does Not Drink or Smoke."²

"Athletics and Alcohol Don't Mix."---Jim Look-
abaugh³

"I hate to see young people drinking and smoking and wish there were some way that all beer, whiskey and tobacco could be disposed of and people forget how to make it."---Ray Gene Cinnamon, National Champion, Future Farmers of America, Garber, Oklahoma.⁴

"The Star Of The Temperance Reform Is Over The School House."---Frances Willard⁵

"Room For Only One" (A cartoon showing that alcohol and efficiency cannot find room in the same head.)⁶

"Out of Both Pockets." (Cartoon showing that the price of drinks comes from one pocket, while reduced earnings are taken from the other pocket.)⁷

From a column "Refuse To Drink Because:"

Alcohol is an anesthetic, depressant drug on which one can easily become dependent.

Alcohol impairs judgment and reasoning power. Unfortunately, I do not have more of either than I need.⁸

From a column "Facts About Alcohol:"

For every dollar received in liquor taxes, the people pay five dollars to cover the cost of liquor and to take care of the effects of alcohol in crime, sickness, insanity, and negligence.

² Ibid, p. 1, c. 1.

³ Ibid, p. 1, c. 4.

⁴ Ibid, p. 2, c. 4.

⁵ Ibid, p. 1.

⁶ Ibid, p. 4, c. 2.

⁷ Ibid, p. 4, c. 4.

⁸ Ibid, p. 4, c. 1.



ROOM FOR ONLY ONE

One out of every four fatal accidents in 1947 involved a driver or pedestrian who had been drinking.

One out of every four adult pedestrians killed in 1945 had been drinking.⁹

From a column on "Scientific Facts Known About Alcohol:"

Alcohol is closely associated with crime. The FBI reports that approximately one third of all crime in the United States comes from liquor. Our crime bill is \$15,000,000,000 annually--nearly \$2,000,000 an hour. A personal letter from the United States Department of Justice says: "Seven per cent of the prisoners committed to Federal penal and correctional institutions during the year ended June 30, 1945, were reported to be alcoholics, and 5.5 per cent were reported to be narcotic drug addicts." The W. C. T. U. cites figures showing liquor to be a factor in 49 per cent of all crime, a major factor in 31 per cent, and the sole factor in 16 per cent.

----From "Signs of the Times"¹⁰

The "Temperance Day" edition of the "Oklahoma Messenger," if used properly, can be of great help to the schools in their effort to aid in the Temperance movement in Oklahoma. "Temperance Day" is not just a day set aside by the Temperance people--it is provided for by law, and believe it or not, we have an Oklahoma "Temperance Law" providing for regular instruction in Temperance. The Tulsa city schools not only comply with the State Law but offer credit in a special Temperance course. The School Temperance Laws were enacted in 1915 and 1929. They are:

1915 Oklahoma Session Laws, Page 10, Chapter 10, Which Is Now Incorporated In The 1921 Statutes Under Section 10630 to 10632 Inclusive

⁹ Ibid, p. 4, c. 4.

¹⁰ Ibid, p. 4, c. 3.

THE PEOPLE OF THE UNITED STATES SPENT
FOR INTOXICATING LIQUORS IN

1946 [REDACTED]
\$8,770,000,000.00¹ Per Capita \$66.60

EDUCATING THEIR YOUTH IN THE PUBLIC SCHOOLS IN

1945 [REDACTED]
\$2,639,000,000.00² Per Capita \$20.00

1945 [REDACTED]
\$1,595,933,485.00² Per Capita \$12.12

\$5.50 for Liquor for every \$1.00
for Instructional Staff Salaries

Source of Information: (1) U. S. Department of
Commerce. (2) U. S. Office of Education. Figures
on Education for fiscal school year ending June
30, 1945, latest figures available.

The Christian Statesman (7-47).¹¹

¹¹ "The Voice," September, 1947, Vol. 35, No. 9,
page 15

10630--Teaching Evil Effects of Alcohol: The nature of alcoholic drinks and other narcotics and their effect on the human system in connection with the various divisions, physiology and hygiene, shall be included in the branches to be regularly taught in the common schools of the state and in all educational institutions supported wholly, or in part, by money from the state.¹²

1929 Oklahoma Session Laws, Chapter 54, Senate Bill 37, Section 1.

Section 1: That Friday nearest the 16th day of January of each year shall be set apart as the day of which those in charge of public schools of the State of Oklahoma, shall spend at least one hour of time in carrying out a "Temperance Day" program. Information relative to the history of the Temperance movement and the physiological value of temperance shall be given the pupils. Such a day shall be known as "Temperance Day."¹³

The W. C. T. U. has a visual education program of which the schools may take advantage. For the grade schools there are strip (slide) films prepared by the Union. At the present time there are seven strips available, "The Chance of a Lifetime," "Ceiling Unlimited," "Dollars and Sense," "He Ran a Race," "He Went Straight Home," "Smoking Is Something To Think About," "A Tower of Strength." These film strips are owned by the W. C. T. U. and are free for the transportation. Write Mrs. C. R. Corberry, 506 Jefferson, Stillwater, for the strips. In addition to these silent slide strips there are five motion pictures prepared by the Union, "The Beneficent Reprobate," "A Family Af-

¹² "The Oklahoma Messenger," December 1947, p. 1, c. 4.

¹³ Ibid, p. 1, c. 4.

fair," "It's The Brain That Counts," "The Pay-Off," "Where Do We Go From Here." These must be ordered three weeks in advance. The Motion Picture Bureau of The National Young Men's Christian Association has charge of lending these pictures for the W. C. T. U. for shipping expenses plus \$1.00 service charge. Inquiries should be addressed to 19 South La Salle Street, Chicago or 1700 Patterson Avenue, Dallas.

All good people don't go to church.¹⁴ The ones who don't must be reached, even if it means going to the streets corners. The W. C. T. U. staged such a fight in the campaigns of 1936 and 1940, when the "wets" succeeded in getting repeal measures before the people. Two sound trucks were rented for \$15 a day. (A sound truck is now owned by the Union.) The trucks, replete with W. C. T. U. speakers and musicians, toured Oklahoma, carrying the fight to the people. The Union women quoted statistics, the Bible, and even Lincoln who said, concerning liquor, "Lots of defenders but no defense." Mrs. House says that when she and other W. C. T. U. members appealed to John Q. Public in terms of facts--broken homes, juvenile delinquency, automobile accidents, impaired efficiency--he sat up, listened and was glad to hear the truth about something that was about to be slipped over on him.

¹⁴ Mrs. Elizabeth House, Stillwater, President of W. C. T. U. and Editor of "The Oklahoma Messenger."

The Union still doesn't relish the idea of getting slipped up on in 1933, when Oklahoma voted "3.2" beer. Now they are thinking and planning ahead for prospective campaigns. No longer are they caught napping without sufficient funds. Their motto, as laid down by Francis Willard, is: "Agitate, educate, organize, and legislate!" Just how well their slogan works, when put into practice, is shown by the success of their 1936, 1940, and 1947 campaigns. The first two have already been discussed. The third one is the one which was masterfully handled. How was it done? The Union agitated, educated, organized, and legislated. The "drys" in the Legislature were organized, telling the W. C. T. U. when to get its crowd into the galleries. Pressure was felt from back home, bushel baskets of telegrams arriving at the opportune time. Never once did the Union falter. Their strategy was so successful that the whole attempt to "get" the "bone dry" law was squelched in the legislature.

The "white ribboners," a name applied to the Union members long before the first W. C. T. U. was organized in a covered wagon at Guthrie, opened their organization to the Negro women, but since Oklahoma's "Jim Crow" law made it difficult for the Negro women to render their best in such an organization, they withdrew and formed a separate body which now numbers over 1,000 members, The Negro unit is located at Shawnee.

The W. C. T. U. will not compromise in any respect

where Prohibition is concerned, feeling that Prohibition at its worst is much better than repeal at its best. Expressing this same sentiment, E. K. Gaylord, president and general manager of the Oklahoma Publishing Company which publishes the Daily Oklahoman and the Oklahoma City Times, says:

"No one will deny that there is much liquor sold in Oklahoma, but no fair-minded person would assert that there is half as much sold here now as there would be if we had open saloons such as exist in the majority of the states."¹⁵

J. Edgar Hoover, speaking of liquor, says that the gradual breakdown of the American home is beginning to be reflected in the national behavior and is a real cause for alarm; that the American home is not breaking down; it is being broken down; that it ought to be protected by breaking down the institutions which are destroying it. The W. C. T. U. backs up such statements with the facts, and they become a part of their campaign of education against in-temperance.

When I talked to Mrs. House, she quoted Dr. Charles Mayo to the effect that 90 per cent of the people who drink began by drinking beer and that 3 out of every 10 never stop. The W. C. T. U. placed a large sign just south of Stillwater, saying beer leads to drinking and drinking leads to automobile accidents. Mrs. House said the sign had been torn down several times by "wets,"

¹⁵ "The Voice," September, 1947, Vol. 35, No. 9, p. 14, c. 2.

and Stillwater business men had donated money to have it replaced. She also said, April 1, 1948, that the sign might be down again. I told her I thought it was. After checking I found my supposition correct. Now, April 8, it is back up. Can the liquor forces stop the W. C. T. U.? No, Temperance with them is a crusade, and they are geared for a perpetual fight.

CHAPTER IX

OKLAHOMA IN 1933

1933 was one of those difficult years when people look for a change--just any kind of change. The depression was in full swing, and Oklahoma, according to Governor William H. Murray, was experiencing its worst drought since 1889, the year of the "run."¹ The people had rallied to the cause of Franklin Delano Roosevelt and elected him to the Presidency the year before, "wet" plank and all. It was in the midst of all this that Oklahoma voted "3.2" beer and was called upon to ratify the Repeal Amendment. Maybe the drought had made Oklahoma thirsty, or maybe beer was the necessary concession in a year when the whole nation threatened to go wet. It is most doubtful that even a potent organization of the "drys" could have kept beer out of Oklahoma, the organization behind repeal was so terrific. Politicians seemed to sense the movement. It was an issue which crossed party lines. James A. Farley, with all of his organizing ability, carried the fight to the people, using every available means at his disposal. The papers, magazines, and radio were used. Speakers mounted rostrums in behalf of the burning issue. Mr. Farley spoke to the people by national hook-up. The demand for the added

¹ N. Y. Times, August 5, 1933, p. 13, c. 3.

revenue, liquor revenue, in depression times was appealing to no end.

The Warden of Sing Sing, Lewis E. Lawes, who is a keen analyst of crime and criminal mentality, wrote:

Professional drys are not alone in regretting the eminent passing of the prohibition era. There are also those to whom prohibition has been of great material advantage--a great group actuated by the ambition to retain power and to continue practically unmolested in the enjoyment of huge incomes.

Disorganizing a legitimate industry is difficult but can be accomplished with reasonable peace and order. Disorganizing an illegitimate industry is always fraught with danger, with disorder and uncertainty. The repeal of the 18th amendment will call for the liquidation of an unorganized illegitimate business. It will require strong measures, far-sighted and intelligent direction. It will put our protective forces to the test. We shall be disinheriting those who have come to regard booze as their especial province, and who, through the unlimited resources at their command, have been able to challenge law and its enforcement.

The accomplishment of repeal will find the professional and powerful booze lord determined to keep his present grip. The methods he will employ will be sinister and dangerous; there will probably be an accompaniment of violence. The attempt, though bound to fail, will for a time disturb the peace and order of the community.

Gangs and gangsterism will be remodeled. They will differ from the old types in that each gang will concentrate upon particular trades rather than in specific sections of the city. Thus the aftermath of prohibition will be the further development of racketeering in many lines of legitimate business. The criminal bootlegger will change his field of operation but not his mode of living--if he can keep it.

The repeal of prohibition will remove any possible justification for the existence of organized racketeering. The criminal

bootlegger racketeer will cease to be a useful appendage to a social problem. Police and protective forces will be able to resume jurisdiction. The arm of the law will be upheld, for the criminal element will lose the principal feeder. The public will have lost interest and will be concerned only with the preservation of law and order.

There can be no halfway measures; if this thing is to be mopped up and the condition rectified there must be absolute repeal. We shall then be able to face a definite situation.

The problem will not assert itself unless there is actual repeal of the 18th amendment. The restoration of beer, or of beer and wine, will leave untouched and unaffected the domain of the professional bootlegger, who will concentrate on hard liquor. The evils of prohibition will continue.

If the influence of the booze trust were confined to its immediate objective--supplying the demand for liquor--there would be little need to worry about it. No serious consequences could develop from prohibition except the loss of revenue to the government. But the immediate effect of the liquor barons was to raise the standard of living among criminals. The money that should have gone to the government in excess was paid the bootleggers.

The flaunting of these riches opened the eyes of lesser lights to the possibilities of racketeering. Attempts were made to impose similar conditions on legitimate enterprises. Some of them failed. Others met with success. This quest for easy money is leading men of questionable character into many fields to the dismay and genuine alarm of the business world.²

Many other magazines and papers took up the same line of reason that Warden Lawes used. Typical of

² Lawes, Lewis E., "What of the Liquor Racketeer?", The New York Times Magazine, Section 6, p. 1, April 2, 1933.

these is the following quote from "Colliers":

"Beyond all doubt the appalling outbreak of kidnaping is a direct result of prohibition. We sowed the wind and now we are reaping the whirl-wind. The vast army of criminals, gunmen and racketeers who were recruited to protect the outlaw liquor trade are now being forced into the ranks of the unemployed. It is obvious, however, that criminals who so long have had easy money in large quantities will not now voluntarily accept poverty. Thirteen years of licensed crime have produced appalling consequences. Now that prohibition has come and gone, the murderers, thieves, gunmen, and extortioners have turned upon the public which tolerated them while it used them"³

As the primary elections drew near, observers saw that "3.2" had an excellent chance of becoming legalized. Arid Oklahoma, born and reared bone dry, was all set to ballot to let the beer flood foam over its borders. She was one in nine states which had not made the beverage lawful. An Oklahoma City Times survey showed that every county would vote for the issue by a big majority, Tulsa leading the "wets" with a 5 to 1 forecast.⁴ It was reported that business and farmers supported the proposal. Reports from different areas were published to give the people facts about state sentiment. Lawton reported the Prohibition forces were not active; Kingfisher, interest on both sides; Pauls Valley, local Ministerial Alliance conducted county-wide campaign;

³ Thomas H. Beck, (et al), "Kidnaping and Prohibition," Colliers, September 16, 1933, p. 62.

⁴ Oklahoma City Times, July 7, 1933, p. 1, c. 2..

Ardmore, objections from pulpits. Other areas of the State presented similar reports.

Election day, July 11, was no exception to the drought of that year--the sun shone brightly all over the State. A record vote was cast and as voting progressed, it became apparent that beer was soon to make its debut in Oklahoma, even though the ballot box was to hold the secret until the polls closed. Attorney-General J. Berry King was to announce the beer edict somewhere between 10:00 p.m. and midnight. The beer industry was ready to roll as soon as it received the go signal. As the ballots were counted, better than a 90,000 majority vote was assured. When the announcement came, beer began to move across the border, and deliveries were made in Oklahoma City and all other parts of the state. License seekers jammed the state and county offices. Freight lines were over-loaded with barrels and cases of the sparkling beverage. By the 13th beer license taxes had mounted past \$160,000, and in New York the ticker fell behind in the rapid trading, with "wet" stocks up as much as \$16.

With the enter wedge in the "wets" felt that the next step would be the ratification of the National Prohibition Repeal Amendment, followed by the repeal of the State's Bone Dry Law. While Oklahoma did pile up a 95,000 vote majority on "3.2" beer, the

"dry" strength was considered a threat to repeal. The big cities voted beer in, a fact the politicians didn't wish to discount. Governor Murray had sent a special message to the Legislature on July 9 permitting it to set up machinery for an early vote on repeal of the Eighteenth Amendment. He specified that he was not opening the question of repeal of prohibition sections of Oklahoma's Constitution. Both houses had passed resolutions asking Governor Murray for authority to consider the Federal Repeal Amendment.⁵ Eighteen counties in western Oklahoma voted against legalization of beer, and when the Repeal Amendment came up, the senators from these counties opposed it along with other members who failed to see a peoples' mandate in the 95,000 majority vote.

Governor Murray was in New York on August 5 to give an address at a dinner honoring Wiley Post.⁶ Finding Post had gone West and the dinner postponed, Murray, in his usual grumbling manner, submitted to questions by the Press. Whether he was for repeal or not he wasn't in any hurry to vote on the issue. He pointed out that Oklahoma's financial condition was rapidly improving. He said the Bill had been in force since July 12, and that already we had got a half million dollars in revenue from it. "We collect from the brewer and the whole-

⁵ New York Times, July 9, 1933, p. 6, c. 7.

⁶ Ibid, August 5, 1933, p. 13, c. 3.

saler, and the retailer by the keg," he said. "It's better to collect by the keg; if you collect it by the glass you lose a lot." The same financial consideration that pleased him about beer as a State revenue producer made him object to speedy ratification. He explained that with the machinery as set up, the State at the time would not vote on repeal until the following June. "And I don't believe I should call a special election. In these times we ought not spend any money when we can avoid doing it." He said he thought when Oklahoma did vote, repeal would carry by a narrow majority.

Pressure to ratify the repeal of the Eighteenth Amendment was continually brought to bear on the Governor.⁷ Several prominent editors prophesied that public opinion might bring action from the Chief Executive, who remained firm against an early vote. Governor Murray pointed out that no provision had been made to pay the expenses of a repeal election, and asserted it must be deferred until the next regular primary in July, 1934. Repeal Advocates, on the other hand, asserted Oklahoma's delay in bringing the question to a vote might mean belated participation in the Federal taxes to accrue if the sale of liquor were legalized. They pointed out further that Oklahoma's vote on the Federal Amendment would have no bearing on the state's "bone-dry" laws.

⁷ Ibid, August 16, 1933, p. 14, c. 4.

Governor Murray's procrastination aided the cause of the Temperance groups, dry sentiment gathering momentum as time elapsed. Beer had provided the entering wedge, but the final blows could not be struck.

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SUMMARY

I find my study has been an effort to trace the progress of temperance in Oklahoma. The work begins with the first attempts by the Cherokee Indians to control the liquor traffic in their allotted territory. From this point on the progress of the movement in Indian Territory and Oklahoma Territory is discussed at length. The temperance work in the two territories, united as Oklahoma Territory, is given consideration for it was this united effort that was responsible for prohibition statehood. The thesis is concluded with the repeal fight of 1933.

I began this study by wondering whether the temperance sentiment began in Oklahoma or whether it was part of the national movement. My findings in this respect are most conclusive. The movement in Oklahoma was definitely tied up with the national movement.

Oklahoma was a land of Indians, and all Indian country was protected by Federal "dry" laws. Since these "dry" laws were often violated, there was real need for liquor control. Therefore, the protection of the Indian against the liquor traffic marked the beginning of Oklahoma's temperance movement.

The temperance movement, itself, took form under the guidance of church groups which had inherited a conservative desire to see prohibition in force throughout the new state.

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