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BOOTLEGGERS, DRUMMERS, AND NATIONAL DEFENSE:  
SIDESHOW TO REFORM IN TENNESSEE, 1915-1920

By Margaret Ripley Wolfe

Although prohibition was the dominant issue in Tennessee during the Progressive Era, the state was not devoid of other reform efforts.<sup>1</sup> One of these, the campaign for food and drug control, gained national attention for the state and its pure food and drug inspector, Lucius Polk Brown.<sup>2</sup> After seven years in this position, Brown resigned during June, 1915, to accept appointment as director of the Bureau of Food and Drugs in the New York City Department of Health. One reason for Brown's departure was that enforcement of statewide prohibition threatened to subvert the real purpose for which his department had been created. Because of the strengthening of the liquor laws in 1915, he found his department charged with ferreting out alcoholic beverages in drugstores and at soft-drink stands, with an implied responsibility for raiding dives, alleys, barns, stables, private clubs, and homes. Enforcement of the liquor laws and food and drug control in Tennessee from 1915 to 1920 provides an opportunity for examining the influence of one reform on another concurrent one and also the impact of international developments on a state issue.

Upon Brown's resignation, Governor Tom C. Rye was faced with the responsibility of finding a suitable replacement to serve out the term, which was due to expire on January 15, 1916. Several state residents imagined themselves to be qualified for the position, and they bombarded Rye with applications and recommendations. Under serious consideration were George Draper, a registered pharmacist from Gainsboro who had been employed in the Pure Food and Drug Department for a while; W. H. Hollingshead of Nashville, a graduate of Vanderbilt University and an employee of the Pure Food and Drug Department, who was recommended by Brown; George C. Childress from Knoxville, also a graduate pharmacist trained at Vanderbilt; and J.

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<sup>1</sup>The prohibition crusade is thoroughly studied in Paul E. Isaac, *Prohibition and Politics; Turbulent Decades in Tennessee, 1885-1920* (Knoxville, 1965).

<sup>2</sup>This story is presented in Margaret Ripley Wolfe, *Lucius Polk Brown and Progressive Food and Drug Control: Tennessee and New York City, 1908-1920* (Lawrence, Kans., 1978).

E. Justice of Clarksville, a pharmacist who established Nashville headquarters at the Hermitage Hotel to conduct his campaign for the job. Justice, too, had been graduated from Vanderbilt and had taught there for six years before entering the retail drug business.<sup>3</sup>

The leading contender for the vacant position was Harry L. Eskew, something of a dark horse, who came to Tennessee in 1903 as the southern representative of Sharpe and Dohme, a pharmaceutical company of Baltimore. A native of Ohio, he had received his education in the public schools there and later had earned a degree in pharmacy from the University of Cincinnati. In addition to being a member of the Travelers Protective Association, Tennessee Travelers, and United Commercial Travelers, he was a Mason and a Knight of Pythias. The members of the Nashville Manufacturers' Association, the Commercial Club of Nashville, and the Tennessee Pharmaceutical Association rallied to his support.<sup>4</sup>

The interest of the "traveling men" in food and drug control was natural because they depended heavily on public accommodations. In 1911, their various organizations had lobbied successfully for the state Sanitary Hotel Law. This measure required hotel operators to install lights, fire exits, and extinguishers; to maintain sanitary rooms and clean kitchens; and to provide individual towels, sheets, and toilets. Responsibility for its enforcement lay with the Pure Food and Drug Department.<sup>5</sup> When the failure of the legislature to behave responsibly in 1913 threatened the effective enforcement of existing food and drug laws and the sanitary hotel measure, the organized "drummers" had exerted pressure to secure adequate funding.<sup>6</sup> Consequently, when Brown resigned, they were interested in the appointment of his successor.

Traveling men of Nashville and other interested parties gathered on Sunday, July 11, 1915, at the Tulane Hotel and boosted Harry L. Eskew's candidacy. Those present appointed a special committee to notify Governor Rye of their endorsement. Some attending the rally were confused as to the purpose of the summons by J. R. Bass and H. P. Fritz, presidents respectively of the Tennessee division and the Nashville post of the Travelers Protective Association. Fritz, contending that he had

<sup>3</sup>Numerous applications and endorsements are included in the Governor Tom C. Rye Papers, box 58, file 1, Tennessee State Library and Archives, Nashville; *Nashville Tennessean and American*, July 19, 1915; *Knoxville Sentinel*, June 15, 1915.

<sup>4</sup>*Nashville Tennessean and American*, July 13, 14, 25, 1915.

<sup>5</sup>*Tennessee, Revised Statutes, Annotated* (Nashville, 1917), 1: 2041-46.

<sup>6</sup>*Nashville Tennessean and American*, January 5, September 14, 21, 1913; Pure Food and Drug Inspector's Report to Special Legislative Committee, March 12, 1913, p. 8, Governor Ben W. Hooper Papers, box 12, file 3, TSLA.

nothing against Eskew, asserted that the participants had the power only to consider the advisability of making recommendations. He later wrote to the governor, lamenting the endorsement of Eskew by the drummers. Referring to him as "an eleventh-hour candidate," Fritz further asserted that Eskew was merely a man who was being endorsed by close friends and was not a competent chemist. He urged the appointment of someone who possessed the virtues of former Commissioner Brown. Another traveling man declared, however, that if Eskew were appointed, "the Knights of the Grip" would be eternally grateful and from that time forward be tied to Rye with "strong golden cords of sincere gratitude and appreciation."<sup>7</sup>

Other Tennesseans in 1915 took a serious interest in the duties of the pure food and drug commissioner, and many were concerned with finding a replacement for Brown. An editorial in the *Tennessean and American* outlined the difficulties involved. According to this statement, published shortly before Governor Rye announced his choice, the position demanded a man of high integrity who was an expert chemist possessing administrative ability. The appointee, furthermore, would not find it necessary to do groundwork, inasmuch as a suitable foundation had been laid by the first commissioner.<sup>8</sup>

Governor Rye, apparently reacting to the pressure of the drummers, announced the appointment of Harry L. Eskew, not a "chemist of established reputation and ability," as prescribed by law, on Saturday, July 24, 1915, at 1:00 P.M. Expressing his pleasure in making the choice, he claimed never to have had better authority for appointing a man to office than in this instance. Thirty minutes later, Eskew, wasting no time, appeared before Chancellor J. B. Newman and was sworn into office. Brown, in New York, viewed the selection of Eskew as "a politician's appointment." The governor, he thought, had made his decision "with reference alone to the enforcement of the liquor laws." The former commissioner added: "He could have had all he wanted in Hollingshead."<sup>9</sup> On the other hand, a Robertson County newspaperman claimed that Rye had maintained his policy toward that county and had rejected another good man, J. E. Justice. The allegation was that Justice had not been chosen because he had told a group of Nashville druggists

<sup>7</sup>Nashville *Tennessean and American*, July 12, 18, 1915; Nashville *Banner*, July 10, 1915; H. P. Fritz to Rye, July 13, 1915, and William Hall to Rye, July 13, 1915, Rye Papers, box 58, file 1.

<sup>8</sup>Nashville *Tennessean and American*, July 23, 1915.

<sup>9</sup>*Ibid.*, July 26, 1915; Nashville *Banner*, July 26, 1915; Lucius Polk Brown to Susan Massie Brown, August 1, 1915, Lucius Polk Brown Papers in the possession of his daughter, Susan Brown Lyon, Murfreesboro, Tennessee.

who sold liquor that he intended to enforce all laws to the letter if named to the office.<sup>10</sup>

The general description of the new commissioner to be gleaned from satirical and serious reports indicated that he was akin to the traveling men satirized by novelist Theodore Dreiser and stereotyped by historian Thomas D. Clark. In *Sister Carrie*, Dreiser wrote of Charles H. Drouer:

Here was a type of the travelling canvasser for a manufacturing house—a class which at that time was first being dubbed by the slang of the day "drummers."...His suit was of a striped and crossed pattern of brown wool, new at that time, but since become familiar as a business suit. The low crotch of the vest revealed a stiff bosom of white and pink stripes. From his coat sleeves protruded a pair of linen cuffs of the same pattern, fastened with large, gold plate buttons, set with the common yellow agates known as "cat's-eyes." His fingers bore several rings—one, the ever-enduring heavy seal—and from his vest dangled a neat gold watch chain, from which was suspended the secret insignia of the Order of Elks. The whole suit was rather tight-fitting, and was finished off with heavy-soled tan shoes, highly polished, and the gray fedora hat.<sup>11</sup>

Clark, in *Pills, Petticoats, and Plows*, described the traveling salesmen of the post-Civil War South as economic advisers, news bearers, advertising agents, and masterful storytellers.<sup>12</sup> He characterized the medicine drummers as "slick-talking, flashily dressed dandies" whose "morals...were governed solely by their belief in the validity of the medicines which they sold."<sup>13</sup>

The Commercial Club's *Tattler* of Nashville contained two pages on Harry L. Eskew, which probably reveal something about his personality and the attitude of some of his cronies toward him:

Harry Laboratory Eskew was born in Newark, Ohio, on Friday the 13th of May, 1878, which, by a careful mathematical calculation makes him one hundred and thirty-seven years old. He has lived fast.

As an incident to his life in the Queen City, he went through the University of Cincinnati. We are unable to say just how he went through, or by which door he entered, but are inclined to believe that his passage consisted of a sightseeing trip with a party of tourists when he lingered for a time in the pharmaceutical department of the university and managed to hook a diploma which suggested to him the career he has since followed.

Old Lab sallied forth from college with this diploma on his shoulder and landed a job jerking soda water and putting up pink pills for pale people in a Cincinnati drug store, but got chesty in a few years and

<sup>10</sup>Robertson County News, July 30, 1915.

<sup>11</sup>Theodore Dreiser, *Sister Carrie* (New York [1900]), 4.

<sup>12</sup>Thomas D. Clark, *Pills, Petticoats, and Plows: The Southern Country Store* (Norman, Okla., 1963 [1944]), 84-97.

<sup>13</sup>*Ibid.*, 85-86.

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swooped down on the unsuspecting little town of Walton, Ky., where he hung out his shingle as the proprietor of a drug store. But Walton proved too small and too decent for this bacteria-bughunting enterprising piece of energy, so he signed on with Sharpe & Dohme, the great pharmaceutical factory of Baltimore, and soon began to shine at all the summer and winter resorts as the man who put the D in all dances.

...He actually danced himself into notice, and the United Commercial Travelers took him up and made him senior counsellor and appointed him the official entertainer at all functions. But it is impossible to keep Harry in one place all the time, and then again, the traveling men began to get tired of having him monopolize the attentions of their fair femininity so to get rid of him they petitioned Governor Rye to appoint him to the office of state pure food and drugs inspector.<sup>14</sup>

For better or worse, this dapper character was now confronted with managing a staff of six inspectors, two chemists, two office assistants, and temporary employees; administering an annual budget in excess of \$25,000; and enforcing the Pure Food and Drug Act of 1907, the Sanitary Food Law of 1909, the Sanitary Hotel measure of 1911, the Anti-Narcotics Act of 1913, several weights and measures statutes, and the new liquor laws. It was the latter upon which the Pure Food and Drug Department focused for the two years following the appointment of Eskew.

Tennesseans, after all, had embarked upon the noble experiment of prohibition, and state officials could not take the political risk of failing to display a serious concern for enforcement of the liquor laws. In January, 1909, the state legislature had passed the state-wide dry law over Governor Malcolm Patterson's veto. In subsequent years, additional legislation had been added to secure the "teetotalism" of state residents.<sup>15</sup> In a message to the General Assembly, Democratic Governor Rye on January 18, 1915, had pleaded for the passage of measures to halt the illicit liquor dealers; he was successful in obtaining action that resulted in three new laws. The first act dealt with the soft drink stands which were denied the right to sell any beverage containing more than one-half of one percent alcohol by total weight. The second made illegal the dispensing of intoxicants by druggists in any form without a valid prescription. They were also required to keep careful records of all prescriptions that they filled. Responsibility for enforcement of these two measures was assigned to the pure food and drug commissioner. A third act prohibited any person, club, association,

<sup>14</sup>Nashville *Tennessean and American*, September 19, 1915 (reprint of *Tattler* article).

<sup>15</sup>Isaac, *Prohibition and Politics*, *passim*; see also Eric Russell Lacy, "Tennessee Teetotalism: Social Forces and the Politics of Progressivism," *Tennessee Historical Quarterly*, XXIV (Fall, 1965), 219-40.

or lodge from maintaining a place where alcohol could be received, kept, bartered, sold, or distributed in any manner.<sup>16</sup>

The prohibition effort in Tennessee from 1915 to 1917 was a harbinger in miniature of the national experiment during the 1920s. A reporter for the *Tennessean and American* provided the following description of an establishment in Nashville that was raided during 1916:

There they [the officers] found between fifty and sixty patrons each with a foot hoisted to the bar rail as in the olden days of the open saloon. Many were caressing the stems of tumblers topped with the flowing suds and contemplating the mysteries of the amber fluid drawn from the wood by a regular white aproned bartender.<sup>17</sup>

Violations were common throughout the state, and some lawmen did not greet the crusade with enthusiasm. Eskew, nonetheless, predicated the reputation of his administration largely on liquor raids and surveillance.

Pressure from newspapers and the governor may have influenced Eskew's course. Shortly after the new commissioner was sworn into office, the *Nashville Banner* challenged him to "make analysis of some of the wares kept for sale" at soft-drink stands.<sup>18</sup> Governor Rye, likewise, trained an eye on the raids of the Pure Food and Drug Department, expressing surprise that so much liquor could be confiscated without resulting in arrests.<sup>19</sup> Defending himself, Eskew wrote the governor that "it was necessary...to procure the best results...without using the entire force of inspectors for assistance... Had I turned the entire Department over to this work," he added, "we would have been severely criticized for so doing. Already throughout the State there has been severe criticism that this Department was being used entirely for the prosecution of the soft drink laws and were neglecting to enforce the laws for which the Department was originally created." The commissioner claimed that this was not true, but the liquor raids had received so much attention in the press that those who opposed enforcement of the soft-drink laws could find an excuse to complain.<sup>20</sup> In spite of the commissioner's assertion that the other laws were being adequately enforced, newspaper accounts and official documents show clearly that the thrust of the work was toward enforcement of the liquor laws.

<sup>16</sup>Tennessee, 59th Assembly, 1915, *House Journal*, 146-47; *Revised Statutes, Annotated* (1917), 1, pp. 2187-95.

<sup>17</sup>Nashville *Tennessean and American*, May 14, 1916.

<sup>18</sup>Nashville *Banner*, August 9, 1915; response in Nashville *Tennessean and American*, August 12, 1915.

<sup>19</sup>Response to governor's comment in Harry L. Eskew to Rye, November, 18, 1916, Rye Papers, box 28, file 3.

<sup>20</sup>*Ibid.*

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Bootleggers and opponents of prohibition in Tennessee were not confined to any particular class, religion, ethnic group, or gender; but "wets" in urban areas were most likely to come under scrutiny. Blacks as well as whites were active participants in liquor operations. Jesse Graham, a Nashville Negro, was the subject of a raid on December 19, 1915. Graham specialized in variety; his stock included whisky, wine, gin, and rum. He stated that the entire cache was for his personal use, but another Negro, Bob Turner, signed an affidavit stating that he had purchased beer from Graham at fifteen cents per bottle and had left his gold watch as security.<sup>21</sup> Females, likewise, were placed under injunctions for selling intoxicants. Mrs. Lena Wolfowitz of Nashville was a notorious offender. After having received a pardon from Governor Rye for having violated the liquor laws, she was charged with contempt of court when officers found one hundred half-pints of whisky hidden in a woodpile behind her house.<sup>22</sup> Other sparkling imaginations, too, were at work to circumvent the laws, as evidenced by the uncovering of a dozen bottles of beer hidden in a joint of sewer pipe buried in the ground at Mickey Bain's place in Nashville.<sup>23</sup> Although the relatively few foreign-born in the state were not alone in their drinking habits, they certainly did not forego their pleasures easily. In Chattanooga, the Germans maintained their private social clubs.<sup>24</sup> In Memphis, Crump's bailiwick, where Eskew's men maintained a low profile,<sup>25</sup> the Italian elements were active in the Beale Street underworld.<sup>26</sup> At Lafollette, Glenn C. Medaris, an inspector for the Pure Food and Drug Department, took samples at soft-drink stands owned by Italians.<sup>27</sup>

The sheer volume and value of intoxicants seized by "Eskew's Raiders," as they were dubbed by newspaper reporters, rendered the work of some significance. On January 27, 1916, inspectors swooped down upon three wholesale liquor establishments in Nashville. Two of the owners, I. S. Hartman and I. B. Thomason had been tipped off; Harry Lehman, however, had made no attempt to remove his holdings. When the inspectors and receivers arrived by automobiles, they found large stocks about ready to be transferred. Nine wagons were parked at the

<sup>21</sup>Nashville *Tennessean and American*, December 20, 1915.

<sup>22</sup>*Ibid.*, September 4, 1916.

<sup>23</sup>*Ibid.*, June 2, 1916.

<sup>24</sup>Report of H. M. Robertson and Charles P. Hinds on work in Chattanooga, December 10-19, 1916, Rye Papers, box 28, file 3.

<sup>25</sup>Nashville *Tennessean and American*, March 12, 1916. Inspector F. S. Runyan reported his findings to the Anti-Saloon League in Shelby County instead of to civil authority.

<sup>26</sup>George W. Lee, *Beale Street: Where the Blues Began*, with a Foreword by W.C. Handy (College Park, Md., 1969 [1934]), 79.

<sup>27</sup>Glenn C. Medaris to Harry L. Eskew, August 16, 1916, Rye Papers, box 28, file 3.



Hartman place, and forty-five Negro laborers were loading them. At Thomason Brothers, a large truck was already partially filled. The stocks, valued at between \$10,000 and \$15,000, included the following: at Hartman's, 9,038 half pints of whisky, 112 quarts of whisky, 62 gallons of whisky, 1 barrel of case goods, and 2 barrels of beer on ice; at Lehman's, 2,064 half pints of whisky, 2 barrels of beer, 2 tubs of beer on ice, 21 barrels of whisky, 56 drums of whisky, 3 casks of wine, 1 cask of apple brandy, 6 jugs of whisky, and 2 barrels of whisky on tap; and at Thomason Brothers, 840 bottles of beer, 1,000 half pints of whisky, 50 quarts of sherry wine, 72 quarts of whisky, and 144 pints of whisky.<sup>28</sup>

In addition to conducting raids and taking samples at soft-drink stands, inspectors, traveling incognito, gathered information from the petit underworld in several cities of the state; but the most notable instance involved work in Chattanooga during the period from December 10 to 19, 1916. H. M. Robertson and Charles P. Hinds, the two agents at work, submitted to Commissioner Eskew a resumé of their investigation, which was forwarded to Governor Rye. While on assignment, the agents visited hotels, wholesale liquor houses, soft-drink stands, and clubs. They concluded that whisky and beer were available simply by asking the right people—and that bellhops and maids were often vital links in the bootlegging racket. In Chattanooga, social clubs also functioned as oases for parched patrons. At the Orioles Club, the inspectors were given cards admitting them to an open bar. They were not allowed to carry alcoholic beverages off the premises, but they noticed that some of the customers did so. Operators of the Owls Club turned Robertson and Hinds away, suggesting that they must submit applications and wait for membership cards. Employees at the Turnverin Club denied entrance to the pair on the grounds that they were not of German descent. Convinced that their assignment was a hazardous one, the agents claimed that, after attempting to make purchases at the L. D. Rice Liquor Company, they were followed by Negroes.<sup>29</sup>

Social clubs in Chattanooga and elsewhere in Tennessee thwarted enforcement of prohibition legislation. According to decisions of the State Supreme Court, the locker clubs did not violate the law when they served drinks. Evidently Eskew paid little attention to these opinions. In December, 1916, he campaigned against such establishments in Nashville and succeeded in closing a few of them. The Haymarket Social Club, Theatrical Mechanical Association, Order of Owls, Order of Buffalo, Nashville Social Club, Tennessee Club, and Merchants-

<sup>28</sup>Nashville *Tennessean and American*, January 28, 1916.

<sup>29</sup>Report of H. M. Robertson and Charles P. Hinds, December 10-19, 1916.

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Hermitage Club all were harassed by agents. The commissioner contended that these clubs carried retail liquor licenses, which at face value provided evidence that liquor was being sold for profit; and he argued that they did indeed violate the laws.<sup>30</sup> The famous "Tiger Raider" suffered a setback at the hands of Judge A. B. Neil of the Criminal Court who ordered the return of stocks of liquor seized at the Nashville Social Club, Haymarket Social Club, and Theatrical Mechanical Association. The judge held that under recent decisions of the Supreme Court, liquor could not be encumbered although club operators had been arrested. Sheriff Joe Wright of Davidson County subsequently returned the stocks to the owners.<sup>31</sup>

Certain dangers were in store for both lawmen and lawbreakers when raids occurred. After being taunted with anonymous letters from bootleggers, challenging him to catch them if he could, Eskew personally led a raid on May 13, 1916. At the establishment of Burt Bacherling, 1525 Church Street in Nashville, the commissioner and a deputy sheriff entered the building while another deputy waited outside. The sentry heard a window open above him, and when he looked up, a deluge of beer, whisky, and gin rained down upon his head, followed by a tub. He ducked aside in time to avoid serious injury. Inside on the first floor, Eskew and the other lawman had found only empty containers. While they searched below, the evidence had been destroyed above. They arrested the owner and charged him with resisting an officer and destroying evidence. Later in the year, the same deputy, who had been showered in alcohol, shot Walter Goodloe, a Negro, during a raid when he tried to escape by crawling through a fence with his arms full of bottles. Allegedly, the victim was a known bootlegger.<sup>32</sup>

Particularly disturbing to Eskew was his belief that lawmen and court officials forewarned those who were about to be raided. He reported to the governor late in 1916 that there was no doubt in his mind that such complicity existed. Lamenting the poor cooperation that he received from deputy sheriffs, he claimed that all of them were friendly with the bootleggers.<sup>33</sup> One of the most serious cases involved Wiley Embry, a deputy criminal court clerk of Davidson County. Allegedly he tipped off Ike S. Hartman of Hartman Distilling Company and B. L. and I. B. Thomason of Thomason Brothers that Eskew had secured injunctions

<sup>30</sup>Nashville *Tennessean and American*, December 20, 22, 1916.

<sup>31</sup>*Ibid.*, December 23, 1916. The act of 1915 known as the Club or Lodge Law was held to be unconstitutional by the State Supreme Court on the grounds that the body dealt with matters not included within its title. See *State v. Cumberland Club* and *State v. Elks' Social Club*, *Southwestern Reporter*, 188 (September 6-November 29, 1916), 583-87.

<sup>32</sup>Nashville *Tennessean and American*, May 14, July 9, 1916.

<sup>33</sup>Eskew to Rye, November 18, 1916.

against them and that a raid was impending. George Thomas, special attorney for the department, and Attorney-General A. B. Anderson filed a petition requiring Embry, Hartman, and the Thomasons to appear before the Criminal Court to show cause why they should be judged in contempt. To answer the petition filed against him, Embry appeared in the company of ten lawyers, who had offered their services because they believed he was only guilty of an improper act and not of contempt. While testifying, the clerk admitted that he had called Ike S. Hartman and told him that a bill was being filed. Embry claimed he did not contact the Thomason brothers. He had not the slightest idea, he stated, that his actions would be construed as contempt of court; and he maintained that it was customary to inform citizens that bills were being filed or had been filed against them so that they might secure counsel and appear and accept summonses instead of being arrested and brought to jail.<sup>34</sup>

Commissioner Eskew was a prime witness against Embry. According to his testimony, the deputy court clerk gave the alarm whereupon he urged his men to hurry to those places under injunctions and serve the papers. He then reported a conversation that he had with I. S. Hartman on the day of the raid. "Well, Ike, you seem to be moving"; to which Hartman replied, "Yes, by God, if they had given me a little more time I would have been moved." In court, Hartman nevertheless claimed he had received no message from Embry; he admitted trying to move his stock to a house in Kentucky because he had heard of proceedings initiated against Charles Lehman, the owner of another distillery.<sup>35</sup>

Rendering the decision, Judge A. B. Neil reviewed Embry's long record of honor, his integrity, and efficient service and found him not guilty of contempt. At the same time, he cautioned Embry that "no man can do violence to the cause of public justice without casting reproach upon the court." Ike S. Hartman fared less well. Neil imposed a fine of \$50 and a six-month sentence in the workhouse for violating an injunction of the court, restraining him from moving or attempting to move his stock into another state.<sup>36</sup>

Eskew also testified in the Wright Ouster Case. Judge Thomas E. Matthews suspended Joe E. Wright, sheriff of Davidson County, from office on July 14, 1917. The charges brought against him by County Attorney T. J. McMorrough and Attorney C. Rembert Marshall were damaging. They claimed Wright to be guilty of misconduct in office, principally that he had allowed open bootlegging. The pure food and drug

<sup>34</sup>Nashville *Tennessean and American*, January 30, February 2, 1916.

<sup>35</sup>*Ibid.*

<sup>36</sup>*Ibid.*

commissioner stayed on the witness stand during the entire day of March 12, 1918. He corroborated previous testimony that difficulty existed in attempting to apprehend violators actually selling liquor. He claimed, however, that he could have broken up practically all of the illegal sales if he and his entire force of six men had devoted themselves to this type of work only. According to Eskew, the staff of the Pure Food and Drug Department had taken the initiative and enforced the prohibition laws after September, 1916, the date Wright took office. The commissioner expressed his opinion that a sheriff with fifty deputies should be able to enforce the law. The State Supreme Court reversed the suspension of Wright that was forthcoming from the trial in 1918 after his re-election to a new term.<sup>37</sup>

Through all of Eskew's trials and tribulations as pure food and drug commissioner, he continued to fraternize with the drummers. Soon after taking the oath of office, Eskew and other traveling men had launched plans for a Traveling Men's Day at the state fair. The new commissioner's compatriots selected him as chairman general of the Committee on Arrangements, Ways and Means at which time "The Firing Line," a section of the Sunday edition of the *Tennessean and American* devoted to the traveling men's organizations, hailed Harry as the "drummer" who just won't get stuck up and quit 'drumming' for the good of the craft." The festivities included a parade of one hundred automobiles transporting salesmen, the first of which carried Governor Tom C. Rye and Judge Joseph Higgins of the State Supreme Court. Preceded by a detachment of mounted police and a Scottish Highland Band, the drummers and dignitaries made their way from the Capitol through the business district of Nashville.<sup>38</sup>

The members of the state division of the Travelers Protective Association also assisted Eskew with his work. Announcing that he had performed his duties in a manner that met with their heartiest approval, they prepared a special form to be used in reporting unsatisfactory hotel conditions encountered on their numerous trips. In mid-December, 1915, those present at the annual All Travelers' banquet were well enough satisfied with their "brother's" performance to pass a resolution requesting that Governor Rye reappoint Eskew after his brief incumbency. Once Rye took the necessary steps, the commissioner pledged to the traveling men that he would even more rigidly enforce the Sanitary Hotel Law.<sup>39</sup>

<sup>37</sup>*Ibid.*, March 13, 1918; Isaac, *Prohibition and Politics*, 255.

<sup>38</sup>Nashville *Tennessean and American*, August 22, September 5, 24, 25, 1915.

<sup>39</sup>*Ibid.*, October 10, December 26, 1915, January 23, 1916.

Occasionally Eskew became disturbed when his cronies criticized his department, and he accused them of "laying down on their rights." He urged them to remember that his department was charged with the enforcement of several laws with a staff of only six inspectors.<sup>40</sup> Reacting favorably to Eskew's criticism, the Tennessee Travelers formed a special committee headed by Mahlon Brown. The chairman found it possible to secure numerous reforms simply by calling the attention of the proprietors to certain violations of the law. When this approach did not work, Chairman Brown reported the uncooperative hotel owner to Secretary Waldo P. McEwen who wreaked vengeance upon the irresponsible innkeeper by dispatching a few thousand letters to patrons, warning them of dangers at the particular hotel.<sup>41</sup>

One of the few times that Harry L. Eskew fell from grace with any of the drummers occurred because of his liquor raids. An irate salesman, R. P. Estes, overcome with despair when he was mistaken for Eskew in Nashville, claimed that he could not "buy or beg a drink for love nor money" because he bore a striking resemblance to the commissioner. Once, when he almost had a buyer for the automobile oil that he peddled, some fellow that he had never seen before slapped him on the back, addressed him as Eskew, and inquired what the score was for the previous night. The prospective customer then declared that he did not want any oil. When Estes asked for the reason, the would-be purchaser exclaimed in a most bellicose manner: "If you'd tell me a damn lie about your name, you'd tell me a damn lie about your oil."<sup>42</sup>

One of the most amusing incidents involving Eskew and his fellow drummers occurred when the traveling men feuded over his possible candidacy for the governorship. Certain men within the various associations thought of nominating the commissioner as a candidate for governor in 1918, either on the Democratic ticket or a traveling man's ticket. Eskew left no actual profession of political faith, but his sympathies seemed to rest with the Democrats. The first public indication of this futile effort came in 1917 when the Tennessee Travelers met on July 6, in Murfreesboro. The drummers and their ladies were the guests of Oscar Aultman, manager of the Princess Theater, at a matinee party. Suddenly a slide flashed on the screen, announcing in a jocular manner that Harry L. Eskew had been selected by the travelers as a candidate for governor, albeit the members of the association frequently claimed themselves to be nonpolitically oriented. Supposedly,

<sup>40</sup>*Ibid.*, March 19, 1916.

<sup>41</sup>*Ibid.*, March 25, 1917.

<sup>42</sup>*Ibid.*, August 13, 1916.

however, many of them promised the commissioner their support if he should seek the state's highest office.<sup>43</sup>

Later in July, T. C. Cook, a former president of the organization, took up the matter in "The Firing Line." Claiming that 90 percent of the members interviewed believed that supporting a certain popular ex-commercial traveler was "playing with fire," he said traveling men in the state had no need for the office of governor to be given to one of the "knights of the grip." The former president cited the tremendous achievements of the travelers during the past decade: recognition by legislative and executive branches of the state government, coverage of their activities in the newspapers, and the passage of the Sanitary Hotel Law and an absentee voters bill. Denying that the Tennessee Travelers were nonpolitical, Cook said that they should be nonpartisan. Supporting a candidate for governor, he claimed, would mean the loss of all previous accomplishment. Apparently Cook squelched the momentum for Eskew when he declared in reference to the commissioner's supporters: "Verily, they are making a covenant with hell that shall not stand."<sup>44</sup>

Nothing came of Eskew's purported candidacy for governor, and the war effort in Tennessee very nearly extinguished the last flickerings of publicity and interest in his activities and those of his department. Tennesseans were more concerned with battling the "Huns" than in reform at home. Even Eskew displayed similar feelings. Another factor to be considered in explaining the decline was a wartime food administration in the state, which tended to subordinate the Pure Food and Drug Department. In setting up the Federal Food Administration, Herbert Hoover developed policy in Washington, D.C.; but the actual administrative duties were decentralized. Dr. Harcourt Alexander Morgan, of the College of Agriculture at the University of Tennessee, served as state food administrator after Hoover chose him from a list of possibilities drawn up by Governor Rye. Commissioner Eskew served as chief bakery inspector in Nashville under the auspices of Morgan. While newspapers and orators stirred the patriotism of the citizenry, the emphasis changed from food and drug purity to conservation.<sup>45</sup>

The traveling men of the state had no intention of remaining aloof from the frenzy of patriotism prompted by the entrance of the United States into World War I. In a letter written on November 26, 1917, Eskew, then state grand counselor of the United Commercial Travelers,

<sup>43</sup>*Ibid.*, July 6, 7, 1917.

<sup>44</sup>*Ibid.*, July 22, 1917.

<sup>45</sup>See Harry L. Coles, Jr., "The Federal Food Administration of Tennessee and Its Records in the National Archives, 1917-1919," *Tennessee Historical Quarterly*, IV (March, 1945), 23-57.

claimed that the restaurants in Nashville and throughout Tennessee had not instituted correct food policies; he urged the drummers to make their sentiments known.<sup>46</sup> The following March the traveling salesmen of the state founded the Tennessee Associated Commercial Travelers for the National Defense and made Eskew the president. Upon accepting the new post, he declared: "I have never been at the head of any organization that was not a live wire, and if the members of the association doesn't [*sic*] stick behind me, I am going to get out. The slogan of the Georgia Association is 'He who delays is lost; he who dallies is damned'; but let us in Tennessee add to that, 'All in Tennessee will do their bit and damndest'."<sup>47</sup>

Elsewhere Eskew was also active in patriotic endeavors. He received some national attention in August, 1917, when he attended a meeting of the Association of American Dairy and Drug Officials. The highlight of the convention was to be the appearance of Food Administrator Herbert Hoover, but when he did not show, Eskew enlightened the assemblage on the possibilities of the production of "war bread" from rye and barley flour or wheat and corn flour and other combinations that would reduce the cost without affecting the nutritional value.<sup>48</sup>

Eskew continued his work as state food and drug commissioner during the war, but without the enthusiasm that he had displayed earlier. After four and one-half years, he notified Governor Albert H. Roberts in November, 1919, that he would not be a candidate to succeed himself when his term expired in January. He stated that it had been his intention to retire from the position since his reappointment by Governor Rye the previous year.<sup>49</sup>

Basically, the history of the Tennessee Pure Food and Drug Department from 1915 to 1920 reveals a Progressive bureaucracy on the decline. At the mercy of state politics, it was beset by internal and external problems. Trouble began when Governor Rye, responding to the demands of drummers, appointed Eskew, who was not qualified according to state law, to head the department. To complicate this situation, the appointee displayed a stronger allegiance to the travelers' organizations than to his department, a posture not becoming a serious bureaucrat. This alone weakened the department, but the prohibition experiment intensified pressure. When the legislature placed responsibility for enforcement of the liquor laws on the Pure Food and

<sup>46</sup>Nashville *Tennessean and American*, December 2, 1917.

<sup>47</sup>*Ibid.*, March 18, 1918.

<sup>48</sup>Atlantic City (N.J.) *Daily Press*, August 3, 1917.

<sup>49</sup>Harry L. Eskew to Governor A. H. Roberts, November 26, 1919, Governor A. H. Roberts Papers, box 7, file 5, TSLA.

Drug Department, it altered that department's nature. The final blow to the once-powerful reform agency came with the advent of World War I and the redirection of public concern from food and drug purity to patriotic conservation. Without substance, the structure survived until the Pure Food and Drug Department was dismantled by the reorganization of state government during the Austin Peay administration of the new decade.

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