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TENNESSEE TEMPERANCE ACTIVITIES, 1870-1899

By Grace Leab*

The temperance sentiment of Tennessee is as old as the state itself. Its growth has been gradual, and many forces have worked to determine its progress. The state's first liquor law originated in North Carolina. This act of 1779 restricted drinking to homes and establishments for travelers by providing that intoxicants could be retailed only by inn and tavern-keepers who had secured licenses from the county court. Tippling houses were legalized in 1831 when the legislature outlined a general system whereby anyone could secure a permit for the retailing of spirituous liquors upon paying a twenty-five dollar fee and making bond to keep an orderly house and prohibit gambling. In 1838 the act of 1831 was repealed, and the famous "quart law," providing that fines be imposed upon anyone retailing spirituous liquors, was enacted. This law represented the first attempt in the United States to make illegal the sale of spirituous liquors in small quantities for beverage purposes.

In 1846 the legislature repealed the act of 1838 and returned to the general licensing system of 1831. In 1856 the lawmakers repealed the general licensing law in 1846 and reverted to the "quart law." In 1857, however, the act of 1856 was repealed, and the general licensing system restored. Under this system any person holding a license might sell spirituous and vinous liquors in any amount. To secure a license, one must pay the state tax of \$25 for \$250 worth of goods and an additional tax of \$10 for each \$100 above that amount. Local units could levy taxes which did not exceed the state tax. Holders of licenses and their employees were forbidden to sell to slaves without the written permission of their owners or to minors without the written permission of their parents or guardians. Sales could not be made on Sunday and gambling could not be permitted on the premises.

During the Civil War various military orders prohibited the sale to soldiers and government employees and in other ways placed restrictions and limitations on the sale in various places. After 1865 temperance advocates removed the drinking places from the neighborhood of several schools through the passage of special acts applying to particular institutions. The churches, a sympathetic press, and three temperance organizations—the Sons of Temperance, the

*This paper was read at a meeting of the East Tennessee Historical Society at Jonesboro in May, 1948.

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⁶Ibid.

Order of the Good Templars, and the Cadets of Temperance—were largely responsible for the progress of the cause in the state prior to 1870.¹

After the hectic years of the Civil War and reconstruction had passed, Tennessee entered upon a new period of her existence. The political situation had become more stable: on March 26, 1870, a revised constitution met with the overwhelming approval of the people, and the Democrats with a common determination that the years of Radical rule should not return, secured control of the state in the election of November, 1870. The people had begun to make economic adjustments and perhaps some of the discord and bitterness was passing away. The decade of the seventies, to be sure, presented its problems. The Democrats, feeling that it was necessary to keep the Republicans out of the legislature, venoefully perverted the state. There was bitter factionalism within the Democratic party and the state debt was a most trying problem.² These issues, however, were of a type that concerned the politician and legislator more than the individual citizen. For this reason, perhaps, Tennessee's people had an opportunity to turn their attention to social developments, with the result that the temperance activities from 1870 to 1880 far surpassed in number and importance those of the preceding decade.

The old temperance organizations continued and expanded their activities, and new ones found their way into the state. The Sons of Temperance displayed great activity during the first three years of the decade and employed many lecturers who traveled over all parts of the state attempting to persuade the people that "all would be happier if temperance prevailed."³ Some interesting stories were told of these speakers. One found it necessary to work out a vigorous defense for himself after a charge of being intoxicated while speaking had been made against him. Another declared that a rum seller was worse than a murderer, and after an interview with an "urbane and genial hotel keeper," his left eye needed medical attention.⁴ In addition to its extensive lecture program, the organization sponsored temperance picnics,⁵ rallies, public mass meetings,⁶ and parades in

¹P.M. Hamer, *Tennessee. A History, 1673-1932*, 4 vols. (New York, 1933), I, 339-51; *Acts of the General Assembly of the State of Tennessee, 1845-1846*, pp. 134-138; Ferdinand Cowle Iglehart, *King Alcohol Dethroned* (Westerville, Ohio, 1919), 233; *Nashville Republican Banner*, October 21, 1869, July 5, 1869.

²Hamer, *Tennessee*, II, 657-92.

³Knoxville *Daily Chronicle*, May 6, 1870.

⁴*Ibid.*, July 19, 1870, February 18, 1871.

⁵*Nashville Republican Banner*, June 7, 1872; *Knoxville Daily Chronicle*, May 29, 1870.

⁶*Ibid.*, May 24, 1870.

full regalia.⁷ Bands of Hope, in which any child who would sign the total abstinence pledge⁸ was eligible for membership, were created over the state. Many new subordinate divisions of the organization were founded so that "an unrelenting war would be waged against the arch-demon of intemperance with unabated vigor."⁹ Yet by 1874 the Sons of Temperance had declined greatly in importance, and the Order of Good Templars took its place as Tennessee's leading temperance society.

At the meeting of the Tennessee Order of Good Templars in 1872, it was reported that within the preceding year a hundred new lodges had been organized, embracing over four thousand members.¹⁰ In order to secure adequate hotel accommodations for the large number of delegates, it was necessary to hold the convention in Nashville.¹¹ In 1873 the order had 194 lodges and 7,534 members. By October, 1874, the number of lodges had increased to 297.¹² In East Tennessee particularly, the order grew rapidly.¹³ The Good Templars, like the Sons of Temperance, sponsored many lectures which were often followed by the signing of pledges and the organization of new lodges.¹⁴ The society was noted for its effective work among the Negroes of the state.¹⁵ By 1875 a few groups of Juvenile Templars had been organized, and appeals were made for the encouragement of the work among children. The Good Templars advocated local option and a law making retailers responsible for any damage done by intoxicated individuals to whom they had sold liquor.¹⁶ In Athens the work of the Order was so effective that three of the four barrooms closed.¹⁷ Individual members of the society prided themselves on the fact that they were total abstainers. The story is told of a Knoxville baseball team's having defeated a Greeneville team, whereupon a member of the latter suggested that they could not be beaten at drinking whiskey. To this challenge one of the

⁷Knoxville *Weekly Chronicle*, December 31, 1873.

⁸The text of this pledge was supplied from memory by Miss Margaret Fain of Johnson City, Tennessee.

"God helping me, I promise not to drink, buy, sell, or give
Alcoholic liquors as a beverage while I live;
From all tobacco I'll abstain
And never take God's name in vain."

⁹Knoxville *Daily Chronicle*, August 6, 1870.

¹⁰Nashville *Republican Banner*, September 22, 1872.

¹¹*Ibid.*, August 22, 1872.

¹²*Ibid.*, October 21, 1873, October 20, 1874.

¹³*Ibid.*, March 30, 1872.

¹⁴Knoxville *Weekly Whig and Chronicle*, January 19, 1876.

¹⁵Knoxville *Weekly Chronicle*, October 29, 1873; Nashville *Daily American*, October 24, 1877.

¹⁶Nashville *Daily American*, October 20, 1875.

¹⁷Nashville *Republican Banner*, January 7, 1875.

Knoxville nine replied that they were Good Templars and did not indulge.¹⁸ In 1870 the Tennessee Order of Good Templars chose the *Republican Banner* of Nashville as its official organ.¹⁹

Early in 1873 another society, called the Friends of Temperance, was organized; it grew rapidly and attained strength, particularly in the southern states. By midsummer there were active chapters in Tennessee, and by the end of two years, the Friends had created a "healthy temperance sentiment" in the state.²⁰ They appealed to the people largely through public lectures. This order was unique in that its restrictions forbade the use even of fresh cider.²¹

In Chattanooga there was a St. Joseph Total Abstinence Society whose claim to greatness seems to have been based upon its unusually good band and the fact that only one of its 120 members contracted cholera during the epidemic of 1873.²² There were also some other local temperance societies during the seventies. Knox County had her "Temperance Society of Brown's School House," and Clinton, her "Lights of Temperance."²³

By May, 1877, the Murphy movement was growing rapidly in Tennessee, particularly in the vicinity of Nashville.²⁴ This moral-suasion, pledge-signing movement²⁵ originated in the mind of Francis Murphy, an Irish boardinghouse keeper of Minneapolis, who had killed one of his customers in a scuffle. While in jail he became impressed with the value of temperance and decided to devote his life to the cause.²⁶ In the summer of 1878, George G. Leavenworth made an extensive tour of the eastern part of the state in the interest of the movement.²⁷ The Murphy pledge signers, of whom there were 5,000 in Knoxville,²⁸ were thereafter entitled to indicate their views on the subject by wearing a blue ribbon.²⁹

The most remarkable movement of the seventies was the Woman's Crusade, originated as the result of a series of lectures given in Ohio by Dr. Dio Lewis in December, 1873. Dr. Lewis described the success of the methods used in the 1830's in his boyhood town, Auburn, New York, by a group of mothers who decided to go

¹⁸Knoxville *Weekly Whig and Chronicle*, June 2, 1875.

¹⁹Nashville *Republican Banner*, July 20, 1870.

²⁰*Ibid.*, August 1, 1873; Nashville *Daily American*, September 29, 1875.

²¹Knoxville *Weekly Chronicle*, February 6, September 3, 1873.

²²Nashville *Republican Banner*, February 3, July 14, 1872; Knoxville *Weekly Chronicle*, July 30, 1873.

²³Knoxville *Daily Chronicle*, August 4, 1871, December 25, 1870.

²⁴Nashville *Daily American*, May 15, 1877.

²⁵D. Leigh Colvin, *Prohibition in the United States* (New York, 1926), 119.

²⁶Minneapolis *Tribune*, quoted in Nashville *Daily American*, June 7, 1877.

²⁷Knoxville *Daily Chronicle*, July 30, 1878.

²⁸Nashville *Daily American*, June 7, 1877.

²⁹Knoxville *Weekly Whig and Chronicle*, July 10, 1878.

in bands every day to the saloons, where they would sing and pray and urge the keepers to close their bars. In a short time five of the liquor dealers of the town had yielded to their intercessions. Dr. Lewis urged that the same methods would bear fruit, although forty years had intervened. Hillsboro, Ohio, is given credit for being the birthplace of the movement and Mrs. E. J. Thompson was its first leader. The Ohio crusade lasted from December, 1873, to the following June.³⁰ In one of the strangest reform movements in history rum dealers were attacked with prayer and song.³¹

Greeneville was the scene of the Woman's Crusade in Tennessee. In February, 1874, a group of Greeneville women and some from the rural community of Tusculum, under the leadership of a Reverend Mr. Black and his wife, attacked with energy and perseverance the three saloons of the town. The ladies sought to close the grog shops by arguing, pleading, Bible reading, singing, and praying. In addition to these tactics, they urged the signing of total abstinence pledges. The saloon which was considered most harmful was that of Betsy Ward situated on Depot Street in a public part of town. To be sure, a special campaign was waged against her shop. A small shanty of rough plank known as "Crusade House" was constructed across from Mrs. Ward's saloon to protect the ladies from the inclement weather while they made their onslaught. Chattanooga saloon keepers, feeling that it was their duty to aid the Greeneville woman who was carrying on a legal business in an effort to support herself and family, sent her thirty dollars with the understanding that she could keep it only by refusing to close her shop. In a like manner the liquor dealers of Knoxville remembered Mrs. Ward with fifty dollars and a keg of whiskey. A special prayer meeting was held in Greeneville for these "misguided men of Chattanooga and Knoxville." Although the Greeneville movement closed two of the saloons temporarily, Mrs. Ward's bar remained open. Tennessee's Woman's Crusade was local, somewhat fanatical, extremely sensational, and void of permanent benefits to the state's temperance cause. It did, however, have a rather tragic sequence. In 1887, when the Prohibition Amendment was being submitted to the people, William Ward, the eighteen year-old son of Betsy Ward, became offended at alleged remarks about his mother and was killed in a resulting wrangle on a Greeneville street.³²

The demands of the friends of temperance found expression

³⁰Colvin, *Prohibition in the United States*, 116.

³¹Nashville *Republican Banner*, February 5, 1874.

³²Greeneville *American*, March 4, 1874; Nashville *Republican Banner*, September 17, 1874; Nashville *Banner*, February 27, 1901.

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in Tennessee's legislation of the seventies, the agitation for local option being particularly intense. In 1870 a group of citizens appealed to the constitutional convention to incorporate the principle in the new constitution. An amendment giving the general assembly authority to grant by general law local option privileges to the subordinate units of government was introduced, but it failed on February 12, 1870, by a vote of 29 to 28. A motion to study the proposition further was carried, but on the day set for this business the convention refused to reconsider the defeated measure.³³ This particular action of the constitutional convention is of special significance in that it made the state's law-makers for a long period of time dubious of the constitutionality of local option legislation.

Early in 1871 two attempts to secure for the people the right to prohibit the sale of intoxicants failed.³⁴ These defeats seemed to spur the temperance advocates on to greater activity. The legislature of 1873 was flooded with petitions begging for various prohibition laws. As a result numerous bills were introduced. The Senate Committee on Tippling and Tippling Houses, realizing the laboriousness of its task, returned a number of the bills and in their stead prepared and introduced a single measure entitled "an act to provide against the evils resulting from the sale of intoxicating liquors in the state."³⁵ The bill required that all persons wishing to secure tippling licenses to sell in incorporated towns must make application to the county court clerk, and twenty days later an election should be held wherein the people of the local unit would be given the opportunity to vote "for license" or "against license." If a majority of the qualified voters opposed such a license, then it would be unlawful to issue it. The bill made it illegal to sell to minors without the written consent of parents or guardians, to persons already intoxicated, and to habitual drunkards whose wives or dependent relatives had served notice on the tippler. Druggists were permitted to sell for two purposes only: sacramental and medicinal.³⁶ The bill passed both the senate and the house, but it was vetoed by Governor John C. Brown, who took the position that it had been illegally passed and that it gave the people a power which did not constitutionally belong to them. The measure, he said, was a senate bill, and upon being transmitted to the house it was adopted in lieu of a house bill. The senate bill that was presented for his signature had

³³Nashville *Republican Banner*, February 2, 13, 15, 17, 1870.

³⁴Tennessee General Assembly, *Senate Journal*, 1870-1871, p. 377; *ibid.*, 1871, pp. 312-13; *House Journal*, 1871, p. 854.

³⁵*Senate Journal*, 1873, p. 237.

³⁶Knoxville *Weekly Whig and Chronicle*, March 26, 1873.

not been read and passed on three different days in each house as required by law. Then, too, Governor Brown reasoned that the power to make laws had been delegated to the general assembly by the people. This body consequently had no authority to pass legislation which could be suspended by a majority of the qualified voters of a civil district.³⁷ After 1873 the agitation for local option was continued and was especially favored by the Order of Good Templars.³⁸ In 1875 a bill containing the local option idea passed the senate, but was lost in the house.³⁹ Numerous memorials came to the legislature in 1877 and 1879. In spite of these appeals and the energetic efforts of the temperance people to create public sentiment, a local option bill was again defeated in the house in 1879 by a vote of 33 to 27.⁴⁰

The initial step in the constructive anti-liquor legislation of the state was taken by the University of the South, an Episcopal school located at Sewanee in Franklin County.⁴¹ As early as 1870, Major G. R. Fairbanks, the business manager of the school, realized the need of improving the general conduct of the people adjacent to the University's domain.⁴² As a remedial measure he resorted to the special school charter idea of the preceding decade and in 1873 and 1875 attempted to have bills passed especially for his institution. This legislation would have prohibited the sale of intoxicants within specific distances of the school.⁴³ After finding that such local measures were illegal under the new constitution,⁴⁴ Major Fairbanks advocated a general bill which was passed on March 19, 1877.⁴⁵ This act made it unlawful to dispense an intoxicating beverage within four miles of an incorporated institution of learning within the state, but its provisions did not apply to sales within incorporated towns, to persons holding an unexpired license, or to wholesalers.⁴⁶ This so-called Four Mile Law was a significant piece of temperance legislation. It brought local prohibition to numerous rural areas over the state, and its gradual extension completely drove the saloons

³⁷*Senate Journal*, 1873, pp. 384, 456-65; *House Journal*, 1873, pp. 437-38, 209, 228, 414.

³⁸*Nashville Daily American*, October 20, 1875.

³⁹*Senate Journal*, 1875, pp. 563-64; *House Journal*, 1875, p. 715.

⁴⁰*House Journal*, 1879, 1 sess., 782.

⁴¹Tennessee Anti-Saloon League History (anonymous manuscript found in the office of the Tennessee Anti-Saloon League, Nashville, Tennessee).

⁴²Mrs. R. L. Dudney, Registrar, University of the South, to the writer, December 9, 1936.

⁴³*House Journal*, 1873, v. 25; *Senate Journal*, 1875, p. 490.

⁴⁴Joshua W. Caldwell, *Studies in the Constitutional History of Tennessee* (Cincinnati, 1907), 398.

⁴⁵*Senate Journal*, 1877, 1 sess., 489, 519, 554; *House Journal*, 1877, 1 sess., 551, 691, 756.

⁴⁶*Acts of the General Assembly of the State of Tennessee*, 1877, 1 sess., 37.

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from Tennessee thirty-two years later. The temperance people, however, were unduly ambitious in the use of this law. In 1881 it was necessary for the state supreme court to decide that the Four Mile Law was enforceable only around incorporated schools, and could not be applied to free schools as had been attempted in DeKalb County.⁴⁷

In June, 1870, a law was enacted which made it a misdemeanor for any state or county officer to be in such "a state of drunkenness as to incapacitate him for the proper and rational discharge of the duties of his office."⁴⁸ During the seventies the temperance people failed in their attempts to prevent the sale of whiskey to inebriates⁴⁹ and to minors.⁵⁰ They were no more fortunate in their efforts to make liquor dealers responsible for all damages that were traceable to their intoxicated customers.⁵¹ The whiskey interests on their part failed during this period to secure a reduction in taxes and exemption from oath and bond not to sell adulterated liquors.⁵² They were successful, however, in the passage of an act which prohibited druggists from selling without a license except for sacramental and medicinal purposes.⁵³

In addition to their legislative program, the friends of temperance carried on various activities, the purpose of which was to build up public sentiment for the cause. Many temperance stories were published in the newspapers. *Ten Nights in a Bar Room*, showing the results of excessive drinking, was one of the most popular stage plays of the period.⁵⁴ There were suggestions of destroying the saloons by establishing in the cities places in which to spend leisure time that would be far more attractive and less expensive.⁵⁵ It was pointed out that from the viewpoint of the government, the saloons were a financial failure; for example, the citizens of Memphis in 1872 paid \$1,825,000 to the dram shops, while these in turn paid to the city in taxes only \$23,000.⁵⁶ Also, the schools of Washington County were reported to be carrying on extensive temperance programs.⁵⁷

⁴⁷James Harrison v. the State, 15 Lea, 721.

⁴⁸Acts, 1870, 2 sess., 71.

⁴⁹Senate Journal, 1871, p. 273; *ibid.*, 1873, p. 237; *House Journal*, 1873, p. 463.

⁵⁰Senate Journal, 1871, p. 184; *ibid.*, 1873, p. 408; *House Journal*, 1879, 1 sess., 573.

⁵¹Senate Journal, 1873, p. 56.

⁵²Nashville Republican Banner, November 17, 1871; *Senate Journal*, 1872, pp. 23,

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⁵³Acts, 1870, 2 sess., 86.

⁵⁴Knoxville Daily Chronicle, March 8, 1871.

⁵⁵*Ibid.*, April 14, 1872.

⁵⁶Knoxville Weekly Chronicle, May 1, 1872.

⁵⁷Jonesboro Herald and Tribune, cited in Knoxville Weekly Chronicle, April 30, 1872.

Notwithstanding all the efforts of the temperance people, there was a steady increase in the amount of liquor manufactured and sold within the state during the seventies. Beer and whiskey were used extensively for the treatment of cholera in 1873, and when the epidemic was at its worst, more drunken men were reported in Chattanooga than ever before. In 1874 the amount of whiskey held in bond in the Nashville revenue district broke all previous records, and in September, 1875, 27,919 gallons were sold there. In March of the same year Charles Nelson, the leading wholesaler of the city, paid over \$1,000 a day in federal taxes.⁵⁸ In May, 1879, 87,460 gallons of whiskey were manufactured in the Nashville district. Government revenue from liquor increased throughout the state. Tennessee on the whole was noted for the quality as well as the quantity of her drinkables; by 1877 the state had a national reputation for her "pure and fine whiskies and apple and peach brandies," the products of Robertson County being particularly well known.⁵⁹

The organization and growth of the Woman's Christian Temperance Union was one of the most significant non-political temperance developments in Tennessee from 1880 to 1889. The national W.C.T.U., a direct result of the Woman's Crusade, was created at a temperance convention in Cleveland, Ohio, in November, 1874. This convention, attended by delegates from seventeen states, adopted a constitution, written by Miss Frances E. Willard, which contained the total abstinence pledge and a promise to work against the liquor traffic. The national organization bent its efforts immediately toward the creation of unions in all the states.⁶⁰

Mrs. J. C. Johnson of Memphis was largely responsible for the early development of the W.C.T.U. in Tennessee. Mrs. Johnson entertained Miss Willard, who toured the South during the early eighties, and became so much interested in her mission that in February, 1882, the Memphis unit of the W.C.T.U. was established. On October 22 of the same year, five Tennessee women, Mrs. Johnson, Mrs. Sam Watson, and a Mrs. Hawks from Memphis, and Mrs. E. I. Roach and a Mrs. Baker from McKenzie met in Nashville with some temperance leaders from other states and organized a state union with Mrs. Johnson as president. During the first year the growth of the W.C.T.U. was far from encouraging. Of the eleven unions organized, only four survived. Mrs. Johnson died in

⁵⁸Knoxville *Weekly Chronicle*, July 23, 1873; Nashville *Republican Banner*, July 9, 1874, April 11, 1875; Nashville *Daily American*, October 6, 1875.

⁵⁹*Ibid.*, June 11, 1879.

⁶⁰*Union Signal* (Evanston, Illinois), March 1, 1906; Anna A. Gordon, *The Beautiful Life of Frances E. Willard* (Chicago, 1898), 107.

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April of 1883, and was succeeded by Mrs. Lide Merriwether, who served as state president until 1887, when Mrs. A. A. Gibson of Athens was elected. Two years later Mrs. Silena Moore of Fayetteville was placed at the head of the organization, and under her leadership the W.C.T.U. made notable progress.⁶¹ In 1894 there were thirty-three white and three colored unions in the state. The following year thirty-five white and five colored unions were reported. In 1896 there was an increase of seven unions and 110 members, and at that time the state organization had twenty-five departments of work, conducted by fifteen superintendents. In 1898 there were fifty-nine unions with 361 paying members.⁶²

To promote the temperance cause, the W.C.T.U. engaged in various activities. Its work among the Negroes was outstanding, particularly in Harriman, Athens, Maryville, and Nashville.⁶³ A successful fight was made for scientific temperance instruction in the public schools. Public sentiment was created in support of the prohibition amendment.⁶⁴ The Chattanooga union in 1898 established "Soldiers Rest," where various comforts, temperance leaflets, and Testaments were provided for the soldiers encamped at Chickamauga Park. Temperance schools and Loyal Temperance Legions were established throughout the state for boys and girls.⁶⁵

Other temperance organizations were also active in the state during the period. The St. Mary's Catholic Total Abstinence Society was founded in Knoxville to train Catholic youth "in the path of morality and sobriety."⁶⁶ In 1896 Junior Prohibition Leagues were organized among the young people of Middle Tennessee. Both of these groups were affiliated with national organizations.⁶⁷ The Sons of Temperance and the Order of Good Templars remained intact during the period, but with the exception of the year 1883, during which the Templars did good work, the activities of these organizations seem to have been confined to social affairs, particularly picnics.⁶⁸ Many of the local temperance societies of the eighties and

⁶¹Lilian W. Johnson, *Temperance Scrapbook* (Tennessee State Library, Nashville). Lilian W. Johnson was a daughter of Mrs. J. C. Johnson. *Carroll County Democrat*, October 10, 1902.

⁶²*Minutes of the Annual Meetings of the W.C.T.U. of Tennessee* (Athens, 1894-1899), 1894, p. 46; 1895, pp. 4, 8; *The Union Signal*, January 21, 1897; *Daily Progress* (Harriman), April 6, 1896.

⁶³*Tennessee W.C.T.U. Minutes*, 1894, p. 6; 1895, p. 8.

⁶⁴*Woman's Appeal* (Jonesboro), September, 1887.

⁶⁵*Union Signal*, September 1, 1898.

⁶⁶*Knoxville Tribune*, October 15, 1894.

⁶⁷*Nashville American*, April 30, August 7, 1896; *Knoxville Tribune*, January 14, 1895.

⁶⁸*Nashville Daily American*, October 17, 1883.

nineties seem to have been sponsored by churches.⁶⁹

In Tennessee, as in three-fourths of the other states,⁷⁰ the predominating temperance effort of the eighties was directed toward the addition of a prohibition amendment to the constitution. The advocates of the cause were somewhat disappointed in 1882 when a constitutional convention to which they had planned to appeal was voted down. In 1883 a number of resolutions proposing the desired amendment were introduced in the house, but no action was taken on them. In 1885, however, John H. McDowell, senator from Obion, Dyer, and Lake counties and a member of the Committee on the Suppression of Intemperance, introduced a joint resolution into the senate proposing the following amendment:

No person shall manufacture for sale or keep for sale as a beverage any intoxicating liquors whatever, including wine, ale, and beer. The General Assembly shall by law prescribe regulations for the enforcement of the Prohibition herein contained, and shall thereby provide suitable penalties for the violation of the provision thereof.

On February 20 the resolution was adopted by a vote of 20 to 11, and on March 30 it passed the house by a vote of 59 to 20.⁷¹ This victory brought much rejoicing, but the fight was not over. Since the amendment must be approved by a two-thirds vote of both houses of the general assembly of 1887, the "drys" turned their attention to the election of men who were friendly to the cause. The question in 1886 brought no little anxiety to both Democrats and Republicans. The temperance people had rather prudently kept the movement out of politics, and political leaders, fearing the loss of votes, hesitated to take a stand on the question.⁷² Finally, however, both parties incorporated in their platforms planks favoring submission. The Republicans admittedly evaded the real issue by merely recognizing the right of the people to vote on the proposed amendment. The Democrats came out boldly for submission, but at the same time they affirmed support of the national Democratic platform which expressed opposition to all "sumptuary laws," thus rendering themselves liable to the charge of inconsistency, since the term sumptuary laws included anti-liquor laws. The real issue in the campaign, however, was the amendment itself rather than the abstract theory of submission, as is evidenced by the fact the liquor

⁶⁹Knoxville *Weekly Tribune*, May 5, 1880; Knoxville *Tribune*, May 4, 1894.

⁷⁰Ernest H. Cherrington, *The Evolution of Prohibition in the United States of America* (Westerville, Ohio, 1920), 176.

⁷¹*Senate Journal*, 1885, 1 sess., 79, 136, 321; *House Journal*, 1885, 1 sess., 689.

⁷²Nashville *Banner*, February 22, 1886; Daniel Merritt Robison, *Bob Taylor and the Agrarian Revolt in Tennessee* (Chapel Hill, 1935), 27.

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interests opposed submission, while the prohibitionists were its most earnest advocates." Both Governor Robert L. Taylor and a majority of the lawmakers favored the proposition. As a result, a resolution submitting the proposed amendment to a vote of the people on September 29 passed both houses by considerably more than the required two-thirds majority."

Both the "drys" and "wets" then turned their attention to the creation of a public sentiment in favor of their interests. The liquor people contended that the amendment would reduce public revenue, destroy the democratic principles of liberty, injure the state's industries, and create an illegal liquor traffic.⁷² The friends of the proposed measure appointed committees to work for a large attendance at the polls. Prohibition columns were carried in the *Nashville Banner*. The Jonesboro W.C.T.U., in addition to furnishing decorations, music, and free lunches on election day, published a special paper, *The Woman's Appeal*, to win support for the cause. The advocates of the amendment pointed out that it would not prohibit the manufacturing of intoxicants for one's own use or for medical and sacramental purposes. Figures were produced to show that the more saloons a county had, the greater its number of prisoners in the state penitentiary. More than four hundred convicts in the main prison at Nashville, supposedly upon their own initiative, issued an appeal to the people for the support of the amendment, declaring that three-fourths of the state's criminals owed their condition to intoxicating liquors. It was contended that the liquor traffic was a financial loss; Washington County, for example, paid \$2,618 for expenses directly traceable to the saloons while the saloons in turn paid only \$750 in taxes.⁷³

On September 29, 1887, a total of 252,701 votes was cast, exceeding by more than 17,000 the total gubernatorial vote of 1886. The votes against the amendment numbered 135,197, and those for it 117,504. Although the temperance people were defeated in the state as a whole, they won outstanding victories in East Tennessee.⁷⁴ In 1890 the president of the state W.C.T.U., Mrs. Silena Moore Holman, declared that the defeat of 1887 could be attributed to the fact that the women were not voting citizens.⁷⁵ Others contended that

⁷⁰*Nashville Banner*, June 16, August 31, October 14, 1886.

⁷¹Message of Gov. Robert L. Taylor, *Senate Journal*, 1887, *Appendix* (unpaged).

⁷²Joseph H. Acklen, *Anti-Prohibition Speech* (delivered at Waverly, Tennessee, September 21, 1887, printed copy in Tennessee State Library).

⁷³Minutes of the Jonesboro W.C.T.U. (MS in the office of the Jonesboro W.C.T.U.), September 15, 28, 1887; *Woman's Appeal*, September, 1887.

⁷⁴*Nashville Banner*, October 13, 1887.

⁷⁵*Stenographic Report*, November 12, 1890 (A supplement to the *Union Signal*, November 18, 1890).

the extensive use of money and the control of the political machines of both parties by the liquor interests were responsible for the result."⁷⁹

After 1880 there was a marked difference of opinion concerning the success of the Four Mile Law. The people of Carthage reported that conditions had greatly improved since a surrender of the charter had made the law applicable to their town. Lebanon and Maryville rejoiced over the fact that abolition of their incorporations had driven the saloon from their counties. Greeneville, on the other hand, felt that repeal of her charter had not been wise: municipal taxes had been lost, and the cost of prosecuting the violators of the Four Mile Law far exceeded the fines collected.⁸⁰ Both groups appealed to the legislature. L.L. Hawkins of the Committee on Tippling and Tippling Houses reported that 21,000 persons had signed a petition asking for the repeal of the Four Mile Law, while 28,000 had voiced opposition to repeal.⁸¹ The lawmakers responded by proposing a mass of legislation. Two bills provided for complete repeal of the existing law.⁸² Other bills proposed that the law be made applicable to incorporated towns of less than a certain population, their limitation figures ranging from 100 to 10,000.⁸³ One bill would have made the sale of intoxicants near churches illegal;⁸⁴ another would have prohibited "the sale of, delivery of, or receiving of money for intoxicating liquors within four miles of a chartered institution of learning, by any common carriers or their agents."⁸⁵

Of the great number of bills introduced from 1881 to 1889 attempting to manipulate the Four Mile Law only two were enacted. In March, 1883, the law was made applicable to taxing districts of the second class;⁸⁶ this term referred to towns of less than 30,000 inhabitants which were governed by three commissioners appointed by the county court after the charter of incorporation had been repealed.⁸⁷ This law, however, was declared unconstitutional by the state supreme court. The court reasoned that since a taxing district was only a municipal corporation under a different name, the law did not apply to all persons in a like state and circumstance, and consequently was a partial rather than a general law.⁸⁸ This judic-

⁷⁹Colvin, *Prohibition in the U. S.*, 203.

⁸⁰Nashville *Banner*, February 9, 1886; *Daily American*, April 3, 1880, January 11, 1881, March 14, 1883.

⁸¹Knoxville *Whig and Chronicle*, March 16, 1881.

⁸²House *Journal*, 1883, p. 403; 1891, 1 sess., 404.

⁸³*Ibid.*, 1883, p. 558; *Senate Journal*, 1885, 1 sess., 77, 181; 1891, 1 sess., 29.

⁸⁴*Ibid.*, 1891, 1 sess., 348.

⁸⁵*Ibid.*, 1891, 1 sess., 29.

⁸⁶Acts, 1883, p. 257.

⁸⁷*Ibid.*, 1881, p. 174.

⁸⁸Wm. Hatcher and Jack Lea v. the State, 12 Lea, 370.

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ial interpretation is rather significant; hereafter no city could abolish its charter, drive out its saloons, and at the same time enjoy any of the benefits of local government. In March, 1887, it became illegal to sell intoxicants within four miles of any school house, public or private.⁹⁰ This legislation had rather far-reaching results; it destroyed the local nature of the Four Mile Law and abolished sale by retail in practically all the rural districts of the state.⁹⁰

From 1880 to 1882 the agitation for local option was unusually strong in Tennessee. Knoxville appears to have been the center of the movement. As a result of the work of the local option society of that city fifty memorials were sent to the legislature. On March 10, 1881, the chairman of the House Committee on Tippling and Tippling Houses reported that 21,067 petitions asking for local option had been received. So strong were the prospects for legislation, the liquor dealers did no more than keep up their stock. Soon after the general assembly met in 1881, a bill was introduced in the house designed to grant towns and cities of more than 5,000 population the privilege of voting every two years on the question of whether or not licenses would be granted to tipplers. In spite of the strong public sentiment in favor of this bill, it failed by a vote of 35 to 28; a motion to reconsider the vote also failed.⁹¹ After 1883 there was a decline in local option agitation. This situation can be explained by the numerous defeats which the measure had met and the rise of new prohibition movements which absorbed the interest of the people.

Noteworthy indeed in the history of temperance is the founding of the town of Harriman, Tennessee, the first industrial-prohibition city of the country. The idea was conceived by Frederick Gate of New York who believed that temperance made for industrial progress. He persuaded a group of outstanding prohibitionists, including Professor A. A. Hopkins and General Clinton B. Fisk, to aid him in the establishment of a business, the main objective of which was to prove that industrial success was a certainty where the liquor traffic and drinking habit were banned. As a result, the East Tennessee Land Company was organized in October, 1889. This company purchased several thousand acres of land at what is now the city of Harriman, and on February 26, 1890, the "great sale" began. In three days 300 lots were sold for a total sum of \$600,000. Three thousand men, representing fifteen states, were present. In all the deeds the "no saloon clause" was inserted. This clause declared that

⁸⁹Acts, 1887, p. 293.

⁹⁰Anti-Saloon League History. An anonymous typewritten history of the Tennessee Anti-Saloon League (Office of the Anti-Saloon League, Nashville, Tenn.).

⁹¹House Journal, 1881, 1 sess., 534, 753; Nashville Daily American, June 10, 1880, March 4, 1881; Knoxville Weekly Whig and Chronicle, February 2, 1881.

the purchaser should not use his premises or knowingly allow them to be used for the purpose of "manufacturing, storing or selling intoxicating liquors as a beverage"; if property was used for such purposes, the deed became null and void and the land again became the property of the company. Incidentally, there is no record of any property's having been reclaimed.⁹² Preachers and prohibitionists from all parts of the country, especially from the East, came to Harriman.

Although Harriman was conceded to be an industrial failure after the depression of 1893, it was always considered a moral success. In the second year of the city's existence, eight churches were holding regular services. From the beginning the ladies were active along prohibition lines, their W.C.T.U. becoming the most outstanding union in the state. They sponsored the building of Temperance Temple, the only establishment of its kind in Tennessee. The Temple had a large auditorium for instructive entertainment and smaller rooms for religious and temperance groups. Financial difficulties, however, confronted the enterprise at the outset, and the ladies were finally forced to sell the building. Another outstanding temperance organization was Harriman's Loyal Temperance Legion under the direction of Mrs. Jennie Manley. It had 160 members in 1896, and during the following three years it was the state's banner legion.⁹³

In 1892 a group of the leading men in Harriman undertook a unique educational enterprise, the American Temperance University. The East Tennessee Land Company donated \$70,000, and Dr. J. F. Spence, a noted educator of the state, became the first chancellor, with thirty-three eminent temperance men and women composing the board of trustees. Nondenominational and coeducational, the school's major objective was the training of young people for leadership in civic and prohibition activities. In 1896 the University had eleven distinct departments, one of which was designated as the "Department of Prohibition, Physiology, and Narcotics."⁹⁴ In 1880 the national W.C.T.U. had begun fighting for the passage of an educational law which would require in connection with the teaching of physiology and hygiene emphasis upon the effects of alcohol on the human body.⁹⁵ By 1883 the need for such legislation was recognized in Tennessee by temperance lecturers and teachers.⁹⁶ In 1891

⁹²*Pioneer Times*, May 27, 1916; *Knoxville News-Sentinel*, August 25, 1936.

⁹³*Pioneer Times*, May 27, 1916; *Union Signal*, September 7, 1893; *Open Door*, June 1, 1900; *Daily Progress*, April 6, 1896.

⁹⁴*Ibid.*

⁹⁵*Stenographic Report*, November 27, 1890.

⁹⁶*Nashville Daily American*, January 28, May 3, 1883.

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a bill providing for the scientific study of temperance was tabled in the house, and in 1893 three house bills and one senate bill for the same purpose quietly and quickly passed into oblivion.⁹⁷ In April, 1895, however, a bill providing for "certain studies in public schools" passed the house by a vote of 66 to 13 and the senate by a vote of 26 to 2.⁹⁸

Year after year the dry element in Tennessee appealed to the general assembly for additional laws regulating the liquor traffic. As a result there was a mass of legislation, proposed and enacted, which cannot be treated as a part of any one of the major temperance movements. In 1881 it became unlawful for any person (or his employees) engaged in the manufacture or sale of intoxicants to sell or give to a minor without the written consent of the parents, guardian, or head of the school attended by the minor.⁹⁹ In 1883 the penalties provided in the law of 1881 prohibiting sale to minors were extended to persons selling or giving intoxicants to any husband who was an habitual drunkard after they had been served with a written notice by the wife of such a husband.¹⁰⁰ Bills designed to prevent drunkards from being pharmacists or storekeepers,¹⁰¹ to prevent doctors from prescribing for patients while drunk,¹⁰² to bring intoxicating bitters within the provisions of the Four Mile Law,¹⁰³ to prohibit sale to juries during court sessions,¹⁰⁴ and to provide absolute prohibition for the state¹⁰⁵ failed.

In addition to state laws the liquor traffic was subject to a number of local ordinances. Retailers paid heavy municipal taxes: Chattanooga, for example, charged \$250 for a tippler's license. Columbia required all saloons to be closed from eleven p.m. to four a.m. and imposed a five dollar fine for public drunkenness. A Jonesboro law closed the saloon of that town at dark. Chattanooga and Nashville had local ordinances forbidding tippling on Sunday. Oftentimes public opinion and a kind of mob violence regulated the activities of tipplers; thirty-five saloon keepers in Nashville, because of the agitation of local ministers, agreed to close their places of business during week-day religious services. In Dickson, after an intoxicated

⁹⁷House Journal, 1893, pp. 264, 284, 298, 258, 264; Senate Journal, 1893, p. 312.

⁹⁸House Journal, 1895, 1 sess., 427; Senate Journal, 1895, 1 sess., 427; Acts, 1895, 1 sess., 378. The term "certain studies" refers to courses in physiology and hygiene which would emphasize the effects of alcoholic drinks, cigarettes, and narcotics upon the human system.

⁹⁹Acts, 1881, 1 sess., 105; 1891, 1 sess., 338.

¹⁰⁰Acts, 1883, p. 199.

¹⁰¹House Journal, 1893, pp. 93, 364.

¹⁰²Senate Journal, 1897, p. 541; House Journal, 1897, p. 1003.

¹⁰³Ibid., 1883, p. 819; Senate Journal, 1885, 1 sess., 855.

¹⁰⁴Ibid., 1881-1882, p. 476; House Journal, 1881-1882, p. 568.

¹⁰⁵Ibid., 1883, p. 370; 1885, 1 sess., 544.

man had been killed by a train, a group of influential citizens confiscated the whiskey of the saloons.¹⁰⁶

After 1880 the temperance people used the press more extensively in advancing their cause. *The Prohibition Advocate*, edited by the Rev. Mr. A. Futrell, was the leading prohibition paper in the early eighties. *The Southern Broadaxe*, which was edited in Nashville by R. A. Campbell and was the first organ of the Temperance Alliance, was being sent to 122 different post offices in the state in 1883. *The Issue*, the official publication of the Temperance Alliance and later of the Prohibition party, was started in Nashville in 1885 by George W. Armistead and within eighteen months had 5,000 subscribers in the South.¹⁰⁷ There appears to have been only one issue of *The Woman's Appeal*, which was published by the Jonesboro W.C.T.U. in September, 1887, apparently for the sole purpose of creating public sentiment in favor of the prohibition amendment.¹⁰⁸ *The Christian Advocate*, a paper of the Methodist Church, published in Nashville, *The Pilot*, published in the same city by James Tate, and *The Harriman Advance*, published by Wilbur F. Colvin, were not strictly temperance papers, but they devoted much space to the cause.¹⁰⁹ The W.C.T.U. did not have a state organ until after 1900, but that organization carried on an extensive press work, and space was generously donated by numerous newspapers over the state.¹¹⁰

The activities of Tennessee's temperance people from 1870 to 1899 were both numerous and vigorous. The Four Mile Law was an accomplishment of substantial value; the state W.C.T.U. had grown into an organization of influence; a temperance education law had been enacted; local option agitation was to lead to the Anti-Saloon League; and the press had begun to be used effectively in the cause. The efforts of these particular years served as a foundation for the notable victories of a later period.

¹⁰⁶Nashville *Daily American*, February 21, 1885, March 13, 1887, March 25, January 8, 1883, September 12, 1889, June 12, February 21, 1893, August 15, 1892; Nashville *American*, December 22, 1895; Minutes of Jonesboro W.C.T.U., October 2, 1890.

¹⁰⁷Nashville *Daily American*, April 22, 1882, May 23, 1884, February 18, 1887; Nashville *Daily World*, June 10, 1883.

¹⁰⁸*Woman's Appeal*; Minutes of the Jonesboro W.C.T.U., September 15, 1887.

¹⁰⁹Nashville *American*, April 3, 1896.

¹¹⁰*Tennessee W.C.T.U. Minutes*, 1894, p. 33.

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