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A Study of the Role of Churches in the Enactment of the Arkansas Prohibition Law of 1917

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A STUDY OF THE ROLE OF CHURCHES IN
THE ENACTMENT OF THE ARKANSAS
PROHIBITION LAW OF 1917

A Thesis
Presented to
the Faculty of the Department of Religion
Ouachita Baptist University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts
Riley Library
Ouachita Baptist University

by
Ralph Bradley Hoshaw

August 1969

A STUDY OF THE ROLE OF CHURCHES IN
THE ENACTMENT OF THE ARKANSAS
PROHIBITION LAW OF 1917

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I would also like to express my appreciation for the work accomplished by a man not directly connected with this study. The work that Dr. George Blackmon has done and is doing in the field of Arkansas Baptist History cannot be over-emphasized. The microfilm library he has assembled is a tremendous aid to anyone researching Baptist history.

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CHAPTER I

THE PROBLEM

Churches have been involved in the moral and ethical standards of the United States and its political subdivisions since the formation of the nation. Major questions about the churches' involvement as a social force in the nation or in the community concern: (1) the degree of involvement, (2) the methods employed and (3) the relative effectiveness of church influence upon the mores and laws of any society or state. To answer these questions, a historical study must be made of a particular moral problem in a specific locale and of the role that church influence or direct action played in its solution.

I. A STATEMENT OF THE PROBLEM

The purpose of this study was to ascertain the role that churches and Christian leaders had in Arkansas' enactment of the "Bone Dry" Law of 1917 and of the numerous less important prohibition laws which led to its enactment. The "Bone Dry" Law (Act 13 of the 1917 Arkansas General Assembly) was:

An act to prohibit the shipment of intoxicating liquors into this State, and to prevent shipment of the same from one point or locality within this State to any other point or locality within this State; prohibiting the storage or possession of said liquors; forbidding the solicitation or taking of orders for the liquors defined in this Act; prohibiting the storage of liquors in lockers, or other places in any social club or fraternal

organization for use therein; prohibiting the keeping or maintaining of unlawful drinking places as defined by the Act, in which drinking places are made nuisances; and providing for the forfeiting of the charter of any incorporation, club or association violating the law against keeping or maintaining said drinking places, regulating procedure and fixing punishment and penalties; and for other purposes as detailed in the Act.¹

With the signature of Governor Charles Hillman Brough, Senate Bill 36 of 1917 became law, Act 13 of the Arkansas General Assembly. The "Bone Dry" Law, as Act 13 was popularly known, made Arkansas the first "Bone Dry" state in the United States.²

The basic contention underlying this study was that churches and Christian leaders in various denominations were primarily responsible for the "Bone Dry" Law and the previously enacted laws upon which it was predicated. The purpose of this study, consequently, was to determine the validity of this basic contention and to determine what methods or approaches were used in securing the passage of Act 13.

II. THE JUSTIFICATION OF THE PROBLEM

Importance of the study. Alcoholism is one of our nation's most pressing health, moral and economic problems.

¹State Legislature of Arkansas, Acts of Arkansas, 1917 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1917), pp. 41-42.

²News item in the Arkansas Gazette, February 18, 1917.

The United States since its inception has faced this problem.

Carter and Cober state:

Beginning with George Washington's administration, the Federal Government exercised the regulatory power of a high tax on alcoholic beverages. This was met with the Whiskey Rebellion in western Pennsylvania, which had to be quelled by the militia. Step by step, town, county, state and federal authorities battled liquor interests for nearly a century and a half.

Millions of citizens were recruited in mass temperance movements of the early nineteenth century. The Washingtonian Society, formed in 1840, set out to reform every drunkard in the land. It pioneered for ten years. By that time Maine had established a state prohibition law. At the outbreak of the Civil War thirteen states were dry by state prohibition. Pressure for increased revenue both for the Federal Government and the Confederacy brought about the repeal of nearly all these early state prohibition laws. Following the Civil War, the influx of foreign population, increased organization of the liquor industry and the post-war moral sag, greatly retarded temperance and prohibition activity.³

From the 1870's until the Prohibition Era (1920-1933) the crusade against the saloon and alcohol consumption moved steadily forward with increasing momentum, led by the Woman's Christian Temperance Union and the Anti-Saloon League. The Anti-Saloon League became known as "the church in action against the saloon."⁴

During the period from 1885 to 1917 the reform-minded Arkansas Legislature enacted one hundred sixty-two separate

³Paul C. Carter and Kenneth Cober, An Old Fight in a New Arena (Philadelphia: The Judson Press, 1940), pp. 14-15.

⁴Ibid., p. 15.

prohibition laws, climaxing in the most comprehensive prohibition law of all, Act 13 of 1917. Indirect church influence was primarily responsible for Act 13 of the 1917 General Assembly. The same type of approach and organizational machinery can be used to shape legislative programs and administration policies involving moral issues of the present time. While Christianity, per se, is not the subject of legislative process, the morality of any given society often is decided by legal enactments. The direction of that morality is of vital concern to Christianity.

To effect the desired direction of the morality of any society, the individual Christian can use his personal influence. The church can use its collective voice through adopted resolutions or petitions submitted to political bodies, political officials and the news media. Organizations of churches can follow the same approach as individual churches, but on a larger scale. All Christians, churches and groups of churches can work with organizations such as the Anti-Saloon League. Peter Odegard says of the Anti-Saloon League, "The League was organized to give church people an effective political organization to fight the liquor traffic."⁵ The Anti-Saloon League obviously was most concerned about

⁵Peter H. Odegard, Pressure Politics: The Story of the Anti-Saloon League (New York: Columbia University Press, 1928), p. 16.

liquor problems, but other organizations confront additional moral problems in a similar way.

The Anti-Saloon League of Arkansas became "The Temperance League of Arkansas" on January 18, 1949. It became in 1959 "The Christian Civic Foundation of Arkansas."⁶ During these transitions the scope of this organization was broadened to include other moral issues in addition to the liquor problem. ARTICLE TWO, Section 1. of the Constitution of the Christian Civic Foundation of Arkansas, Inc. states:

The objectives of this organization shall be to provide a medium through which individuals, church organizations and social agencies may unitedly cooperate in a moral and scientific solution of the social and moral problems involved in and arising from alcoholic beverages, gambling, narcotics, obscene literature and other related matters adversely affecting the morality of our society.⁷

This study also addressed itself to the determination of the importance of the type of men and women constituting governmental bodies, in this instance, the Arkansas General Assembly. The legislative leadership which secured the enactment of the local and state-wide prohibition laws was made up of Christian men having definite convictions against the liquor traffic. Having this type of people in political

⁶Clyde C. Coulter, "History of the Temperance League of Arkansas," the Arkansas Methodist, March 19, 1959, p. 5.

⁷Constitution of the Christian Civic Foundation of Arkansas, Inc., p. 1. (Mimeographed.)

offices in general and in the Legislature in particular was a vital factor in changing the morality of Arkansas during the 1900-1917 period.

Scope and limits of the study. The specific geographic area was the State of Arkansas. The time period extended from 1900 through 1917 with background material beginning in 1856.

Definitions of terms used. Only two terms were defined for particular usage in this study.

Church. The term "church" in this study refers to an organized group of Christians in a particular location and to groups of churches such as Associations, Conventions, Synods, Conferences and similar delineations within the State of Arkansas.

Prohibition. Even without qualifying terms, this word means in this study, "The forbidding by law of the sale and, sometimes, the manufacture and transportation, of alcoholic liquors as beverages."⁸

III. ORGANIZATION OF THE THESIS

The main body of this study was divided into the following chapters:

⁸John P. Bethel (ed.), Webster's New Collegiate Dictionary (Springfield, Massachusetts: G. & C. Merriam Company, 1960), p. 675.

CHAPTER II. HISTORICAL BACKGROUNDS TO 1900

CHAPTER III. 1900-1912, THE "THREE-MILE," COUNTY
AND MISCELLANEOUS PROHIBITION LAWS

CHAPTER IV. THE GOING LAW OF 1913

CHAPTER V. THE NEWBERRY LAW OF 1915

CHAPTER VI. THE "BONE DRY" LAW OF 1917

CHAPTER VII. SUMMARY AND CONCLUSIONS

IV. RÉSUMÉ OF THE HISTORY OF THE PROBLEM

Based upon the considerable amount of research completed in this study and according to the professional opinion of a noted authority in Arkansas history, Dr. John L. Ferguson, Executive-Secretary of the State History Commission, nothing has been published in this field. Most, if not all, of the research made to the present time has been done in this work.⁹

The liquor question confronted Arkansas citizens recently and at an accelerated pace when compared to the conditions in 1917. A mixed-drink local option bill was passed in the 1969 General Assembly. Whatever methods were employed in 1917 to defeat the purposes of the liquor interests can well be employed a half-century later.

⁹Statement by Dr. John L. Ferguson, personal interview.

V. A STATEMENT OF THE SOURCES OF DATA

Since no in-depth research had been accomplished in this field, the primary sources of data were: the Acts of Arkansas, the Journals of the Senate of Arkansas, the Journals of the House of Representatives of Arkansas, general histories of Arkansas, newspapers of the period, religious newspapers and periodicals, minutes of annual meetings of church groups (primarily Baptists, Methodists and Presbyterians) and personal interviews.

VI. THE METHOD OF PROCEDURE

The procedure involved a perusal of the Acts of Arkansas from 1850 to 1899 for a background of the laws dealing with liquor restrictions prior to the period with which the study is concerned. A more precise and thorough investigation of the 1900-1917 period included the Acts of Arkansas to determine what bills became laws, followed by a minute search of the Journals of the Senate of Arkansas and the Journals of the House of Representatives of Arkansas to determine who authored the prohibition bills and who voted for their passage. When this information was recorded, the next step was to search all biographical files available to learn something about the religious backgrounds and lives of the men who supported the prohibition bills. This search included minutes of church group annual meetings to see if

the legislators in question were ministers or prominent workers in their respective denominations. The local and the state-wide newspapers of the period were researched in this quest, especially the papers which were published during the months the General Assemblies were in session. This method revealed that some men in the Arkansas Legislature were dedicated Christians in their churches and communities-- indeed, several of these legislators were ministers.

Concurrently, this procedure provided a record of several resolutions adopted by church groups which encouraged the enactment of prohibition laws. To correlate this information, personal interviews were conducted with men who were in the Arkansas Legislature when various prohibition bills were considered or passed. This aspect of procedure was complicated by the fact that very few of those legislators were living.

CHAPTER II

HISTORICAL BACKGROUNDS TO 1900

During the early years after Arkansas became a state in 1836, liquor flowed freely and saloons flourished. Often, drinks were sold to all persons regardless of age. In the 1850's the temperance forces, led by the Woman's Christian Temperance Union and some Protestant churches, endeavored legally to restrict or prohibit liquor sales.¹

On December 15, 1856, the Eleventh Session of the Arkansas General Assembly passed the first "Three-Mile" Law. This law "prohibited the sale of spiritous or vinous liquors within three miles of Falcon Male and Female Academy, in the county of Columbia."² This was the first of one hundred ten such laws passed by 1899.

The enactment of prohibition laws was not without opposition. Some of the opposition was well-taken as Hempstead relates:

One of the incidents of the session of the Legislature of 1854 was the presentation of petitions for the passage of a "Maine liquor law or prohibitory law." The subject was considered by a special committee, a part of whom

¹John L. Ferguson and J. H. Atkinson, Historic Arkansas (Little Rock, Arkansas: Arkansas History Commission, 1966), pp. 217-218.

²State Legislature of Arkansas, Acts of Arkansas, 1856 (Little Rock, Arkansas: Johnson & Yerkes, State Printers, 1857), p. 22.

reported, in an elaborate report, that in their opinion the petition should be refused, saying that "the most sensible men agree that whatever is to be done must be by moral suasion and voluntary action."

This was the beginning of the movement for prohibition in this State, a movement which has now grown to be wide-spread and of increasing power.³

To have been effective, a prohibitory law must have had sufficient support of the citizenry to have been enforceable, a support it did not have in 1854. The temperance activity was stymied during the Civil War and immediately thereafter. But by 1879 temperance forces succeeded in securing the passage of a local option law which prevented the granting of liquor licenses to anyone unless approved by a majority of voters within the county where the application was made.⁴

Of the pre-1900 "Three-Mile" laws, eighty-three were enacted from 1881 to 1900. These laws plus the county-wide local option laws were succeeding in drying up forty-two counties and twenty per-cent of the remainder of the state.⁵ Many of the "Three-Mile" laws were of more than a three-mile designation. An example was a ten-mile radius "Three-Mile" law passed on February 10, 1887. Act 5 of 1887

³Fay Hempstead, Pictorial History of Arkansas ([n.p., n.n.], 1890), p. 18.

⁴Ferguson, loc. cit.

⁵Ibid.

provided: *the Constitution Report to the State Legislature*

That it shall not hereafter be lawful for any person to sell or caused to be sold, give or caused to be given away, within ten (10) miles of Ouachita College, situate on lots B. and C. of Hardy's, Barkman's and Royal's addition to the City of Arkadelphia, any ardent, vinous, malt or fermented liquors, or any compound or preparation thereof commonly called tonics, bitters or medicated liquors, in any quantity, except the same be for medical purposes, as herein provided; Provided, That nothing in this act shall preclude the use of wine for sacramental purposes or in private families.⁶

This Act was introduced and promoted by church leadership inasmuch as a religious institution was stipulated as the center of the ten-mile radius in question. A definitive provision also was made to exempt from the law the religious use of wine. Most of the "Three-Mile" laws specified either churches or schools as the center of the prohibition area.

Prior to 1900 the Woman's Christian Temperance Union and some churches led the fight against the liquor traffic. A new ally began to function in 1899, "The Anti-Saloon League of Arkansas was organized in Little Rock in 1899 under the leadership of Hon. W. B. Atkins as President."⁷ The Anti-Saloon League provided a political voice by which the churches and church leaders could most effectively speak.

⁶State Legislature of Arkansas, Acts of Arkansas, 1887 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1887), p. 6.

⁷Clyde C. Coulter, "History of the Temperance League of Arkansas," the Arkansas Methodist, March 19, 1959, p. 5.

The Temperance Committee Report to the 1899 Arkansas Annual Conference of the Methodist Church South stated, "We endorse the Anti-Saloon League and commend it to the consideration of our pastors and people."⁸

At the advent of the present century several factors previewed the eventual passage of a state-wide prohibition law: (1) the increased percentage of the State of Arkansas dried up by the "Three-Mile" laws; (2) the increased number of counties which banned the legal sale of liquor; (3) the increased concern of the churches (whose teachings were opposed to the use of liquor as a beverage) to do something about the liquor problem;⁹ and (4) the organization of the Anti-Saloon League of Arkansas.

⁸Arkansas Annual Conference, Methodist Episcopal Church South, 1899 (Conway, Arkansas: Press of Conway Printing Company, 1899), p. 32.

⁹Ferguson, loc. cit.

CHAPTER III

1900-1912, THE "THREE-MILE," COUNTY AND MISCELLANEOUS PROHIBITION LAWS

During the six legislative sessions held between 1900 and 1912, forty-one "Three-Mile" laws were enacted. Assisted by the politically active Anti-Saloon League, the dry forces secured the passage of four county-wide prohibition laws, two in 1909 and two in 1911. Several state-wide bills were introduced in this period. Only three became laws, two in 1901 and one in 1907. Pressure was increasing by the end of the period for a strict, state-wide prohibition law.

The 1901 General Assembly. Five "Three-Mile" laws were passed in 1901, involving Mt. Vernon Baptist High School in Phillips County, the Springdale Public School in Washington County, Ouachita Academy in Randolph County, Haller's Chapel in Arkansas County and the Bee Branch School in Van Buren County.¹ The Bee Branch School law was authored by Representative George G. Perkins, a Baptist minister who worked with the Pee Dee Baptist Association, Van Buren County.²

¹State Legislature of Arkansas, Acts of Arkansas, 1901 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1901), pp. 109, 134, 175, 243 and 337.

²Minutes of the Pee Dee Baptist Association, 1898, p. 12.

Representative J. T. M. Holt was the author of Act 75, a state-wide liquor law which prohibited the "solicitation of orders or sale of liquor in prohibited districts by firms located where it is legal."³ This was the first of several bills leading eventually to the enactment of the "Bone Dry" Law of 1917. Representative Holt was a member of the County Line Baptist Church in Howard County and a member of the Committee on Colleges in the Howard County Baptist Association annual meeting in 1898.⁴ In 1913 he was the Moderator of the Howard County Baptist Association.⁵ Throughout this period the Howard County Baptist Association maintained a strong stand for prohibition.⁶

Act 188 of 1901, "prohibited the selling of liquor without a license."⁷ The influence of the Anti-Saloon League was increasing by 1901 to the extent that its work was being supported by local groups of churches. An example was the Temperance Committee Report given by J. L. Brown, Charles T.

³Acts of Arkansas, 1901, op. cit., pp. 125-126.

⁴Minutes of the Howard County Baptist Association, 1898, pp. 2-3.

⁵Minutes of the Howard County Baptist Association, 1913, p. 1.

⁶Minutes of the Howard County Baptist Association, 1900-1912.

⁷Acts of Arkansas, 1901, op. cit., pp. 342-343.

Arnett and R. E. Hunt to the 1901 session of the Spring River Baptist Association:

It is with pleasure that we note the great and effective work that has been done, and is being done, throughout our land, and especially in the State of Arkansas towards the ridding our country of the liquor curse by the churches and the allied temperance and prohibition forces. One year ago this Association endorsed the work of the Anti-Saloon League of the state which we are glad to state has done the most effective work the past year, of anything that has heretofore undertaken this great work. It worked before the last legislature in securing the passage of several wholesome laws, strengthening our present prohibition laws, and also in securing the passage of the anti-gambling law. We again heartily endorse the Anti-Saloon League, and invite the co-operation of all churches.⁸

The 1903 General Assembly. Prior to the 1903 General Assembly, the 1902 Arkansas Annual Conference of the Methodist Church South adopted a resolution strongly urging several steps to help bring about stricter prohibition laws:

...be it resolved:

1. That our preachers preach oftener on the evils that grow out of the liquor traffic.
2. That we urge our people to abstain from drinking liquor in any amount as a beverage.
3. That voting or working for the traffic is an immorality and should be dealt with as the discipline directs in cases of immorality.
4. That all honorable means be used to create a healthful public sentiment in favor of prohibition.
5. That we endorse the Anti-Saloon League in its efforts to enforce laws in favor of prohibition and that we commend Rev. E. A. Tabor, Superintendent of the League in his untiring efforts to carry out the purpose of the League.

⁸Minutes of the Spring River Baptist Association, 1901, p. 18.

6. That we recognize the Searchlight as an important factor in creating prohibition sentiment, and that we commend it to all our people.

7. That two members of this Conference be appointed by the Bishop as delegates to the National Anti-Saloon League in Washington D. C., December 8-11, 1902.⁹

This resolution was typical of various church groups' actions during 1902 and indicated a growing desire to curb the liquor traffic. The 1903 General Assembly passed four "Three-Mile" Laws involving the Rocky Comfort Presbyterian Church and the Public School at Ashdown, both in Little River County, Hendrix College in Faulkner County and the Sloan Hendrix Academy in Lawrence County.¹⁰ Senator James M. C. Vaughter was the author of the bill which prohibited the sale of liquor within a ten-mile radius of Hendrix College in Faulkner County.¹¹ He was a licensed Baptist minister and a member of the First Baptist Church in Conway. He was "a dedicated worker"¹² in the Greenbrier Baptist Association.¹³ Representative Alexander D. DuLaney authored

⁹Arkansas Annual Conference, Methodist Episcopal Church South, 1902 (Conway, Arkansas: Press of Conway, 1902), p. 18.

¹⁰State Legislature of Arkansas, Acts of Arkansas, 1903 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1903), pp. 202, 226, 232 and 351.

¹¹State Legislature of Arkansas, Journal of the Senate of Arkansas, 1903 (Newark, Arkansas: Journal Printing Company, 1903), p. 155.

¹²Statement by Dr. J. E. Cobb, personal interview.

¹³Minutes of the Greenbrier Baptist Association, 1899, pp. 6, 8 and 9.

the two Little River County bills. He was a Baptist layman from Little River County.¹⁴ Senators Lon Slaughter and M. P. Huddleston sponsored a bill which failed to pass, but which would have prevented "the sale of whiskey outside of cities and towns."¹⁵ Senator Slaughter was Moderator of the Mt. Vernon Baptist Association in 1913.¹⁶ Senator Huddleston was a Baptist minister from Harrisburg, Arkansas.¹⁷ Representative Tillman B. Parks authored House Bill 97, "An act to prohibit the taking or soliciting of orders for the sale of intoxicating liquors in prohibition territory." The bill passed the House sixty-six to five, but never became law.¹⁸ Representative Parks was Clerk of the New Lewisville Baptist Church in Lafayette County and worked in the Columbia Baptist Association.¹⁹ The effect of prohibition advances was evidenced by Governor Jeff Davis' remarks in his second-

¹⁴Dallas T. Herndon, Centennial History of Arkansas (Little Rock, Arkansas and Chicago, Illinois: The S. J. Clarke Publishing Company, 1922), II, p. 719.

¹⁵Journal of the Senate, 1903, op. cit., p. 101.

¹⁶Minutes of the Mt. Vernon Baptist Association, 1913, p. 1.

¹⁷Minutes of the Arkansas Baptist State Convention, 1903, p. 65.

¹⁸State Legislature of Arkansas, Journal of the House of Representatives of Arkansas, 1903 (Newark, Arkansas: Journal Printing Company, 1903), p. 96.

¹⁹Minutes of the Columbia Baptist Association, 1898, p. 19.

term campaign with reference to a Prohibition Party candidate facing him in the election. He stated that he had always voted dry and what he failed to vote out, he was drinking out and these two acts of his would soon make a bone dry state.²⁰

He was excluded from the Second Baptist Church in Little Rock²¹ and the charge was for his liquor consumption in public.²² Davis, in reference to those who preferred the charges against him, said, "I was only a 'pint Baptist,' while these others were 'quart Baptists.'"²³

The 1905 General Assembly. No state-wide prohibition bills were passed by the 1905 General Assembly. Ten "Three-Mile" laws were enacted involving the Vilonia Methodist Church in Faulkner County as the center of a five-mile prohibition district, Salem High School in Fulton County, the Bellville, Arkansas school building, the Public Schools at Wilton, Arkinda and Winthrop in Little River County, the University of Arkansas at Fayetteville, the Public School

²⁰Walter Scott McNutt, Olin Eli McKnight and George Allen Hubbell, A History of Arkansas (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1932), p. 319.

²¹L. S. Dunaway, Jeff Davis, Governor and United States Senator, His Life and Speeches (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1913), p. 217.

²²John Gould Fletcher, Arkansas (Chapel Hill, North Carolina: The University of North Carolina Press, 1947), p. 306.

²³Ibid., pp. 306-307.

at Benton in Saline County, the Crossett Methodist Church in Ashley County and the Public School in Mulberry, Crawford County.²⁴ Senator James M. C. Vaughter, the Baptist minister from Conway, was the author of the Vilonia Methodist Church "Three-Mile" law.²⁵ Senator Reuben R. Adams authored the law using the Public School in Benton as the center of a five-mile prohibition area.²⁶ Senator Adams was a member of the Big Creek Baptist Church near Sheridan in Grant County. He was a messenger from his church to the Pine Bluff Baptist Association in 1898 and gave the Temperance Report to the Association.²⁷

The minutes of the 1906 Arkansas Methodist Annual Conference reveal that the Temperance Committee reported that the victory won by the prohibition forces in a 1906 general election on the question of the licensing of liquor should be credited to the "distribution of Searchlight maps

²⁴State Legislature of Arkansas, Acts of Arkansas, 1905 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1905), pp. 309, 400, 421, 673, 692, 698, 727 and 799.

²⁵State Legislature of Arkansas, Journal of the Senate of Arkansas, 1905 (Newark, Arkansas: Journal Printing Company, 1905), p. 546.

²⁶Ibid., p. 551.

²⁷Minutes of the Pine Bluff Baptist Association, 1898, pp. 4 and 9.

and Temperance catechisms in great numbers."²⁸ The report also advised that, ". . . every preacher should use his utmost endeavor to have his representatives in the legislature to help pass such laws as our Church Temperance Federation may seek to secure in the coming legislature" ²⁹ This statement indicates that pressure was being put on the legislators during this period to enact prohibition legislation.

The 1907 General Assembly. The Legislature passed in 1907 six "Three-Mile" laws in Drew, Stone, Newton and Sharp Counties.³⁰ Of greater importance was the intensification of the provisions of Act 75 of the 1901 General Assembly concerning the prohibition of "the solicitation or taking of orders for intoxicating liquors in prohibition territory."³¹ Senator D. M. Cloud was the author of the bill, Act 135 of 1907. He was a Baptist and a worker in the Pine Bluff Baptist Association in this period. He led a Sunday

²⁸Arkansas Annual Conference, Methodist Church South, 1906 (Conway, Arkansas: Press of Conway, 1906), p. 41.

²⁹Ibid.

³⁰State Legislature of Arkansas, Acts of Arkansas, 1907 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1907), pp. 524-526, 532, 1065 and 1067.

³¹Ibid., p. 326.

School mass-meeting in the Pine Bluff Baptist Association in 1898.³²

The 1909 General Assembly. The 1909 General Assembly passed ten "Three-Mile" laws affecting areas in Washington, Searcy, Lawrence, Pope, Montgomery and Benton Counties and two laws prohibiting the sale of liquor in Independence and Washington Counties.³³ Representative G. A. Gann sponsored the two "Three-Mile" laws affecting Benton County localities, Gravette and Avoca. He was a Baptist layman who was "vitaly concerned with prohibition laws."³⁴ Representative J. L. Brown wrote the county-wide prohibition law affecting Independence County. He was a Baptist minister and a Vice-President of the Arkansas Baptist State Convention in 1900.³⁵

Four separate state-wide prohibition bills were passed by the Arkansas House of Representatives. For various reasons none became law. House Bill 317, "An act

³²Minutes of the Pine Bluff Baptist Association, 1898, p. 16.

³³State Legislature of Arkansas, Acts of Arkansas, 1909 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1909), pp. 10, 181, 300, 368, 425, 562, 641, 739, 760, 1051, 1056 and 1059.

³⁴Statement by W. T. Gann, personal interview.

³⁵Minutes of the Arkansas Baptist State Convention, 1900, p. 17.

for the submission of the question of State-wide prohibition of the liquor traffic to a vote of the qualified electors of the State," passed the House,³⁶ but wasn't placed on the Senate calendar.³⁷ House Bill 315, "An act to prohibit the manufacture or sale of alcoholic or intoxicating liquors within this State and to provide penalties for violation," also passed in the House,³⁸ but wasn't read for the second time in the Senate.³⁹ House Bill 315 was sponsored by Representatives A. G. Little, T. C. White and Tillman B. Parks. Little was a Christian minister⁴⁰ and Parks was a Baptist layman.⁴¹ House Resolution #11 was a proposed amendment to the State Constitution which was adopted by the House, but doesn't appear in the Senate Journal. The proposed amendment read, "No intoxicating liquor of any kind or character shall be manufactured, sold, given away, or in any manner disposed of within this State, except for scientific,

³⁶State Legislature of Arkansas, Journal of the House of Representatives of Arkansas, 1909 (Newark, Arkansas: Journal Printing Company, 1909), p. 431.

³⁷State Legislature of Arkansas, Journal of the Senate of Arkansas, 1909 (Newark, Arkansas: Journal Printing Company, 1909), p. 401.

³⁸Journal of the House, 1909, op. cit., pp. 429-430.

³⁹Journal of the Senate, 1909, op. cit., p. 401.

⁴⁰Statement by W. T. Gann, personal interview.

⁴¹Supra, p. 18.

pharmaceutical, medicinal or religious purpose."⁴² No apparent reason was given for its absence in the Senate Journal, but "the disappearance of bills in this manner was not uncommon in those days."⁴³ Representative W. T. Gann was the sponsor of House Bill 114. It passed the House but not the Senate because of amendments until the regular session of the General Assembly ended. Representative Gann was a Baptist layman from Garfield, Arkansas. He was in the Legislature for one major reason. He wanted state-wide prohibition for the State of Arkansas.⁴⁴ The introductory paragraph of the bill stated:

An act to prohibit the manufacture, sale, barter, exchange, giving away, the furnishing or otherwise disposing of any alcohol or any spiritous, ardent, vinous, malt or fermented liquors in this state, or any compound or preparation thereof, commonly called tonics, bitters, or medicated liquors, or intoxicating spirits of any character, which are used and drank as a beverage in any quantity or for any purpose whatever, except the sale of alcohol in certain cases upon certain conditions, and except the sale of wines for religious purposes.⁴⁵

Representative Gann recounted that, "Tillman Parks, A. G. Little and J. L. Brown led in the fight for the bill and it passed with sixty-six or sixty-seven voting for it. While

⁴²Journal of the House, 1909, op. cit., p. 455.

⁴³Statement by Dr. John L. Ferguson, personal interview.

⁴⁴Statement by W. T. Gann, personal interview.

⁴⁵Journal of the House, 1909, op. cit., pp. 169-170.

it was in the Senate, Senator Nance died and I accompanied his body to northwest Arkansas."⁴⁶ He continued, "In my absence Senator Wingo offered an amendment to submit the matter of prohibition to a popular vote--an attempt to kill the bill, which failed."⁴⁷ He said the Arkansas Baptist State Convention supported his bill and the Arkansas Gazette led the opposition.⁴⁸ On March 1, 1909 the Senate voted on his bill. Several supporters were sick, but were brought into the chambers on cots to vote for it. Attempted amendments delayed its passage and the session concluded before it became law.⁴⁹

Prohibition supporters were more vocal in 1909 and the Anti-Saloon League prepared for future action. The 1909 report of the Arkansas Baptist State Convention Temperance Committee stated, "the Anti-Saloon League is to be organized in convention form with delegates from various denominations."⁵⁰ The 1909 Arkansas Methodist Annual Conference Temperance Committee reported, "County Anti-Saloon Leagues

⁴⁶Statement by W. T. Gann, personal interview.

⁴⁷Ibid.

⁴⁸Gann noted that among those opposing his bill was a prominent Baptist minister, Ben M. Bogard.

⁴⁹Statement by W. T. Gann, personal interview.

⁵⁰Minutes of the Arkansas Baptist State Convention, 1909, p. 53.

are being organized this year."⁵¹ The Anti-Saloon League of Arkansas historical records observe:

During 1908 and 1909, the Anti-Saloon League of Arkansas continued its work of education and agitation. In the Legislature in 1909, both the Senate and the House passed state-wide prohibition bills; but they failed to get together on either bill. Dry sentiment is growing.⁵²

The 1911 General Assembly. The 1909 Legislature passed six "Three-Mile" laws affecting areas in Ouachita, Hot Spring, Sebastian, Crawford, Fulton and Carroll Counties. County-wide laws were passed involving Stone and Crittenden Counties.⁵³ Senator Robert W. Glover was the author of the Hot Spring County bill, Senate Bill 377.⁵⁴ He was a Baptist minister from Grant County.⁵⁵ Representative Andrew Jackson Russell sponsored the Carroll County bill, House Bill 453.⁵⁶

⁵¹Arkansas Annual Conference, Methodist Church South, 1909 (Conway, Arkansas: Press of Conway, 1909), p. 38

⁵²Clyde C. Coulter, "History of the Temperance League of Arkansas," the Arkansas Methodist, March 19, 1959, p. 5.

⁵³State Legislature of Arkansas, Acts of Arkansas, 1911 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1911), pp. 48, 50, 117, 417, 634, 740, 1085 and 1088.

⁵⁴State Legislature of Arkansas, Journal of the Senate of Arkansas, 1911 (Newark, Arkansas, Journal Printing Company, 1911), p. 263.

⁵⁵Minutes of Arkansas State Baptist Association, 1914, p. 1.

⁵⁶State Legislature of Arkansas, Journal of the House of Representatives of Arkansas, 1911 (Newark, Arkansas: Journal Printing Company, 1911), p. 821.

He was clerk of the Green Forest Baptist Church and was active in the Carroll County Baptist Association.⁵⁷

Representatives J. Hardage and R. F. Milwee sponsored House Bill 476, "An act to prohibit the manufacture and sale of intoxicating liquors as a beverage in this State."⁵⁸ It was passed in the House, seventy-eight to ten,⁵⁹ but was not placed on the Senate calendar.⁶⁰ Representative Hardage of Bismark, Clark County, was a messenger from Bismark Baptist Church to the Saline Baptist Association in 1898.⁶¹

Representatives A. G. Little, Ed Rody and T. E. Toler authored House Bill 330, "An act to prohibit the sale of intoxicating liquors as a beverage in this State."⁶² It was passed in the House but was tabled in the Senate.⁶³ Representative Ed Rody of Woodruff County was on the Board of

⁵⁷Minutes of the Carroll County Baptist Association, 1911, pp. 2, 3, 6-8, 11 and 16.

⁵⁸Journal of the House, 1911, op. cit., p. 852.

⁵⁹Ibid., p. 982.

⁶⁰Journal of the Senate, 1911, op. cit., p. 739.

⁶¹Minutes of the Saline Baptist Association, 1898, p. 3.

⁶²Journal of the House, 1911, op. cit., p. 560.

⁶³Journal of the Senate, 1911, op. cit., p. 351.

Church Extension of the North Arkansas Methodist Conference in 1914.⁶⁴

Although House Bills 476 and 330 failed to become laws, their overwhelming passage in the House illustrated the growing prohibition sentiment in 1911. Coulter reports, "In 1911, the League endeavored to obtain passage of a state-wide Prohibition Measure. That effort failed. The program of education and agitation continued."⁶⁵

The Temperance Committee of the 1910 Arkansas Baptist State Convention reported that the temperance forces in the state were divided by political influences in 1909, but were unified by 1910 because of the reorganization of the Anti-Saloon League. By 1910 the Arkansas Baptist State Convention had fifteen delegates to the Anti-Saloon League, now organized in convention form.⁶⁶ The Temperance Committee advised the Convention, "We call upon the good people of Arkansas to look well to the selection of senators and representatives from their respective districts and counties. Here lies our strength and weakness."⁶⁷

⁶⁴North Arkansas Annual Conference, Methodist Church South, 1914 (Conway, Arkansas: Press of Conway, 1914), p. 15.

⁶⁵Coulter, loc. cit.

⁶⁶Minutes of the Arkansas Baptist State Convention, 1910, pp. 50 and 53.

⁶⁷Ibid., p. 50.

Summary of the 1900-1912 period. At the beginning of this period forty-two counties and twenty per-cent of the remaining counties were legally dry.⁶⁸ Governor George W. Donaghey (1909-1913) described the prohibition situation in 1911, "In 1911 there were seventy dry counties and only five wet ones. Three-mile laws further restricted liquor sales, and it was evident that the saloon and brewery interests were taking their last stand in the state."⁶⁹ Considerable progress had been made, but there was much more to be done. Governor Donaghey made prohibition a major item in his 1912 campaign:

I had been the first southern governor to boldly and openly fight the liquor interests. Now, having made it one of the two issues in my campaign, I printed several pamphlets on the subject and gave them wide distribution over the state.⁷⁰

As a boy, George W. Donaghey had worshipped with his family in a Baptist Church in Louisiana. Years later, he was on the Building Committee of Central Baptist College in Conway, Arkansas and contributed the first five thousand dollars towards the construction of the first building.⁷¹ Although he had a Baptist background, he was a member of the First

⁶⁸Supra, p. 11.

⁶⁹George W. Donaghey, Autobiography of George W. Donaghey (Benton, Arkansas: L. B. White Printing Company, 1939), p. 275.

⁷⁰Ibid., pp. 275-276.

⁷¹Ibid., pp. 11 and 164.

Methodist Church in Little Rock at the time of his death.⁷²
 Having men of Christian principle in both the Governor's office and the Legislature materially aided the cause of prohibition. The Temperance Committee of the Arkansas Baptist State Convention recognized this fact, "The importance of having the right kind of men to compose the law-making bodies of the State is emphasized more and more."⁷³

⁷²News item in the Arkansas Gazette, December 16, 1937, p. 1.

⁷³Minutes of the Arkansas Baptist State Convention, 1912, pp. 63-64.

CHAPTER IV

THE GOING LAW OF 1913

The 1913 General Assembly passed three "Three-Mile" laws, creating prohibition areas in Miller, Sevier and Polk Counties.¹ The Miller County law prohibited the sale of liquor within ten miles of the Public School in Texarkana, Arkansas. The author of this bill was Judge Emile F. Friedell, a State Senator from Texarkana. He was a worker in the Enon Baptist Association on the Texas side of Texarkana.²

Both the House of Representatives and the Senate passed House Concurrent Resolution #4 which stated:

Be it resolved by the General Assembly of the State of Arkansas, the Senate concurring Therein:

That our Senators and Representatives in the National Congress be and are hereby requested to use their best efforts and all honorable means to secure passage of Senate Bill No. 4043, known as the Kenyon Bill, to prohibit the shipment of alcoholic and intoxicating liquors into territory where the sale of such alcoholic and intoxicating liquors is prohibited by local or State laws.³

The author of House Concurrent Resolution #4 was Representative John M. Beard of Rogers in Benton County. He was

¹State Legislature of Arkansas, Acts of Arkansas, 1913 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1913), pp. 116, 532 and 754.

²Minutes of Hope Missionary Baptist Association, 1916, p. 4.

³Acts of Arkansas, 1913, op. cit., p. 1516.

Clerk of the Lowell Baptist Church in Benton County. He was an active worker in the Benton County Baptist Association. He was on the Temperance Committee in 1898.⁴

The most important prohibition action in the General Assembly of 1913 was the passage of the Going Law which said:

Section 1. It shall be unlawful for any court, town or city council, or any officer thereof, to issue a license or permit, or any other authority to any corporation, person or persons, to sell, barter or give away, any alcoholic, malt, vinous, or spiritous liquors, or any compound or preparation thereof, commonly called tonics, bitters or medicated liquors, within the State of Arkansas, except as provided in this Act.

Section 2. When a majority of the adult white inhabitants living within the incorporated limits of any incorporated town or city in this State shall have signed a petition to the County Court of the county in which said town or city is situated, asking that license for the sale of intoxicating liquors be issued for that town or city, then the said County Court may issue such license for a period already provided by law;

Provided, that the majority of the votes cast at the last general election in that county on the question of "For License" and "Against License" was in favor of "For License."⁵

Senator L. C. Going sponsored the bill in the Senate, but it was introduced by a total of nineteen Senators.⁶ Senate Bill 118 passed and became Act 59 of the 1913 General Assembly.

⁴Minutes of the Benton County Baptist Association, 1898, pp. 4 and 12.

⁵Acts of Arkansas, 1913, op. cit., pp. 180-182.

⁶Ibid.

Act 59 was known as the "Going Law," but was originally under the sponsorship of the Anti-Saloon League of Arkansas:

In 1913, a so-called Prohibition bill was sponsored by the League. The League passed the bill on February 17, 1913. The law was known as the "Going Law" and provided for Local Option and local self-government by adult white citizens of incorporated towns.⁷

The 1913 Temperance Committee of the Arkansas Baptist State Convention reported that cooperation between the Anti-Saloon League and Secretary Frank Barrett, the Baptist Temperance Commission and E. J. A. McKinney, and other friends of temperance brought about Senate Bill 118 in the Legislature.⁸

Among the strong supporters of the Going Law in the Senate were previously mentioned J. T. M. Holt and Judge Emile F. Friedell.⁹ Senator P. Austin Rodgers was one of the nineteen Senators introducing the bill. Hempstead said of Rodgers, "His religious faith is in harmony with the tenets of the Missionary Baptist Church, in whose belief he has reared his family."¹⁰ Another strong supporter of the bill was Senator B. H. Greathouse of Washington County. He

⁷Clyde C. Coulter, "History of the Temperance League of Arkansas," the Arkansas Methodist, March 19, 1959, p. 5.

⁸Minutes of the Arkansas Baptist State Convention, 1913, pp. 57-58.

⁹Supra, pp. 15 and 31.

¹⁰Fay Hempstead, Historical Review of Arkansas (Chicago, Illinois: The Lewis Publishing Company, 1911), p. 1512.

was a Methodist minister from Lincoln, Arkansas.¹¹

After the 1913 session of the General Assembly ended, various church groups expressed their thanks for the passage of the Going Law in Arkansas and the Sheppard-Kenyon in the United States Congress:

We thank God for the great victories won by prohibition last year, the greatest in its history. The Shepherd- [sic] Kenyon Bill was passed by Congress seeking to prevent federal license in dry territory. Last but not least the Going bill was passed by the Arkansas legislature, requiring the saloon men to get a majority of the white adult inhabitants in the city or town on a petition asking the license before they could be granted. This is the best local option bill that has ever been passed in the United States, and, as we believe, in the whole world.¹²

Other Senators who supported and helped to introduce the Going Law were T. J. Raney, T. E. Toler and Elmer J. Lundy.¹³ Raney was "a leader in the Methodist Church," and prior to his death was Chairman of the Board of Stewards of the First Methodist Church, Little Rock.¹⁴ Toler was a Missionary Baptist, a Sunday School Superintendent and a delegate to state and district Associations and Lundy was a

¹¹News item in the Fort Smith South-West American, May 3, 1940, p. 1.

¹²Minutes of the Buckner Baptist Association, 1913, pp. 18-19.

¹³State Legislature of Arkansas, Journal of the Senate of Arkansas, 1913 (Newark, Arkansas: Journal Printing Company, 1913), pp. 91-92.

¹⁴News item in the Arkansas Gazette, March 1, 1949, p. 1.

member of the Methodist Episcopal Church South.¹⁵ Having men of a temperance persuasion, such as those who supported the Going Law, was the desire expressed by some church groups, "We can greatly aid in this work by seeing to it that none but temperance men receive our support for office."¹⁶ Church groups felt that they had taken the lead in molding prohibition sentiment, "This Association has in the past stood for Temperance and no doubt has had a great part in moulding this Temperance sentiment in county and State."¹⁷

Coulter reports that the Masonic Lodge supported the effective implementation of the Going Law, "After the passage of the Going Law, the Masonic Grand Lodge of Arkansas adopted a resolution making it a Masonic offense for any Mason in the state to sign a petition for the granting of a saloon license or to circulate such a petition."¹⁸

Through the efforts of church groups, the Anti-Saloon League and Christian men who believed in prohibition, the first of three major, state-wide prohibition laws was enacted.

¹⁵Arkansas State History Commission, Biographical Memoranda.

¹⁶Minutes of the Bartholomew Regular Baptist Association, 1913, pp. 22-23.

¹⁷Minutes of the Independence Missionary Baptist Association, 1913, p. 23.

¹⁸Coulter, loc. cit.

CHAPTER V

THE NEWBERRY LAW OF 1915

The 1915 Arkansas General Assembly passed two "Three-Mile" laws which prohibited the legal sale of liquor within a six-mile radius of the Pleasant Ridge Baptist Church in Cleveland County and a ten-mile radius of the Public School at Lincoln in Washington County.¹ A county-wide prohibition law was passed for St. Francis County.² The author of the Washington County bill was Representative Melvin M. Collier, a Methodist Lay Leader in the 1915 North Arkansas Conference of the Methodist Church.³ The county-wide bill affecting St. Francis County was sponsored by Senator Lon Slaughter. He was Moderator of the Mt. Vernon Baptist Association from 1909 through 1927.⁴

The most important prohibition legislation of the 1915 General Assembly was the enactment of the Newberry Law.

¹State Legislature of Arkansas, Acts of Arkansas, 1915 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1915), pp. 111 and 220.

²Ibid., p. 54.

³Minutes of the North Arkansas Annual Conference of the Methodist Church South, 1915 (Conway, Arkansas: Press of Conway, 1915), p. 18.

⁴C. D. Barton (ed.), Centennial Anniversary of Mt. Vernon Baptist Association (Marianna, Arkansas: The Courier-Index, 1953), p. 19.

The main provisions of the Newberry Law were:

Section 1. It shall hereafter be unlawful for any county judge, town or city council, or any representative thereof, to issue a license or any other authority, to any corporation, person or persons to manufacture, sell, barter or give away any alcoholic, vinous, malt, spiritous or fermented liquors or any compound or preparation thereof commonly called tonics, bitters or medicated liquors within the State of Arkansas, and all such licenses or authority heretofore issued are hereby declared to be null and void on or after January 1, 1916.

Section 2. After January 1, 1916, it shall be unlawful for any person, firm or corporation to manufacture, sell or give away, or to be interested, directly or indirectly, in the manufacture, sale or giving away of any alcoholic, vinous, malt, spiritous or fermented liquors or any compound or preparation thereof, commonly called tonics, bitters or medicated liquors within the State of Arkansas.⁵

Governor George W. Hays signed the Newberry Law the same day it was passed by the General Assembly.⁶ Governor Hays had backed the passage of the Newberry Law.⁷ In 1913 Governor Hays was a member of the First Baptist Church in Camden, Arkansas and was Moderator of the Liberty Baptist Association.⁸ Representative Farrar Newberry was the author of Act 30 of the 1915 General Assembly, the Newberry Law. He was a

⁵Acts of Arkansas, 1915, op. cit., p. 283.

⁶Ibid., p. 287.

⁷State Legislature of Arkansas, Journal of the Senate of Arkansas, 1917 (Little Rock, Arkansas: The Southern Guardian Press, 1917), p. 18.

⁸Minutes of the Liberty Baptist Association, 1913, pp. 1 and 2.

Steward of the First Methodist Church in Arkadelphia, Arkansas.⁹ Representative W. T. Gann of the 1909 General Assembly had stated, "The Representatives and Senators who voted for the Gann Bill were Christian leaders who believed in total abstinence from liquor, personally, and in prohibition of it, legally." He continued, "Those who opposed my bill were drinkers--I know, I kept a card-file on each one in the Legislature."¹⁰ Representative Newberry in the 1915 Legislature had noted a similar condition:

It is certainly not erroneous to say that Christian leadership was responsible for the passage of the Newberry Law of 1915, because the men in the Legislature who supported and voted for the act were Christian leaders in their own rights.¹¹

The Woman's Christian Temperance Union and the Anti-Saloon League were applauded by Arkansas Methodists for work done to get the Newberry Law passed in 1915.¹² Coulter notes:

On February 6, 1915, the Legislature passed a statewide Prohibition Measure which became effective January 1, 1916. The vote on that bill in the House was: FOR it, 75, and AGAINST it, 24. The bill was slightly amended in

⁹Arkansas State History Commission, Biographical Memoranda.

¹⁰Statement by W. T. Gann, personal interview.

¹¹Statement by Farrar Newberry, personal interview.

¹²The North Arkansas Methodist Conference, 1915, op. cit., p. 68.

the Senate and passed by 33 to 2. It was then returned to the House, and there passed unanimously.¹³

The Newberry Law passed overwhelmingly in the 1915 General Assembly and was signed immediately by Governor Hays. The people of Arkansas and their elected representatives were sufficiently aroused about the liquor question to pass an even stricter prohibition measure two years hence. Prior to the 1917 General Assembly, however, the liquor forces tried to repeal, in effect, the provisions of the Newberry Law by submitting to the 1916 General Election an Initiated Act. The Benton County Baptist Association urged the defeat of Initiated Act 2 on November 7, 1916.¹⁴ Initiated Act 2 was overwhelmingly defeated.¹⁵

¹³Clyde C. Coulter, "History of the Temperance League of Arkansas," the Arkansas Methodist, March 19, 1959, p. 5.

¹⁴Minutes of the Benton County Baptist Association, 1916, p. 7.

¹⁵State Legislature of Arkansas, Journal of the Senate of Arkansas, 1917 (Newark, Arkansas: Journal Printing Company, 1917), p. 58.

CHAPTER VI

THE "BONE DRY" LAW OF 1917

Governor George W. Hays in his Farewell Address before the Forty-First General Assembly of 1917 reviewed his support of the Newberry Law of 1915.¹ He also recommended that the 1917 General Assembly petition the United States Congress to pass legislation halting interstate shipment of liquor into dry states.² Representative Hardy of Faulkner County introduced on January 10, 1917 a memorial to Congress requesting the passage of a bill "prohibiting the shipment of intoxicating liquors into the state."³

Incoming Governor Charles Hillman Brough in his Governor's Message to the 1917 Arkansas General Assembly, fully supported a stricter prohibition law to be considered by the Legislature. He prefaced his support by saying:

No people can ever rise higher than their ideals. Arkansas has been partially "redeemed, regenerated and disenthralled" from the degrading influences of liquor traffic by the passage of a state-wide prohi-

¹State Legislature of Arkansas, Journal of the Senate of Arkansas, 1917 (Newark, Arkansas: Journal Printing Company, 1917), p. 18.

²Ibid., p. 25.

³News item in the Arkansas Gazette, January 11, 1917, p. 3.

bition law and by the defeat in the recent election in no unmistakable terms of Act Number 2.⁴

Thus, both Ex-Governor Hays and Governor Brough expressed their support for the strict prohibition of liquor.

Governor Brough was an active Baptist layman as Herndon relates:

He was a member of the Missionary Baptist Church for more than two decades and although not an ordained minister he has filled the pulpit of several churches on various occasions.⁵

The Governor's office was already committed to the support of strict prohibition and it appeared to some church leaders that the Legislature would support stronger measures, too:

We believe then, that this Legislature, which ought to be the best that we have ever had, is capable of formulating and enacting a law which will carry into effect the real purpose of State-wide prohibition.⁶

The "Bone Dry" bill was introduced to the Senate on January 14, 1917 by Senator B. H. Greathouse from Washington County.⁷ Senator Greathouse was a Methodist minister.⁸ Senator H. L.

⁴Journal of the Senate, 1917, op. cit., p. 58.

⁵Dallas T. Herndon, Centennial History of Arkansas (Little Rock, Arkansas and Chicago, Illinois: The S. J. Clarke Publishing Company, 1922), II, 379.

⁶Editorial in the Arkansas Methodist, January 18, 1917, p. 1.

⁷News item in the Arkansas Gazette, January 16, 1917, p. 3.

⁸Arkansas State History Commission, Biographical Memoranda.

Ponder of Lawrence County was listed as co-author of Senate Bill 36, the "Bone Dry" bill.⁹ Senator Ponder was a Deacon of the Old School Presbyterian Church.¹⁰ He was a Ruling Elder of his church and Superintendent of the Sunday School.¹¹

The House version of the "Bone Dry" bill was sponsored by Representatives J. D. Doyle of Lawrence County and C. A. Rankin of Pike County. The bill (House Bill 86) was passed unanimously with six absentees.¹² The Senate Bill was passed twenty-nine to five.¹³ Representative Doyle was "a Baptist Deacon and then a Pastor since 1900."¹⁴ Representative Rankin was Superintendent of the Sunday School in the Baptist Church at Murfreesboro, Arkansas in 1912. He was Treasurer of the Pike County Baptist Association in 1915.¹⁵

⁹Journal of the Senate, 1917, op. cit., pp. 160-161.

¹⁰Arkansas State History Commission, Biographical Memoranda.

¹¹Dallas T. Herndon, Centennial History of Arkansas (Little Rock, Arkansas and Chicago, Illinois: The S. J. Clarke Publishing Company, 1922), III, 1107.

¹²State Legislature of Arkansas, Journal of the House of Representatives of Arkansas, 1917 (Newark, Arkansas: Journal Publishing Company, 1917), pp. 288-289.

¹³Journal of the Senate, 1917, op. cit., pp. 160-161.

¹⁴Arkansas State History Commission, Biographical Memoranda.

¹⁵Ibid.

The "Bone Dry" bill was produced by the Anti-Saloon League of Arkansas. The president of the League, George Thornburgh, presented the "Bone Dry" bill to the Legislature through Senator Greathouse.¹⁶ Herndon notes that Thornburgh (Manager of the Arkansas Methodist, 1889-1903) drafted the original "Bone Dry" bill presented to the Legislature, "When the Executive Committee of the Anti-Saloon League agreed upon the bone dry measure, he prepared the bill and gave it to Senator Greathouse to introduce into the Senate."¹⁷

The introductory portion of the "Bone Dry" Law serves to explain the main body of the lengthy measure:

An act to prohibit the shipment of intoxicating liquors into this State, and to prevent shipments of the same from one point or locality in this State to any other point or locality within this State; prohibiting the storage or possession of said liquors; forbidding the solicitation or taking of orders for the liquors defined in this Act; prohibiting the storage of liquors in lockers, or other places in any social club or fraternal organization for use therein; prohibiting the keeping or maintaining of unlawful drinking places as defined by the Act, in which drinking places are made nuisances; and providing for the forfeiting of the charter of any incorporation, club or association violating the law against keeping or maintaining said drinking places, regulating procedure and fixing

¹⁶News item in the Arkansas Gazette, January 12, 1917, p. 1.

¹⁷Herndon, op. cit., II, 371.

punishment and penalties; and for other purposes as detailed in the Act.¹⁸

The interest was intense prior to the vote in the Senate and the House. The Woman's Christian Temperance Union ladies were planning "to be in the gallery of the House of Representatives at the State Capitol tomorrow when the 'bone dry' bill is called up for a vote."¹⁹ Senator Greathouse addressed the Little Rock Young Men's Christian Association alluding to the churches' role in prohibition legislation, "The church has always been active for good, and but for the church it is doubtful if we would have prohibition laws on our statute books."²⁰ On January 24, 1917, the identical "Bone Dry" bills were passed, "Passage yesterday came in each house of the legislature of identical 'bone dry' liquor bills urged by the Arkansas Anti-Saloon League."²¹ The victory was sweet for George Thornburgh, "During the roll call George Thornburgh, president of the Arkansas Anti-Saloon League, and

¹⁸State Legislature of Arkansas, Acts of Arkansas, 1917 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1917), pp. 41-42.

¹⁹News item in the Arkansas Gazette, January 21, 1917, p. 1.

²⁰News item in the Arkansas Gazette, January 22, 1917, p. 8.

²¹News item in the Arkansas Gazette, January 25, 1917, p. 1.

speaker of the house in 1881, occupied the stand with Speaker Cazort."²²

Governor Brough immediately signed the "Bone Dry" bill into law, Act 13 of the 1917 General Assembly. The church and Anti-Saloon League representatives were present as Governor Brough signed the bill, "Present at Governor Charles Hillman Brough's signing of the 'Bone Dry' Bill were . . . Col. George Thornburgh, Rev. E. J. A. McKinney, Editor of the Baptist Advance, . . . Bishop James R. Winchester" ²³

The same day the "Bone Dry" Law was signed, House Memorial #3 was adopted unanimously. It appealed to the United States Congress to pass a nation-wide prohibition measure. The House Memorial was presented by Representative M. B. Norfleet of St. Francis County.²⁴ He was a Methodist layman listed on the Committee on Lay Activities of the North Arkansas Conference of the Methodist Church.²⁵

The Anti-Saloon League didn't quit functioning after the "Bone Dry" Law victory. An Anti-Saloon League rally was

²²Ibid. ²³Ibid.

²⁴Journal of the House, 1917, loc. cit.

²⁵Minutes of the North Arkansas Annual Conference of the Methodist Church, 1915 (Conway, Arkansas: Press of Conway, 1915), p. 22.

held at the First Methodist Episcopal Church in Little Rock on January 28, 1917. Malcom R. Patterson of Memphis (former Tennessee Governor) was present and Dr. Edwin I. Stearns of New York spoke on "A Dry America."²⁶

The church groups which advocated and supported the prohibition movement were joyous. An editorial in the Arkansas Methodist entitled, "All Arid and Altogether Arid," said, "The Legislature truly represents an aroused and determined people. We are proud of these legislators and of the people behind them."²⁷

Senator Andrew J. Cabiness of Howard County sponsored Senate Bill 30, "The Cabiness bill prohibiting liquor advertising in the state was passed without discussion or a dissenting vote."²⁸ Senator Cabiness was an ordained Baptist minister working in the Howard County Baptist Association in 1913.²⁹ Senator Cabiness subsequently offered an amendment to the recently-passed "Bone Dry" Law:

²⁶News item in the Arkansas Gazette, January 29, 1917, p. 7.

²⁷Editorial in the Arkansas Methodist, January 25, 1917, p. 1.

²⁸News item in the Arkansas Gazette, January 30, 1917, p. 3.

²⁹Minutes of the Howard County Baptist Association, 1913, p. 14.

. . . Senator Cabiness introduced the "drier than bone" bill, amending the bone dry law which has been in effect less than two weeks.

It provides specifically that no person shall bring into the state in any manner any intoxicating liquor for his personal use, family use or any other purpose, and is cumulative to the provisions of the bone dry law.³⁰

The "drier than bone" amendment was offered because certain questions had arisen about possible loopholes in the "Bone Dry" Law:

Only two questions have been raised regarding the act. The first is whether the law applies to the bringing of liquor into the state for personal use and the other regarding the sale of alcohol. We believe the attorney general has correctly answered the first question. But the Cabiness bill will settle both. The Cabiness bill will restrict the shipment of alcohol, make clear the provision prohibiting shipment of liquor into the state or from one point to another within the state by making transportation of liquor for personal use a specific violation of the law.³¹

Arkansas became the first "Bone Dry" state in the United States.³² The Cabiness amendment had the "approval of the league [the Anti-Saloon League] and was agreed upon by its members in the Senate."³³

The "Bone Dry" Law with its "drier than bone" amendment attached made Arkansas "bone dry" legally if not actually. The law was not foolproof yet, for Governor Brough

³⁰News item in the Arkansas Gazette, February 18, 1917, p. 4.

³¹Ibid. ³²Ibid. ³³Ibid.

in his 1919 Governor's Address to the Legislature asked for an additional amendment to the "Bone Dry" Law to "prohibit bringing into the state liquor owned personally by the individual transporting it."³⁴ The additional "teeth" were incorporated into Act 87 of the 1919 General Assembly.³⁵ Climaxing the efforts to make Arkansas legally dry, the Eighteenth Amendment to the United States Constitution was ratified:

In 1919, the Arkansas Legislature ratified the 18th (Prohibition) Amendment to the Constitution of the U. S. Arkansas was the 29th state to ratify that Amendment. The vote in the House, on January 13, 1919, was 93 FOR it to 2 AGAINST it; and in the Senate the vote, on January 14, 1919, was 31 FOR it and None AGAINST it.³⁶

The prohibition advocates had succeeded in a sixty-year effort to make Arkansas legally dry. The saloons were closed in the State of Arkansas. Prohibition legislation was extended to the entire nation. The churches and church leadership which worked diligently for prohibition had

³⁴State Legislature of Arkansas, Journal of the Senate of Arkansas, 1919 (Newark, Arkansas: Journal Publishing Company, 1919), p. 86.

³⁵State Legislature of Arkansas, Acts of Arkansas, 1919 (Little Rock, Arkansas: Democrat Printing & Lithographing Company, 1919), p. 75.

³⁶Clyde C. Coulter, "History of the Temperance League of Arkansas," the Arkansas Methodist, March 19, 1959, p. 5.

gradually won a great victory. The Woman's Christian Temperance Union and the Anti-Saloon League made major contributions. Men of Christian principle in the State and local governments courageously stood despite criticism.³⁷

³⁷John L. Ferguson and J. H. Atkinson, Historic Arkansas (Little Rock, Arkansas: Arkansas History Commission, 1966), p. 229.

CHAPTER VII

SUMMARY AND CONCLUSIONS

The 1917 Inaugural Address of Governor Charles Hillman Brough, delivered to the Forty-First General Assembly noted that the attention of the nation and of Congress was upon the Arkansas General Assembly as it would be considering the passage of an extensive prohibition law.¹ The action that the Arkansas General Assembly took in passing the "Bone Dry" Law and subsequent similar actions of other state legislatures had a definite effect on the United States Congress. Congress passed the Volstead Act or the National Prohibition Act. When ratified by the various states in 1919, it became the Eighteenth Amendment to the United States Constitution.

The basic premise and contention of this study has been that churches and Christian leadership played a major role in bringing prohibition to Arkansas in the 1900-1917 era. This contention has been substantiated, but in a different sense than originally anticipated. The role played by individual churches was not direct--it was indirect. The churches chose to voice their convictions relative to alcohol on the level of the local associated bodies or state denomi-

¹Brough, Charles Hillman, Inaugural Address, 1917 (Little Rock, Arkansas: H. G. Pugh Printing Company, 1917), pp. 59-60.

national bodies. To effect their prohibition desires, the churches utilized the organizational capabilities of the Anti-Saloon League and the Woman's Christian Temperance Union. The most important factor in the churches' role was the contribution of able and highly principled men to public office. Both the legislative and executive branches of government benefited from this contribution. The contribution factor was predicated upon the education program of the churches in the years preceding and during the 1900-1917 period.

Character development--the indirect role. Maintaining and advancing a cause required courage and conviction. What was the source of this courage and conviction? They acquired their needed strength and incentives through the resources of the church. Churches provide the spiritual and motivational forces required to meet the moral problems of contemporary society. This is an indirect, but indispensable role.

Specific education--the influence role. The church has a unique opportunity to expose the physical, spiritual, economic, intellectual and sociological losses sustained through immoral conduct. Churches can educate themselves and others with proven facts presented in a Christian context.

Personnel contribution--the individual role. Laws in a constitutionally-based government are made by the men and women who have become involved in that government. This study has shown that the legislative and executive branches of the Arkansas government in the 1900-1917 period contained several outstanding Christian men. They were men of principle who also manifested great leadership ability. They possessed ideals and sought to fulfill them. Church leaders can seek public office to utilize their Christian principles and developed talents in a constructive manner. The churches can enlighten young people who are planning their life's work about the great challenges of public office for Christian people. Church-supported institutions of higher learning can make careers in public office more appealing to Christian young people. The myth claiming that a Christian going into politics must come out a "crook" needs to be corrected.

Political agitation--the involvement role. Senator Greathouse observed in 1917, "The church has always been active for good, and but for the church it is doubtful if we would have prohibition laws on our statute books."² Churches can be involved in effecting moral improvements through governmental actions. The churches of the 1900-1917 period

²News item in the Arkansas Gazette, January 22, 1917, p. 8.

voiced their views through adopted and distributed resolutions. The resolutions were adopted and distributed through the denominational bodies with which they were affiliated, not as individual churches. The most effective political agitation efforts were channeled through the Anti-Saloon League, the political arm of the churches for prohibition.

Political agitation is slow, but the only effective method for producing moral sentiment in the average society.

Cherrington states:

The Prohibition movement in the United States of America has been a practical demonstration of the age-old truth that great reforms are evolutions rather than revolutions. The development of the temperance reform in America covers a period of more than a century and a half and has been marked by the three great stages which have characterized all social and moral reform movements under western civilization. These stages are, first, the creation of temperance sentiment; second, the organization of that sentiment into public opinion; and third, the crystallizing of public opinion into law and the enforcement of law.

John Brown and Carrie Nation methods cannot and will not prevail under free government. All such efforts may serve to direct public attention toward evil conditions which have been overlooked or disregarded, but as particular means to a definite end, such methods must fail. Permanent reforms can come only by means of orderly procedure through popular government, where public opinion rules. This seems at times to be a slow process,³ but it is the only sure route. There is no short cut.³

The churches' role is more indirect than direct. This was true in the 1900-1917 era. This is true in contemporary

³Ernest Hurst Cherrington, America and the World Liquor Problem (Westerville, Ohio: American Issue Press, 1922), pp. 40-42.

society. The churches can provide the right motivations for producing a higher level of morality. The churches have the mechanics for instilling the principles of Christian concern. Organizations such as the Christian Civic Foundation of Arkansas provide the right means to mold public sentiment, lend legal assistance, gather and publish pertinent facts and lobby for desired legislation.

The right men must be in the executive and legislative branches of state government (similar positions in other administrations) for positive results. This was the case in 1917. People in the legislature who have little concern about morality and honesty can be "influenced" by material considerations. Because of their ethical standard, Christians can persuade the same people only by effective communication. Christian people in the legislature would welcome advice and counsel from other Christians. A man of high principles in the executive capacity would react in the same manner.

These ingredients were present in the proper ratio in the latter part of the 1900-1917 period. The result was the near-unanimous adoption of the "Bone Dry" Law of 1917.

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A STUDY OF THE ROLE OF CHURCHES IN
THE ENACTMENT OF THE ARKANSAS
PROHIBITION LAW OF 1917

An Abstract of a Thesis
Presented to
the Faculty of the Department of Religion
Ouachita Baptist University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Ralph Bradley Hoshaw

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A STATEMENT OF THE PROBLEM

The 1917 Arkansas General Assembly passed the first "Bone Dry" Law in the United States. This law culminated a lengthy series of prohibition laws beginning in 1856. The majority of the early laws were "Three-Mile" laws or local option laws. Attempts were made during the early part of the 1900-1917 period to enact state-wide prohibition laws. These attempts failed for various reasons, but the Going Law was enacted in 1913. The Going Law was the first of three state-wide measures to be passed. The Newberry Law was passed in 1915 and the "Bone Dry" Law was passed in 1917.

The purpose of this study was to determine what role, if any, the churches of Arkansas played in securing the passage of the 1917 "Bone Dry" Law and of the laws leading to its passage.

The basic contention of this study was that churches and Christian leaders of various denominations were primarily responsible for the enactment of the "Bone Dry" Law. The validity of this contention was the purpose of the study, but an important secondary purpose involved the methods employed by the churches and Christian leadership if indeed they were responsible for the prohibition laws. The research made in this quest proposed to reveal the facts of the 1917 prohibition program and to acquire the pattern for use in contemporary problem-solving of moral issues.

THE PROCEDURE

The first task was to ascertain precisely what laws were passed in 1917 and the years preceding. The Acts of Arkansas for the specific years revealed the exact wording of the various laws. The scope of the research was limited to Arkansas geographically and to 1900-1917 chronologically. The historical background from 1850 to 1900 was included in the preparatory investigations to provide a basis for the study. The second task involved the search of the Journals of the House of Representatives and the Journals of the Senate to determine the identity of the authors of the laws. The names of the authors were recorded according to their senatorial and representative districts and the years they served.

The records of churches, church organizations, groups of churches in their affiliated bodies, state and local newspapers and biographical publications were scanned for the names of the authors of the laws. This "needle-in-the-haystack" method proved successful inasmuch as several of the authors of the bills were identified as ministers or prominent laymen. Most of them were leaders in their respective denominations. This effort also revealed numerous resolutions which were adopted by the denominational bodies interested in the prohibition of liquor. The churches of that period supported the work of the Anti-Saloon League.

The Anti-Saloon League, research revealed, was the prime-mover of prohibition efforts.

The information was assembled according to the years of the meetings of the General Assembly. Christian leaders were the legislative leaders in promoting prohibition legislation. Personal interviews were conducted with men who were in the legislature and who authored prohibition bills. These interviews served to correlate the information previously gathered together.

THE CONCLUSION

The study contended originally that the churches and Christian leadership were primarily responsible for the enactment of the "Bone Dry" Law and the laws which preceded it. This contention was validated, but in a different manner than expected. The role of the churches was indirect action rather than direct action. The churches produced the men of courage and principle who promoted the prohibition bills in the Legislature. The churches collectively adopted resolutions which were distributed to the legislators and news media. The churches utilized their influence in elections and with the legislators who represented them in the General Assembly. All of these efforts were indirect.

The real force of the prohibition advocates was the Anti-Saloon League. The churches worked through this medium to accomplish their prohibition purposes. The League wrote the state-wide bills enacted into law in 1913, 1915 and 1917. The Going Law, the Newberry Law and the "Bone Dry" Law were sponsored and supported in the legislature by Christian men who were prohibitionists, but the Anti-Saloon League provided an effective "lobbying" organization. The churches were definitely involved in securing the prohibition laws, but their role was indirect. Christian legislators and the Anti-Saloon League were directly involved. The methods employed in 1917 can be employed currently.