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J. Sidney Peters and Virginia prohibition, 1916-1920

Hugh Harrington Fraser

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to my chuck
for her charm and patience

and
to Dr. Barry Westin
for his encouragement and guidance

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J. SIDNEY PETERS
AND VIRGINIA PROHIBITION
1916-1920

CHAPTER I

PROLOGUE TO PROHIBITION

When Virginians went to the polls on September 22, 1914, the ballot offered the alternatives: "For Statewide Prohibition" and "Against Statewide Prohibition." Although it was technically correct, more appropriate alternatives would have been "For Statewide Prohibition" and "For Retaining Local Option." Local option had been in effect since 1886, and many, either through confusion or design, assumed that a defeat would open the entire state to the liquor traffic.¹

Virginia's prohibition referendum of 1914 was the culmination of a long and well-engineered campaign, waged by the Anti-Saloon League and its preacher allies, and assisted by the Woman's Christian Temperance Union and similar groups. An indication of the interest generated by the question was the size of the voter turn out. A two to

¹C. C. Pearson and J. Edwin Hendricks, Liquor and Anti-liquor in Virginia, 1619-1919 (Durham, N.C.: Duke University Press, 1907), pp. 287-8. Hereafter cited as Pearson, Liquor and Anti-liquor....

one victory for prohibition came from a total vote of 158,000, compared to 73,000 in the 1909 gubernatorial election, 97,000 in the 1911 U.S. Senate race, and 135,000 in the 1912 Presidential race between Wilson, Taft and Roosevelt.² Passions ran high in this election, and much lingering bitterness was generated by the charges and countercharges hurled back and forth during the campaign. Such is inevitable in deciding a question which so affects people's personal lives. Throughout the campaign the figures of James Cannon, Superintendent of the Virginia Anti-Saloon League, and his lieutenants loomed high among the dry ranks. They directed one of the most skillful organizations to be found in American political history.³

Once the central question was answered by the voters, it remained for the General Assembly, meeting in 1916, to pass enabling legislation in the form of the Mapp Act to carry out the prohibition mandate effective as of November 1, 1916.

This study will seek to reveal the reasons for both the success and failure of Virginia prohibition in its early years. The focus will be on the Department of Prohibition and its controversial, first commissioner, J. Sidney Peters, from

²Robert A. Hohner, "Prohibition in Virginia, 1901-16" (unpublished Doctor's dissertation, Department of History, Duke University, 1965), p. 153. Hereafter cited as Hohner, "Prohibition in Virginia."

³See Robert A. Hohner, "Prohibition Comes to Virginia: the Referendum of 1914," Virginia Magazine of History and Biography, October, 1967, pp. 473-488.

1916 to 1920. These years saw the shift to either grudging or enthusiastic acceptance of prohibition by many of its former foes, and then a shift in increasing numbers to disillusioned hostility, directed mainly against the Commissioner and his Department.

For an understanding of this experiment in legislating morals, the following historical summary is offered. It may be observed and borne in mind that prohibition, when it did come to Virginia, was a political victory rather than a moral conversion, and therein lay much of the problem in making its operation a success.

As enacted in 1886 the Local Option Law allowed a locality to decide by popular vote whether a license should be issued for selling liquor. It would be no longer necessary to wait for a judge, perhaps with unsympathetic views or under conflicting pressures, to decide a saloon was "unsuitable" for the community. The passage of the act was hailed as a democratic solution to liquor evils throughout the state, and where dry sentiment prevailed elections brought quick relief. By 1902 twenty-three of Virginia's one hundred counties had no licensed bars, and there were only two or three bars in eleven other counties.⁴

However, Negroes were generally wet, and in areas where they were in the majority, wet sentiment was especially

⁴Acts and Resolutions of the General Assembly of the State of Virginia: 1886 (Richmond: Superintendent of Public Printing, 1886), chapter 248. Hereafter cited as Acts of General Assembly... Pearson, Liquor and Anti-liquor..., pp. 167-8, 183-4.

strong. Although rural areas were drying up, urban areas were not, and although an increasing number of localities voted out liquor, the total number of selling places throughout the state did not decrease. Most troubling to thinking citizens, wet or dry, was the new condition illustrated in Lancaster County, where seventy-five speakeasies and blind tigers, both illegal drinking places, replaced the twenty-five or thirty former saloons.⁵

Apart from its mixed success, public reaction was also mixed on local option. Militants, both wet and dry, opposed it as a compromise with principle, but moderates found in it a way of attacking the saloon without giving in to prohibition or the ideas behind it.⁶

Sentiment and support was growing for a general dry law, but it would require direction and organization to succeed. Virginia's Prohibition Party never polled more than 2,500 votes in a statewide election. Its weakness was due to its limited platform and to the fear of splitting the white vote, which might enable a Negro Republican to be elected. Negroes were disfranchised in 1904 as a result of the constitutional convention of 1901-2, but by 1904 the young Virginia Anti-Saloon League was emerging as a potent political force in its own right, which further diminished interest in the Prohibition Party.⁷

⁵ Ibid., pp. 184-5, 187.

⁶ Ibid., p. 191

⁷ Ibid., pp. 191, 215. Ralph C. McDanel, The Virginia Constitutional Convention of 1901-1902 (Baltimore: Johns Hopkins

Temperance drives in earlier years by the WCTU, Good Templars, Sons of Temperance, and the Washingtonians had built a base of dry opinion, but it fell to the new Anti-Saloon League to seize and direct the movement to victory.⁸

The Virginia chapter of the League got off to a modest start at Richmond on March 12, 1901. They elected Dr. S. C. Mitchell as President and the Rev. C. H. Crawford as Superintendent, the officer who directed the day to day operations of the League. Subsequent organizational efforts often aroused hostility among local people. Crawford had to leave a town in 1902 after he was publicly whipped at the

Press, 1928), pp. 45-50. An article of the new constitution, which went into effect in 1904, enfranchised only those men who were veterans or sons of veterans of the United States or Confederate armed services, paid at least one dollar in state taxes, could read, or, if illiterate, could understand the constitution when read to them. Thus the convention skirted violation of the Fourteenth and Fifteenth Amendments of the U. S. Constitution. McDanel revealed the effective disfranchisement of the Negroes while permitting illiterate whites to vote through discriminate application of the "understanding clause." Ironically, many illiterate whites failed to register because of pride or for fear of being turned down.

⁸ Pearson, Liquor and Anti-Liquor..., pp. 222-3. Elsewhere, Pearson discussed the societies, their aims and work. The Washingtonians moved in from the North in 1841. Its members were reformed drunks and attracted little interest among the middle and upper classes. The Sons of Temperance, entering from the North in 1844, aimed at the middle class and sought to complement the Washingtonians. Carpetbaggers brought in the Good Templars in 1867, and while similar to the Sons of Temperance, its membership was open to Negroes. The Woman's Christian Temperance Union, resembling the Good Templars, established a Virginia branch in 1878 but at first alarmed conservative Virginians by its unladylike zeal and aggressiveness. By 1904 the WCTU was the only group of any consequence besides the Anti-Saloon League in Virginia.

hands of a local judge. The League concentrated on the churches and entered into many local option fights. By 1902 local leagues were established in sixty counties, and by 1903 newspapers were taking the League more seriously. James Cannon, Jr. gained his first recognition when he and Mitchell fought for adoption of the Barbour-Quarles Resolution into the bill of rights of the revised constitution of 1901-02. The unsuccessful amendment would have forbidden issuance of a license to sell liquor without a written request of a majority of the affected voters of a precinct. It was voted down after a hot fight, but dry leaders rejoiced in later years, feeling its inclusion would have made statewide prohibition more difficult to achieve.⁹ The League found much encouragement in a constitutional provision, giving the General Assembly the power to prohibit the manufacture and sale of liquor. The League hailed it as recognition of the evil character of the liquor business and viewed it as the basis for future action.¹⁰

Using some of its new powers the General Assembly in 1903 passed the Mann Act, co-authored by Cannon and Senator William Hodges Mann, requiring licenses and empowering judges of local county, circuit, or corporation courts to approve applications in areas of over 500 population. Where the population was less, application could be approved only where

⁹ Ibid., pp. 224-30. Virginius Dabney, Dry Messiah, The life of Bishop Cannon (New York: Alfred A. Knopf, 1949), pp. 49-50. Hereafter cited as Dabney, Dry Messiah.

¹⁰ Acts of General Assembly: 1903, chapt. 361. Pearson, Liquor and Anti-liquor ..., p. 230.

adequate policing was available and a majority of the population was favorable. The results of the act fully satisfied Senator Mann, who claimed 700-800 saloons were closed in rural districts as a result.¹¹

It was in no way a coincidence that the ascendancy and increasing influence of Cannon within the Anti-Saloon League paralleled that organization's increasingly important role in the temperance movement in Virginia. He was its President from 1904 to 1906 and took over as its Superintendent from 1909 till his elevation in the Methodist Church to Bishop of Texas in 1918. He saw the liquor question in political terms, and at his urging the Virginia League broke with the existing policy of its clergy and lay members and went political at its 1905 convention by agreeing to seek position statements on temperance from all political candidates.¹²

The formerly wet Delegate, Richard Evelyn Byrd made an about face on the liquor question and, when reelected, was promoted to Speaker of the House of Delegates with machine backing and with the support of the Anti-Saloon League after his support of the Mann Act. He and Cannon co-authored the Byrd Act of 1908 which defined liquor and tightened up and raised the cost of licensing. It went on to close so-called "fake clubs", selling liquor to members, and strengthened enforcement and prosecution by placing the burden of the proof of

¹¹Ibid., pp. 231-32.

¹²Ibid., pp. 252.

innocence on the accused.¹³

The Martin machine insisted on dispensaries, to which the League did not protest and admitted it was a temporary "tactical" concession on their part. Liquor interests were not frightened and apparently were unaware that the League was shifting to the quest for complete prohibition despite gains under the Byrd Law. A sign of the times was the call of Governor Glenn of North Carolina to his audience at the 1908 League convention to "get on the prohibition bandwagon, Gentlemen. It's going to win!"¹⁴

For the moment, however, Cannon was more interested in building a political base than in prohibition, and he was concerned lest they move ahead of public opinion. He persuaded the 1909 convention to stick with local option and to support the machine candidate for governor, William Hodges Mann, earning the gratitude of the Martin machine which was firmly associated with local option. There have been claims by some, refuted by others, of a deal between Cannon and Martin in which the former agreed not to push for prohibition during Mann's term in exchange for later machine support.¹⁵

¹³Ibid., pp. 256-58. Acts of General Assembly: 1908, chap., 189. Byrd's Winchester Star was one of the few important dry newspapers in Virginia.

¹⁴Religious Herald (Richmond: Religious Herald Company), February 13, 1908. The Religious Herald was the official organ of the Virginia Baptist Association. Pearson, Liquor and Anti-liquor..., pp. 262-3.

¹⁵Dabney, Dry Messiah, pp. 54-5. James Cannon, Jr.,

Deal or no deal, the League came out squarely for prohibition in its January 1910 convention, but the Assembly, meeting in session at the time, had no intention of abandoning option. Byrd, Mann, and Martin all indicated no support for such an extreme law at that time and defended themselves against criticism over the failure of the prohibition bill. Cannon seems to have realized he had moved too fast and set to work, strengthening his position with the Martin machine by having the Virginian support Martin and Claude Swanson in the Senate primary in 1911 and other machine candidates in 1913. Martin was openly grateful, and it did much to cement the alliance between what has been called "the two machines."¹⁶

In 1912-13, realizing they had gone as far as they could go with local option and were in danger of slipping back through local referenda, Anti-Saloon League field workers, the preachers, and the WCTU launched a campaign throughout the State to line up support for statewide prohibition. They had much to do with shaping the composition of the 1914

Bishop Cannon's Own Story: Life as I Have Seen It, Richard L. Watson (ed.) (Durham, N. C.: Duke University Press, 1955), p. 131. Hereafter cited as Bishop Cannon's Own Story. Robert A. Hohner, "Prohibition and Virginia Politics: William Hodges Mann versus Henry St. George Tucker, 1909," Virginia Magazine of History and Biography, January 1966, p. 107. Cannon denied the charge which Dabney recounted. Hohner disputed the charge, quoting Mann's and Martin's denials, and maintained that prohibition was the result, not of a deal, but of the force the League built up which the machine was powerless to resist.

¹⁶ Pearson, Liquor and Anti-liquor ..., pp. 266-70.

legislature, which, with the acquiescence of the Democratic machine, passed the Williams Enabling Act on February 18, providing for a prohibition referendum the following September.¹⁷

Martin's dominant faction of the Democratic Party had been won over, not by persuasion but by implicit threats from Cannon that, either the conservative machine would join in the cause of prohibition, abandoning its wet supporters and the important liquor interests, or it would be faced with an alliance of prohibitionists, independent Democrats like Carter Glass and Montague, Progressives, and Republicans, which would be strong enough to unhorse the machine.¹⁸

In contrast to the highly organized and enthusiastic dries, wets found themselves to be leaderless with the defection of the Martin machine. The liquor interests were too embarrassingly self-interested to be much use in the campaign. The Virginia Association for Self-government was the best known and best organized anti-prohibition group, and it published its own newspaper, The Trumpeter, beginning in July 1914. However, the Association and its paper had little reach beyond the cities, and the issue would be settled in the rural areas. Newspapers generally were apposed to prohibition, but the pulpits were

¹⁷Ibid., pp. 271-2. Alan Burton Clarke, "Seventeen Years in the Desert: An Authentic History of Prohibition in Virginia," Times-Dispatch, November 1, 1933. Hereafter cited as Clarke, "Seventeen Years" Clarke's history was published as a series from October 30 to November 21, 1933, just following repeal. He was a respected reporter of the Times-Dispatch and a contemporary observer of Virginia prohibition.

¹⁸Hohner, "Prohibition in Virginia," p. 122.

more persuasive with the voters of rural Virginia.¹⁹

Perhaps most important was the general readiness, seen strongest among the middle-class on whom law enforcement depends, to do away with the saloon and the evils it had come to represent.²⁰

The outcome of the referendum was a sweeping victory for prohibition's partisans, with a vote of 94,251 to 63,886, an unusually high turnout. Counties voted dry, twenty-six to twenty-three, as did all cities except Richmond, Norfolk, Williamsburg, and Alexandria. The Anti-Saloon League spent \$72,500 and incurred a \$24,000 deficit which the churches were asked to help retire. This they did within a few years. Cannon charged, but gave no supporting evidence, that the liquor interests had spent \$1,000,000.²¹

Throughout the campaign and after, thoughtful Virginians, both wet and dry, feared problems of enforcement. Whites and Negroes without property had been denied the vote and had no reason to feel democratically committed. Finding liquor unavailable, they would be potential lawbreakers. Furthermore, opposition would arise from anti-machine forces, the cities,

¹⁹ Pearson, Liquor and Anti-liquor..., pp. 275-7.
 Clarke, "Seventeen Years...", November 1 and 2, 1933.
 Kenneth Bailey, Southern White Protestantism in the 20th Century (New York: Harper and Company, 1964), p. 163.

²⁰ James H. Timberlake, Prohibition and the Progressive Movement, 1900-1920 (Cambridge, Mass: Harvard University Press, 1963), pp. 29-30, 51-52.

²¹ Clarke, "Seventeen Years...", November 2, 1933.

and those who simply rejected Cannon/Martin domination of their private lives. Realizing this, Cannon argued for a moderate law, more moderate in fact than the referendum question provided. He described such a position as "'practical idealism'" and "'Pauline opportunism.'"²²

The Enabling Act and referendum of 1914 and the Mapp Act of 1916 were political victories and were subject to political counterattack. The persuasive spell and momentum required to win in 1914 and in 1916 would be hard to sustain over a period of years, and the Martin machine, having been coerced into prohibition, lacked any enthusiasm for enforcement and was content to stand aside as the winds of opposition rose.

CHAPTER II

ENACTMENT OF VIRGINIA PROHIBITION

The Mapp Law, passed in March and put into effect as of November 1, 1916, defined ardent spirits as all liquors, including beer and ale, containing more than one-half of one percent alcohol. It prohibited liquor's manufacture or sale, or its being offered or kept for sale "as an exercise of the police power of the state ... for the protection of the public health, peace and morals, ... and all its provisions shall be liberally construed to effect these objects." The law went on to provide for the legal importation by adult males and adult female heads of households each month of one quart of distilled liquor, three gallons of beer, or one gallon of wine. Thus Cannon compromised with principle in order to assure the passage of the law, even though the Enabling Act, calling for the referendum of 1914, made no provision for legal importation. This was a striking demonstration of his flexibility in gaining a desired end.¹

¹Pearson, Liquor and Anti-liquor ..., pp. 288-9. Clarke, "Seventeen Years ...," November 3, 1933. Dabney, Dry Messiah, p. 103. Acts of General Assembly ... 1916, chap. 146.

Enforcement was to be under a department of prohibition, making Virginia unique among the states. Heading it was to be a commissioner, elected by the General Assembly, with the power to employ inspectors and attorneys and to supervise local enforcement of the dry law throughout the state. Prosecutors were able to petition the court for a change of venue, and witnesses were given immunity from prosecution but could not refuse to testify on the grounds of self-incrimination. To insure vigorous and uniform enforcement, the Assembly passed a so-called "Ouster Law" providing for the removal of local law officers or other officials for drinking, gambling, or neglect of duty.²

The Anti-Saloon League of Virginia was very influential in the debates of March 5-10 over the Mapp bill. J. Sidney Peters and Howard Hoge, preacher husband of the Virginia WCTU president, mingled on the floor with the Delegates, and James Cannon, Jr., League superintendent, sat behind G. Walter Mapp in the Senate, helping plan strategy. At the convening of the General Assembly, it had been announced that a Committee of Moral and Social Welfare would be established for each house. This was done at the bidding of the League, and probably of Cannon himself, and they were heavily stacked with drys.³ Every piece of legislation or resolution relating to prohibition had to pass through these committees, which held

²Ibid., chap. 451. Clarke, "Seventeen Years . . .," November 3, 1933.

³Dabney, Dry Messiah, p. 100. Clarke, "Seventeen Years . . .," November 3, 1933.

the power of life or death over them.

Meanwhile Governor Henry C. Stuart was under pressure from both directions on the subject of the proposed office of commissioner of prohibition. A New Market petition with sixty-nine signatures, headed by the town sergeant, urged the Governor to veto creation of the office, and a letter from A.G. Gresham thanked the Governor for opposing its creation. On the other side J. W. Hough, Virginia Anti-Saloon League president, argued it was essential to have a commissioner to visit areas of the State where the law was likely to be violated and to see that local law officers were not in league with the violators.⁴

Governor Stuart's final assurance that he would not veto creation of a department and a commissioner was important though not crucial to the law's passage, and a veto would have been futile against the final vote of 35-3 in the Senate and 88-5 in the House of Delegates. Stuart had recovered from the embarrassment of his much criticized support of local option continuance in the 1914 referendum, and he had lined up with prohibition's supporters. However,, until the proposed commissioner was made responsible to the General Assembly which was to create and fund the department, he

⁴ Petition to Governor Henry C. Stuart, February 25, 1916 and letters Gresham to Stuart, February 7, 1916 and Hough to Stuart, January 27, 1917, Executive Papers of Governor H. C. Stuart, Box no. 1, Division of Archives, Virginia State Library, Richmond, Virginia. Hereafter cited as Executive Papers with the name of the appropriate governor. Hohner, "Prohibition in Virginia: 1901-1916," pp.183.

opposed creation of the office.⁵

In the House of Delegates so much advanced preparation had been made and commitments secured that amendment attempts that did not enjoy the blessing of dry organizations or the Committee on Moral and Social Welfare were rejected with machine-like precision. The office of commissioner was the most frequent target of amendments. There was the Holman Willis amendment to strike out the office, which was defeated 62-24, the Love amendment to make the attorney general an ex-officio commissioner was struck down 70-21, the Reed amendment to make the commissioner elective after 1920 was rejected 45-41, as was the Noland amendment to prohibit prohibition officials from engaging in politics, 42-34.⁶

Feeling throughout the House ran high, and Delegate R. F. Leedy of Page County denounced the "hydra-headed piece of parchment," charging it denied the right of citizens to trial in their own vicinity and that it set up a spy system. He scored the "unholy alliance between the Anti-Saloon League and the political faction [Martin machine], following the dictates of opportunism ... a union between church and state." As for the assurances that the commissioner would be non-political, Delegate R. Lindsey Gordon of Louisa rejected the claim by quoting John Pollard, who was then Attorney General, as

⁵Clarke, "Seventeen Years ...," November 3, 1933.

⁶Ibid. Times-Dispatch, March 5, 1916.

saying that he would rather be commissioner of prohibition than governor of Virginia. He scoffed at the claim that the office would take prohibition out of politics and exhibited letters from Oklahoma, saying the trial of the office there had been dropped as being of little value.⁷

Hostile newspapers had predicted before the Assembly convened that the job of commissioner would go to J. Sidney Peters, and they were obviously well informed.⁸ The question was settled in Democratic caucus for House and Senate on the night of March 9. Early evening attempts by chairman Jordan to leave the appointment to open meeting of the Assembly in order to allow Republicans and Independents to share, lest refusal "inject a virus which will ultimately destroy the temperance cause," were drowned out in cries about the "right and duty" of Democrats to decide in caucus.⁹

J. Sidney Peters was nominated by Senator G. Walter Mapp as a man "in every respect best fitted to discharge the duties ... he possesses a wide knowledge of men from many angles... [and] his genuine devotion to the cause cannot be called into question." The unctuous seconding speech of Senator Holt of Newport News brought laughter as many recalled he had led the fight in the 1914 Senate against prohibition

⁷ Ibid. Though machine Democrats voted solidly for the Mapp Act in its entirety, Republicans and Independents, with few exceptions, fell in line with the 1914 mandate. Many balked over amendments, but partisan lines did not emerge in the final votes.

⁸ Dabney, Dry Messiah, p. 105.

⁹ Times-Dispatch, March 10, 1916.

but had just been given a seat on the Committee on Moral and Social Welfare.¹⁰

Peter's appointment by the General Assembly was a foregone conclusion, and that body confirmed it for four years at \$3500 per annum in the closing moments of the session. Cannon expressed last minute reservations that someone less identified with the dry cause might be more acceptable to disgruntled or irreconciled wets.¹¹ Many doubted Cannon's sincerity since he had publicly praised Peters as dedicated to temperance, very able, and with a high sense of integrity, and privately he must have been pleased to have his chief lieutenant as chief enforcer of prohibition in Virginia. In any event his circumspect reservation was consistent with Cannon's style of maneuver, for he could have the satisfaction of Peters' appointment while striking the pose of a conciliatory moderate.¹²

¹⁰ Ibid.

¹¹ Pearson, Liquor and Anti-liquor..., pp. 289-90.

¹² Times-Dispatch, March 10, 1916. Clarke, "Seventeen Years...", November 3, 1933. Clarke dismissed for lack of evidence those charges at the time that Kapp was merely Cannon's mouthpiece. Shibley's thesis and an interview by the author on March 30, 1970 with John Kapp, a son of G. Walter Kapp, tend to confirm that Kapp was a man of independent judgement which makes such a relationship unlikely.

CHAPTER III

J. SIDNEY PETERS

J. Sidney Peters, the new chief of prohibition enforcement had been born in 1866 at Berkley, Virginia and raised in the temperance movement. His mother, Susan Agnes Peters, had been a president of the Virginia WCTU and was a forceful woman, widely credited with shaping the attitudes and personality of the young Peters growing up in Norfolk.¹ He was only fourteen when his father died and eighteen and hard to discipline when his mother remarried. There was a veiled reference to this in an early biographer's statement that "he lost interest and grew wayward" until 1893, when, at the age of twenty-seven, he was drawn into the Methodist ministry.² Citizens of Blackstone, where he had a church, told of his "wild youth" and the widower's later rivalry with his

¹Virginia Conference Annual, 1933, Methodist Episcopal Church (Richmond: Everett Waddey), obituary of Peters, pp. 69-70. Hereafter cited as Virginia Conference Annual with date. Cannon, Bishop Cannon's Own Story, p. 152. Baltimore and Richmond Christian Advocate (Richmond: Advocate Publishing Co.), February 29, 1912, pp. 7-9.

²John L. Lafferty, Sketches and Portraits of the Virginia Conference: Twentieth Century Edition (Richmond: n.p., 1901), p. 415. Hereafter cited as Lafferty, Sketches and Portraits

oldest son for the hand of his second wife, Sara Lee Robertson, sister of later U. S. Senator A. Willis Robertson.³

Once in the pulpit he delivered "sermons which were not pretty essays on morals, but the deliverences of a legate of heaven... and he carried on the [temperance] campaign from house to house."⁴ Upon his death an obituary would describe his ministry as "one of unusual zeal."⁵ He occupied a series of pulpits in Virginia from 1893 until released by the bishop from 1909-11 and in 1916. He returned to preaching in the Virginia Conference from 1923 until his death in 1933 while he was minister to the High Street Church in Petersburg. He held firmly to the traditional Wesleyan interpretations of the Gospels, and "modernism held no appeal for him."⁶

At the age of twenty-one he represented Campbell County in the 1889 session of the General Assembly and never lost the taste or flair for politics, nor did anyone enjoy playing it more.⁷ His chief legal aide while he was Commissioner of Prohibition described him in 1964 as "a man of considerable personal warmth who loved to sit in the lobby of Murphy's

³ Interview with Mrs. Frank H. (Virginia F.) Jordan, September 11, 1970. Mrs. Jordan has been a life time resident of Blackstone and active in local affairs and was privy to all the gossip of the time.

⁴ Lafferty, Sketches and Portraits..., p. 415.

⁵ Virginia Conference Annual, 1933, p. 69.

⁶ Ibid., pp. 69-70.

⁷ Ibid., p. 69. Times-Dispatch, March 21, 1933, editorial p. 6.

Hotel [Richmond] with a good cigar and talk shop with the politicians.'"⁸

His political experience and creative ability made him Cannon's most effective lieutenant in the 1914 referendum campaign, in which he was assigned the eastern half of the State. This well qualified him for the job of Commissioner in 1916 in the eyes of the Anti-Saloon League and his sponsor, G. Walter Mepp.⁹

Peters became closely involved with the Virginia temperance movement through association with James Cannon, Jr. Together they bought the Baltimore and Richmond Christian Advocate in 1903, holding a seventy-five percent share between themselves, at a cost of \$15,000, and they became sole owners two years later. Peters was associate editor and business manager until 1911 when Cannon bought him out and later sold it in 1918 to the Virginia Conference of the Methodist Church for \$16,400. In 1906 they claimed to be making nothing above expenses, but in 1918 a BRCA statement following the sale indicated that Cannon had put it on a paying basis.¹⁰

Together they joined in the establishment of the

⁸ Interview with Edward B. Dunford by Robert A. Hohner in Washington, D. C. on July 9, 1964. Cited in Hohner's "Prohibition Comes to Virginia: the Referendum of 1914," Virginia Magazine of History and Biography, January 1966, p. 474. Hereafter cited as Hohner, "Referendum of 1914."

⁹ Ibid.

¹⁰ Pearson, Liquor and Anti-liquor..., p. 233n. Dabney, Dry Messiah, pp. 32-33.

Virginian, with Cannon as editor and Peters as business manager. It appeared on January 26, 1910 with the motto "A Clean Paper for the Home" and eschewed liquor advertising. The paper was greeted as "an intruder rather than a brother" because it "proclaims itself better in all respects than its contemporaries" and because it was expected to support the Martin machine, which had no paper of importance at the time.¹¹ Professional relations did not improve, and a Richmond editorial called Cannon "a willful liar, a slanderer, and a fool."¹² The Virginian kept up its self-righteous fire, criticizing the other papers for their liquor ads and claiming they were subservient to their advertisers' interests.¹³

Both Cannon and Peters opposed a Sunday edition for the Virginian but were overruled by the other investors, indicating theirs was a minority ownership.¹⁴ Financing of the paper was shaky for the whole ten years of its life, and continuing amounts had to be pumped into the paper to keep it afloat. Cannon claimed contributors put in over \$350,000 and recovered little. Peters claimed to have put in \$30,000-35,000 to Cannon's \$50,000-65,000. None of the figures were documented, and those for Peters and Cannon may have

¹¹ Pearson, Liquor and Anti-liquor . . ., p. 269.

¹² Times-Dispatch, February 25, 1911.

¹³ Pearson, Liquor and Anti-liquor . . .

¹⁴ Dabney, Dry Messiah, pp. 64-5.

included contributions the two men handled for others.¹⁵ Toward the end of its life, questions were raised about the ultimate destination of money contributions, handled by Cannon whose methods sometimes resembled emotional blackmail.¹⁶

The extraordinary relationship between Peters and Cannon was a study in contrasts. Both were wholly committed to the Temperance cause. They worked closely for many years, Peters met his second wife through Cannon, and their friendship remained strong. Yet in many ways the two were opposites. Cannon was described as cold, impersonal and aloof, whereas Peters was warm, affectionate and unguarded. Cannon would readily compromise on principle, calling it "Pauline opportunism," in order to build a stronger political base for himself and the League. Peters was often seen quixotically "standing at Armagedon and battling for the Lord." Cannon had an uncanny instinct for politics and an understanding of people and their uses, and on this he built his power and successes. Peters allowed his loyalties and sentiment to sway his judgement and seemed almost to seek out trouble for the opportunity to "give witness." Cannon was the mastermind and Peters the trusted lieutenant and uncritical friend. Cannon's organizational talents, relentless drive, and energy welded the infant Virginia Anti-Saloon League and its preacher supporters into an instrument powerful enough to coerce the Martin

¹⁵ Ibid., pp. 69-70.

¹⁶ Jordan interview. Her recollection were of actual incidents and not hearsay evidence.

machine into acquiescence over prohibition. It fell to Peters, however, to enforce what his friend's genius was largely responsible for creating: Virginia prohibition.¹⁷

¹⁷Letter from Mrs. W. I. [Betty] Moorman, Peters' daughter, to the author, September 12, 1970, and subsequent interview, November 8, 1970. Hohner, "Referendum of 1914," p. 474. Pearson, Liquor and Anti-liquor . . ., pp. 253-4.

CHAPTER IV

THE DEPARTMENT OF PROHIBITION IN ACTION

Having been elected by the General Assembly and commissioned by Governor Stuart, J. Sidney Peters had only to wait to be qualified by the circuit court judge on September 1, 1916 in order to set to work, even though the Mapp Act did not go into effect until November 1.¹

With an appropriation of \$50,000 at his disposal, Peters employed two attorneys, Thomas Whitehead and Guy T. Horner, a bookkeeper, a stenographer, and a messenger. He chose four detectives, later to be increased in number, and two inspectors, one for drug stores and one for express offices.² The basic organizational plan would remain the same except for the addition of an assistant, S. B. Woodfin. Harry B. Smith, who replaced Peters in 1920, shook up the Department but retained its structure. Peters set up his offices in the headquarters building of the Virginia Anti-Saloon League on Grace Street, which was an error in judgment, as events proved.

Essential to his plans was a corps of 516 unpaid

¹J. Sidney Peters, Report of the Department of Prohibition, 1917 (Richmond: Superintendent of Public Printing, 1917), p. 3. Hereafter cited as Peters, Report ... with the appropriate year.

²Ibid., p. 6.

informers he called "correspondents ... the highest, cleanest, sanest men I could find."³ Though supplemented or replaced in time by the vindictive or by cranks, the first group were in fact men of generally high character, who were motivated by conviction rather than desire for money or vengeance.⁴

Also essential to Peters, as much for moral support as for information, were the members of the WCTU, the Anti-Saloon League, and its subsidiary Law and Order Leagues throughout the state, who aided his agents in the field. He described the Anti-Saloon League member as "a man, full-blooded, four-square, unafraid and enjoying the highest degree of confidence, esteem and affection of his neighbors. The State of Virginia owes them a debt of gratitude, which debt may or may not be repudiated, but can never be paid."⁵ Obviously Peters could see nothing wrong with paying such tribute and open deference to the Anti-Saloon League, but hindsight suggests that Cannon may have been quite shrewd, though half-hearted, in his reservations about having as Commissioner a man so partisan and so intimately connected with the League. Such open admission by Peters of this 'special relationship' raised in the public mind questions about who, in fact, was being used, and it lent support to charges that the Department of Prohibition was in reality

³Ibid.

⁴Clarke, "Seventeen Years ...," November 4, 1933.

⁵Peters, Report 1917, p. 7.

the enforcement wing of the League, rather than the responsive creature of the electorate's General Assembly.

Throughout his four year term as Commissioner, Peters staunchly defended the necessity of the Department, although no other dry state maintained one after Oklahoma's was abolished prior to 1916.⁶ He insisted in 1917 that the weak enforcement and scandals of other dry states, such as Georgia, could be attributed to the lack of a department and a commissioner, and he cited West Virginia as the only other state with an officer specifically charged with state-wide enforcement. Even there, the financial burden fell on the reluctant shoulders of that state's Anti-Saloon League, which there, as elsewhere, had been primarily responsible for the passage of the state dry law. He reprinted a letter from George W. Crabbe, West Virginia's League Superintendent, outlining their difficulties under a very small appropriation of \$15,000. The League had to pay most of the bills, according to Crabbe, while laying off all non-vital personnel before the end of each year. He expressed the hope that Virginia would not be guided by his state's meager appropriation. Thus Peters in his first report set the pattern to continue throughout his association with the Department of seeking in vain appropriations larger than the "wretchedly inadequate" initial \$50,000.⁷

A brief four year summary of Peters' struggles for

⁶Times-Dispatch, March 3, 1916.

⁷Peters, Report . . ., 1917, p. 5.

more money may prove useful here. In his efforts to wring more out of the General Assembly he had to contend with the budget requests of Governor Westmoreland Davis, who made no secret of his opposition to the principle of prohibition. Cannon admitted his part in the League blunder in permitting two drys to run against the wet Davis in 1917, assuring his victory. Davis had pledged himself to uphold the law, but his dedication to economy in government and his hostility to Peters and the Department became especially evident in his messages to the legislature, which criticized waste in the Department without being specific, and in correspondence between Davis and Peters.⁸ Davis' strategy was to undermine Department appropriations and then to eliminate the Department and Commissioner altogether. He had recommended unsuccessfully to the Senate in 1918 that it cut out entirely the proposed appropriation of \$50,000, and in 1920, urged the Assembly to abolish the Department, and to place enforcement under the Attorney General for reasons of efficiency and economy. He called attention

⁸Cannon, Bishop Cannon's Own Story., pp. 164-6. Kirby, "Alcohol and Irony, The Campaign of Westmoreland Davis for Governor, 1909-1917," Virginia Magazine of History and Biography, 73 (July 1965), pp. 269, 277, 279. Hereafter cited as Kirby, "Alcohol and Irony...." Addresses to the General Assembly, January 14, 1920 and January 11, 1922, boxes 3 and 4, Executive Papers of Westmoreland Davis. Jack Temple Kirby, Westmoreland Davis, Virginia Planter-Politician, 1859-1942 (Charlottesville: University Press of Virginia, 1968), p. 131. Hereafter cited as Kirby, Westmoreland Davis. Davis to Peters, March 28, and Peters to Davis, March 31, 1919. Unclassified correspondence from Department files of 1916 to 1933, Division of Archives, Virginia State Library, Richmond. Hereafter cited as Department files.

to the Department's ability to manage on the smaller amounts of \$50,000 each for 1918 and 1919 as reason for refusing to support Department requests for \$74,284 for 1920 and \$56,054 for 1921.⁹

For its part the General Assembly could have bowed to continued lobbying by the Anti-Saloon League and letter writing campaigns of the Baptist and Methodist churches, especially, but, apart from the Senate's refusal to make the cut Davis recommended in 1918, the General Assembly chose to keep the purse strings tight in spite of inflation and increasing law violations. They seem to have concurred in principle with Governor Davis's opinion that the Federal Government should take over after the passage of the Eighteenth Amendment and the Volstead Act, freeing Virginia from the expense and duplication of its own department of prohibition. They refused to make bigger appropriations but shied away from abolishing the office or department until the maverick session of 1920, choosing to keep a tight rein until the political climate changed. Apologists claimed that the "stinginess" of the General Assembly denied prohibition a fair trial in Virginia. Certainly the forced economies were galling to Peters and may have contributed to his tendency to make rash and arrogant outbursts, which were ill-received in official circles, and to occasional poor judgement under stress.

⁹Kirby, Westmoreland Davis, p. 132. Letter of Governor Davis to Senate, March 18, 1918, and address to General Assembly, January 14, 1920, boxes 4 and 3 respectively, Executive Papers of Westmoreland Davis.

Peters' Reports to the Governor and General Assembly were required by law but were enthusiastically employed by him as a means of promoting prohibition in practice. His first Report ran to 132 pages, including some eighty-two pages of tables and schedules. Naturally the first would be the longest, but those for 1918, 1919, and 1920 ran to seventy-five, eighty-six, and seventy-five pages respectively. Subsequent Reports rendered by Harry B. Smith and then by Attorney General John Saunders from 1923 to 1933, were much shorter. All contained the same copious tables and schedules, but Saunders limited his text to an introductory statement of less than one page, indicating the political caution that had gathered around prohibition enforcement and the fact that this was but one of his duties as the State's chief legal officer.

In his 1917 Report Peters summarized the first year's work. He observed that many local law enforcement officers failed to understand the Department's responsibility as supervisor of local enforcement rather than enforcer under local supervision.¹⁰ He found the police and most sheriffs alert and diligent but that constables often did not take the law seriously.¹¹ He took pride in the sharp reduction in criminal convictions, but he did not spot the irony of far greater reduction in formerly dry cities than wet ones, and

¹⁰ Peters, Report..., 1917, p. 4.

¹¹ Ibid., p. 32.

he could not foresee the sharp rise in liquor violations in the 1920's as one crime began to outweigh the others.¹²

One of the expected results of prohibition he considered most gratifying would be the end of "alcohol caused feeble-mindedness, insanity, epilepsy, and heart and kidney diseases." More recent medical findings do not support his beliefs, but they were widely current in 1917.¹³ He announced, mistakenly as events proved, that moonshining was dying out as a result of diligence, and he looked to "education and religion" to complete the work.¹⁴

Peters reported the number of investigations by his men and expressed regret for the many requests refused because of inadequate staff. He, himself, made over one hundred speeches to citizens' groups, urging jury service and adherence to the law.¹⁵ The problem of jury service was vexing, as he found "Mr. Good Citizen" unwilling to serve, leaving it to "professional jurors." Peters found juries so lenient in Richmond in 1917 that he sought a change of venue for all prohibition

¹² Ibid., pp. 99, 106-7. Clarke, "Seventeen Years....," November 7, 8, and 9, 1933. Inspectors investigated 1,359 complaints of violation the first year, 1,090 the second, and 2,911 the third, with the only limit being the capacity of the inspectors. Prosecutions numbered 2,009, 2,400, and 3,176, and convictions were 1,320, 1,717, and 2,435. Pearson, Liquor and Anti-liquor...., p. 296.

¹³ Peters, Report...1917, p. 98. Interview with Dr. E. C. Hoff, Director of Department of Alcoholism and Rehabilitation, Medical College of Virginia, February 3, 1971.

¹⁴ Peters, Report.... 1917, p. 17.

¹⁵ Ibid., p. 32.

cases and called for an immediate investigation of Richmond juries. This caused a storm of protest, although he was probably correct in charging some bias and leniency.¹⁶

Peters pointed out to the General Assembly the defectiveness of the so-called "Ouster Law," which was expected to keep local officials to their duty, and he urged that they amend the law to make it employable.¹⁷ As enacted in 1916, one clause of the law contradicted another, permitting removal only for "neglect of duty" which would be hard to prove. Later revision by the General Assembly sought to correct the discrepancy, but defendants then fell back on provisions of the Virginia constitution, precluding a State agency from removing local officials in such cases.¹⁸ Thus the "Ouster Law," from which so much had been expected, was ineffective, and the occasional drunken constable went untouched by a frustrated Commissioner. Peters shied away from even trying to use the law against Judge Thomas Robertson of Hopewell, who was deemed hostile to prohibition and was suspected of keeping confiscated liquor for his own use. Peters finally advised the accuser to take it up with Governor Davis.¹⁹ Ironically, Delegate B. A. Banks of Norfolk sought to use the "Ouster Law" against the Commissioner himself in February

¹⁶Ibid., p. 31. Clarke, "Seventeen Years . . .," November 4, 1933.

¹⁷Peters, Report . . . , 1917, p. 4.

¹⁸Peters to R. L. Davis, Superintendent of the North Carolina Anti-Saloon League, January 13, 1919, advising them on enacting such a law for that state, Department files.

¹⁹Exchange of letters between Peters and Walter Devaney, an attorney, November 5-23, 1918, Department files.

of 1917, but either he or it failed, and his petition in Richmond Hustings Court was denied.²⁰

Peters included in his Report testimonials from ten "representative", but no doubt carefully selected, businessmen, citing increased commerce under prohibition, and he drew attention to testimonials in the Richmond Virginian of sixty-nine Virginia officials and private citizens, whose names he listed, attesting to the success of prohibition's first year of trial.²¹

In a section he called "a deadly parallel" Peters printed side by side, "before and after" editorial comments from three Richmond Newspapers, the Times-Dispatch, the Evening Journal, and the News-Leader, reversing themselves between 1914 and 1917 and rallying to the side of prohibition. It was beyond Peters not to take smug satisfaction from this turn-about, and he savored this moment of triumph over his adversaries who had and would make his life very uncomfortable.²²

Peters' official correspondence was enormous, compared with that of his successors, but it was rather haphazardly filed with many of his replies opening with apologies that the correspondent's letter had been mislaid or had just come to his attention. His explanation was often that he had been

²⁰Clarke, "Seventeen Years...", November 6, 1933.

²¹Peters, Report..., 1917, pp. 117-121.

²²Ibid., pp. 122-126.

out of town. Indeed, he did a great deal of traveling for a man in his supervisory position, leaving his assistant in the office at Richmond while he was in the field, rather than the reverse. He tried to make up for budget and staff deficiencies by resort to his enormous energy and capacity for work, perhaps trying to do too much of the job himself.

He was very open and guileless; qualities which merit admiration. Bishop Cannon was later charged with moral turpitude and questionable financial dealings, despite his skill at covering his tracks, and the uncritical Peters testified before a Congressional committee on his behalf.²³ Had not Peters been scrupulously honest, he would have been embroiled in scandals all of his official life because of his openness and lack of a sense of personal expediency.

He seemed always surprised and hurt that others did not share his convictions, for, as he saw it, the cause was just, the people had spoken, the law was enacted, and the idea of changing it was unthinkable. He was sometimes careless about observing civil rights and other constitutional safeguards. Prohibition, once enacted, had become sacrosanct and inviolable, and his scorn for those who tolerated laxity of enforcement or violation was Biblical, and his sarcasm became very offensive.²⁴

²³ Andrew Sinclair, Prohibition. Era of Excess (Boston: Atlantic-Little, Brown and Company, 1962), p. 401. Times-Dispatch, October 9, 1931.

²⁴ Peters, Report.... 1918, pp. 7, 8, and 10. Peters, Report.... 1919, pp. 4-6.

It was to reach a point where his overzealousness could only be curbed by his removal.

Peters chose the occasion of his second Report to single out for praise his star inspector, William Payne of Rosslyn in northern Virginia. By any measure Payne gave an extraordinary performance with over 300 arrests, all resulting in indictments, plus numerous confiscations of liquor on trains and cars, traveling south into the State from wet Maryland and Washington. His murder a year later in February of 1919 at the hand of a Negro bootlegger was a grievous personal loss to Peters. Peters moved in contrast from praise of Payne's record to a stinging attack on "high officials" of the Richmond, Fredericksburg, and Potomac Railroad, who "encouraged bootleggers to resist officers in making arrests" by their attitude. Later in this Report Peters again praised his officers who "are vilified, slandered, assaulted, persecuted in some of the courts and murdered by the slaves of appetite and their profiteers. The 'unkindest cut of all'," he charged, "is from Mr. (Silly) Good Citizen, neither seller nor imbibor, who thoughtlessly joins in abusing the officers with the rest."²⁵

Of more importance than was then fully realized was the departure in 1918 of James Cannon. He resigned as Superintendent of the Virginia League to take up his duties as the new Bishop of Texas. He would then move onto the national scene and join the other Anti-Saloon League leaders in the

²⁵Peters, Report..., 1918, p. 7, 10.

campaigns for Congressional passage of the prohibition resolution and then the ratification of the Eighteenth Amendment. He left the Virginia League in the hands of its new Superintendent, David Hepburn, a Baptist minister, who was unable to maintain the influence it had gained under Cannon. During the critical 1920 session of the General Assembly the Virginia Anti-Saloon League failed to hold its annual convention in Richmond, through which it had effectively lobbied in years past.

Nineteen-eighteen did produce some successes for the Department, but also substantial problems. Peters anticipated scepticism over his pleas for more money in view of having subsisted on only \$40,000 of his \$50,000 appropriation. He hastened to point out in his 1918 Report that the balance had been set aside for the court defense of his officers should the need arise. Ironically, the unused portion reverted to the State treasury through, in Peters' opinion, a legislative oversight.²⁶

A new law gave confiscated liquor to the Department to sell to licensed, dispensing druggists, with a portion of the proceeds to be retained and the rest deposited in the State treasury. Another law required permits costing a dollar for each importation of liquor under Virginia law, but all proceeds except costs went into the State treasury.²⁷

An indication of changing times was Peters' reference to

²⁶Ibid., p. 3.

²⁷Ibid.

the problem of soldiers and sailors in the Norfolk area.²⁸
Liquor stolen from express offices became an increasing and almost insoluble problem, as was the automobile equipped bootlegger on the highways.²⁹ He felt moonshining was slowly but surely dying out, but he seemed less confident than in 1917.³⁰

The reason for moonshine's continued good health in 1919 became apparent when Peters revealed that spirits which had sold for about a dollar in earlier years were then selling for twenty to twenty-five dollars. This was the result of the exhaustion of pre-prohibition, private stocks and of federal wartime prohibition, stopping the flow of the legal bottle-a-month from the north.³¹ Peters assured the legislators that his blockades of cars, trains, and boats "raised a hue and cry" among bootleggers. He complained however, that it was also taken up by hostile newspapers, drinking people, generally, and those who were easily misled. He again offered a strong and eloquent defense of his "brave gentlemen." There was a severe deterioration in Department morale following the arrest of his officers in conjunction with a shootout in Woodstock. He sought public and official support and under-

²⁸ Ibid., p. 4.

²⁹ Ibid., pp. 6, 8.

³⁰ Ibid., p. 10.

³¹ Ibid., p. 3. Pearson, Liquor and Anti-liquor..., p. 297, Clarke, "Seventeen Years...", November 7, 1933.

standing for those charged with enforcement of the law.³²

His recommendations to the soon to be convened General Assembly session of 1920 were bold and sweeping in view of the difficulties he was in at the time. He asked for virtual carte blanche for his men to use "force necessary to subdue prisoners and prevent escape." He neither got this nor further limitations on doctors' prescriptions and drugstore sales of spirits. Neither did he get an automatic change of venue for trial of his officers in the future, when local sentiment was opposed to enforcement.³³

Throughout his four year term as Commissioner, Peters interpreted his mandate quite broadly and employed policies and methods which were labeled high-handed and overzealous. There was a contradiction between the principles and policies he publicly avowed and the realities of their application. He wisely announced at the beginning that his administration would be by "diplomacy rather than by law," but as time passed he turned more to the weight of the law and away from persuasion and diplomacy. He reported with pride the non-partisan composition of his Department, employing Republicans, Democrats, and Prohibition Party members and of the inclusion of a Negro detective, a bold step in 1916, but he generated partisan animosity between wets and dries, polarizing those he

³² Peters, Report...., 1918, pp. 6-7.

³³ Ibid., pp. 85-6.

should have tried to bring together.³⁴ In the end it made little difference that his office employed Republicans as well as Democrats, for he misunderstood the true partisan issue and, in effect, denied the legitimacy of opposition, once prohibition was enacted.

Peters was replaced on September 1, 1920 by Harry B. Smith, and it was the latter who submitted the 1920 Report. In Smith's report, under the heading "The Changed Problem," he admitted only limited success against moonshining and bootlegging. He described local sentiment as often friendly to lawbreakers, and he called on the General Assembly to give greater support and financial reward to local officers on whom the Department, with only six officers, was dependent. In contrast to his predecessor he emphasized a new atmosphere of cooperation and assistance to local officers, instead of the overhearing patronage without the staff and authority to warrant it. Also, he was content to adopt a policy of encouraging federal prosecution in cases of concurrent jurisdiction in order to win more convictions, even though the State lost the resulting fees and confiscations to the federal treasury.³⁵

Smith's narrative text concluded with a special introduction to the usual tables, in which he declined to claim credit for the achievements thereafter cited and only expressed

³⁴Ibid., pp. 4,7. Though Negroes made ideal undercover agents, Peters had been criticized for employing one since he would have to appear as witness before white juries. Nonetheless, Peters vowed to employ any who were suitable.

³⁵Harry B. Smith, Report.... 1920, pp. 4-6.

gratification at having made "a humble contribution to prohibition's success." One can detect in this a new attitude of a transformed Department of Prohibition. Gone was the old self-confidence and self-righteousness. Diplomacy, cooperation, and more modest expectation became the rule.

CHAPTER V

J. SIDNEY PETERS AND THE DEPARTMENT UNDER ATTACK: 1919

Nineteen-nineteen had been the critical year for J. Sidney Peters and the Department of Prohibition. By the end of the year the likelihood of the survival of the Department as an independent enforcement agency or of Peters as its aggressive chief was indeed slim. A review of the events of 1919 show Peters and Department supporters on the defensive against increasing attacks from all sides. His position deteriorated as critics seized on incidents, and he spent more and more time reassuring anxious drys and countering hostile criticism.

The specific causes of his downfall were the worsening relations with the politically powerful United States Railroad Administration, a series of embarrassing and damaging incidents and the use hostile newspapers made of them, and Peters' own overzealous methods and self-righteousness. In the background were a hostile governor, and lack of support of the Democratic machine, especially after the death of Senator Martin on November 12, 1919. Formerly ardent drys had become complacent in contrast to wets who found encouragement and

satisfaction in attacking the Department of Prohibition, if they could not topple prohibition itself. Bishop Cannon, the chief architect of Virginia prohibition, hastened to the rescue of his old friend too late and found his old magic no longer worked on a General Assembly which was more responsive to calls for governmental economy in the post-war years.

Peters had recognized from the beginning that the best way to keep illicit liquor from the wet states out of Virginia was to stop it at the borders. Department practice was to check the flow from wet Maryland in cars on the Valley road, and on trains traveling south through the Norfolk area. The amount of confiscated liquor and automobiles suggested the relative effectiveness on Virginia's highways, and these efforts did not arouse significant controversy until March of 1919. Inspecting trains, however, aroused the wrath first of the economically and politically powerful railroad companies serving Virginia, and finally of the United States Railroad Administration which coordinated and controlled the nation's rails during and immediately after the war.¹

Peters complained frequently of a lack of cooperation, especially on the Richmond, Fredericksburg and Potomac Railroad, which monopolized traffic between Washington and Richmond.

¹It should be remembered that Thomas Staples Martin started his rise to prominence as a railroad lawyer. The financing of his successful campaign for the U. S. Senate against Fitzhugh Lee came largely from the railroads, and a political friendliness continued over the years. No doubt the companies expected special treatment.

His Reports and newspaper accounts told the same story of interference with Department agents and of tacit aid given to violators.² The Department files for 1919 contain numerous complaints from John Barton Payne, General Counsel for the U. S. Railroad Administration, who was obviously unsympathetic with the aims of prohibition and critical of Virginia enforcement methods. Peters had assured him in November of 1918 that his men did not search baggage on trains, but if this was Department policy it was obviously not observed by its agents, judging from Payne's frequent complaints.³ Relations between the two men deteriorated to the point that each questioned the veracity of the other.

The most publicized incident was one that began with a Wilmington, N. C. Evening Dispatch editorial of March 3, 1919. The editor alleged "ruffians" working for Virginia's Prohibition Department searched a certain train and in doing so opened the berth of a prominent Wilmington woman causing her much fright and embarrassment. They then arrested the conductor, on the charge of obstructing an officer. The ripples widened as letters passed among Peters, Mayor Moore of Wilmington, the newspaper in question, W. D. Hines who was Director General of the U. S. Railroad Administration, J. B. Payne, Virginia's Governor Davis, and a William White of Augusta, Georgia, who

² Peters, Report...., 1919, pp. 4-5. Winchester Evening Star, February 25, 1919, p. 1.

³ John Barton Payne to Peters, November 25, 1918, and Peters' reply, November 26, Department files.

who offered his unsolicited opinions in a barrage of letters.⁴

Great deference was given to "the ladies of delicate sensibilities" and these ladies proved useful to Department foes. Payne admonished Peters for having "stated to me and to others representing the Railroad Administration that no such acts occur ... [but] we have so many complaints of this character that it is distressing in the extreme." The same day Payne wrote Governor Davis that "nothing injures the good name of Virginia [more than the] conduct of [these] prohibition officers."

Davis subsequently wrote to the Commissioner, demanding that "you enjoin your men not to exceed their legal authority" and urged tact, especially with women. Davis cited the Wilmington case and others as proof that changes were called for. Peters defended himself and his men by pointing out that only three of the twenty-two cases complained of by Payne had involved his men. However the tone of his letter was indignant and even reproachful to the Governor. Peters knew that Davis was hostile, and his annoyed tone, instead of the more appropriate diplomacy and persuasion, could only have greatly

⁴Mayor Moore of Wilmington to Walter D. Hines, March 6. John Barton Payne to Peters, March 25, April 8, 14, 15, and 19 and Peters to John Barton Payne, April 5, and two on April 17. John Barton Payne to Governor Davis, April 25, Governor Davis to Peters, April 28 and Peters' reply to Davis, April 31. Peters to Mayor Moore, April 4 and 23 and Mayor Moore's replies, April 14 and 16. Peters to editor of Wilmington Evening Dispatch, April 29. William White to Hines, February 18, to Eugene A. Lamb, March 18 and 31, and to John Barton Payne, April 1 and 8. Copies of White's letters were forwarded to U. S. Attorney General A. Mitchell Palmer at White's request on April 19. Department files for 1919.

increased the coolness between them. The Governor lacked the power to remove the Commissioner and both knew it.⁵

In an exchange of letters with Virginia's Attorney General John Saunders in January, Peters had been annoyed at the immediate assumption that "ruffians" searching baggage on a Seaboard Air Line train at Quantico, Virginia were his men. He protested they could have been Internal Revenue agents, local police, military authorities, or highjackers, impersonating agents. "Present the 'ruffians' to the authorities and they'll be punished," he concluded airily.⁶

Newspapers were openly critical of Peters and on April 2 the Times-Dispatch editorial charged:

The greatest obstacles to a fair trail of prohibition are being imposed by the Prohibition Department itself... as it is responsible for the conduct of its agents. These condemnation of prohibition in Virginia. Everyday violations of laws by police, the necessity of warrants are ignored, baggage torn open and rummaged, innocent people inconvenienced and embarrassed... travelers avoid Virginia. If the Prohibition Department permits it to continue, it is its own worst enemy. [It is important to] conform not only to statutes but also to rules of common courtesy.⁷

In the weeks following the episode on the train, efforts to separate fact from rumor and unsupported allegations required extensive correspondence and the ordering of the

⁵ Payne to Peters, March 25, 1919, Payne to Westmoreland Davis, March 25, Davis to Peters, March 28, and Peters' reply, March 31, Department files.

⁶ Saunders to Peters, January 9, 1919, and Peters to Saunders, January 10, Department files.

⁷ Times-Dispatch, April 2, 1919, p. 6

Dunford report from Wilmington. When he was through, the Commissioner was satisfied that the investigations cleared his men, but not everyone shared his feelings, and the net effect of the publicity on public opinion was highly detrimental and tended to further discredit enforcement efforts in the minds of moderates and erstwhile supporters of the Department.⁸

As the specific issue of the "Wilmington Case" wore itself out, John Earton Payne and J. Sidney Peters carried on their feud on broader ground. Payne took occasion to note in mid-April that a recent U. S. Supreme Court decision had the effect of denying Peters the authority to "interfere" with passengers on interstate trains. The Commissioner coolly denied that the decision affected State officers but said he would get a copy for study. He countered with a suggestion that Payne himself stop the flow of illicit liquor into Virginia if he found Virginia enforcement efforts objectionable.⁹

Two days later Payne demanded a copy of the warrant Peters claimed to use, and his tone indicated skepticism about the Commissioner's pleas of innocence. Peters sent

⁸ Report of his investigations in Wilmington by Department attorney Edward Dunford to Peters, May 7, 1919, Department files. This letter formed a major basis for Peters' July Statement of the Commissioner of Prohibition, defending himself and the Department. Opinion of Judge Prentiss of Richmond in a letter to Peters, April 17, 1919, accepting pre-trial statements to justify bail for agents charged with murder, Department files. Clarke, "Seventeen Years....," November 6, 1933.

⁹ Payne to Peters, April 15, 1919, and Peters to Payne, April 17, Department files.

a copy but revealed possible inconsistency by explaining the Virginia law did not require their use. He stated they were "usually used" to comply with requests of the Railroad Administration. The inference can be drawn from Peters' admission that warrants were often not used, in spite of his earlier assurances. In May Payne forwarded an unsolicited copy of the Supreme Court decision with a distinctly chilly covering letter.¹⁰

For his part J. Sidney Peters had taken the counter-offensive in April by requesting facts on the damage suits Payne had claimed were costing the Railroad Administration so much money, and he seemed to doubt the genuineness of Payne's claims. He got in a parting shot by again calling on Payne to "stop the booze" from crossing the border.¹¹

An interesting example of Peters' unsuccessful relations with the administration in Washington was a long and ingratiating letter to the new U. S. Attorney General, A. Mitchell Palmer, congratulating him on his appointment and offering to meet with him at his convenience to discuss "matters of mutual interest", presumably national and state prohibition enforcement. No reply from Palmer is in the files of the Department, and an editorial comment in a Richmond paper revealed Palmer's opinion of militant drys. He had refused help from "certain organizations" in enforcing national prohibition ... "agencies

¹⁰ Payne to Peters, April 19, 1919, Peters to Payne, April 25, and Payne to Peters, May 8, Department files.

¹¹ Peters to Payne, April 10, Department files.

which have dominated the legislative branch and now seek to dominate the executive. Espionage conducted by various organizations and individuals is entirely at variance with our theories of government," he concluded.¹² This was precisely the sort of "cooperation" which Peters had encouraged from the Anti-Saloon League and the WCTU ever since taking office, and the incident illustrates the isolation Peters found in dealings with many Federal officials.

While Peters was deeply embroiled in the high level controversy surrounding the Wilmington train search case, an episode occurred which was to prove even more damaging to the Department in the public mind and brought to a head smouldering dissatisfaction among many Virginians. Peters had long been concerned about the increase of rum-runners on the highways, describing them as "desperadoes, armed to the teeth and driving recklessly."¹³ One such pair was intercepted near Woodstock on the night of March 26, driving south from Maryland on the Shenandoah Turnpike, often called simply the Valley Road. Department agents, including W. C. Hall and Harry Sweet, stopped the car, later found to be carrying seventy-six quarts of illicitly bonded whiskey, and Hall fatally shot both men as they attempted to escape. The agents insisted throughout the ensuing furor that the pair had fired first, and there was no question of the rum-runners violating the

¹²Letter of Peters to A. Mitchell Palmer, March 15, 1919, Department files. Times-Dispatch, April 6, 1919, Part II, p. 4.

¹³Peters, Report..., 1918, p. 8.

law, but public feeling ran so high that they were held in protective custody in a mob-surrounded building. The first to die was Raymond Shackelford, a thirty-five year old hardened felon, but L. D. Hudson, who died on March 28 in the hospital was reported to be only nineteen and captured the public's sympathy. Local citizens took up collections for flowers, and the agents found themselves charged with murder. Charges were finally dropped after several months and three hung juries.¹⁴

The incident set off a round of charges and counter-charges among newspapers and officials, with Peters and his Department caught in the middle. The Virginian, acting as the news organ for the Department, was one of the few papers to rally to the defense of the agents. It reminded readers that search warrants were not required on the highways and citing the low reputation of Shackelford and the courage of the agents who daily faced great dangers. It called for "calm and earnest thought" and reprimanded "apologists for lawbreakers." The Virginian criticized Governor Davis and J. B. Payne for using the Woodstock affair to put the Department in a bad light by placing copies of related correspondence in the

¹⁴Times-Dispatch, March 28, 1919. The Virginian (Richmond), March 29, 1919. Winchester Evening Star, March 28, 1919. Clarke, "Seventeen Years...", November 6, 1933. J. W. Hough, President of the Virginia Anti-Saloon League, wrote Peters on May 16 that he had proof Hudson was twenty-four, not nineteen. Peters thanked him and said the defense was adequate as it stood.

Washington and Baltimore papers.¹⁵

The Law and Order League of Winchester gave the agents aid and encouragement, and called for public calm. The Leagues had been organized in every county of the State by the Anti-Saloon League to press for enforcement and keep an eye on local happenings.¹⁶

The Winchester Evening Star made no reference to any "excitement" surrounding the detained agents until several days after the shootings. Many papers may have exaggerated the "mob action", but the Evening Star, a dry paper owned by Richard Evelyn Byrd, who authored the Byrd Law of 1903, was probably trying to minimize the incident.¹⁷

Peters lost no time in rushing to Winchester and to the aid of his men, and he immediately thereafter issued a blanket denial of any wrongdoing and posted a \$10,000 bond for release of the men. After arriving Peters and Edward Dunford, his chief counsel, had found themselves under the protection of the hastily called-out fire department. They could not buy gas in Winchester and had to hide their car in

¹⁵ Times-Dispatch, April 2, editorial p.6, Richmond News-Leader, March 28, editorial p. 4, Norfolk Ledger-Dispatch, March 27, editorial p. 6, The News (Lynchburg), March 28, editorial p. 4, Danville Register, March 28, editorial p. 4, Roanoke Times, March 27, editorial p. 4, Virginian (Richmond), March 29, p. 1, editorial p. 8, and April 4, p. 1, and Gloucester Gazette, April 23, 1919.

¹⁶ Virginian, April 1, 1919. Times-Dispatch, March 29, 1919. Clarke, "Seventeen Years...", Times-Dispatch, November 8, 1933.

¹⁷ March 31, 1919.

a private garage. Peters and his men left town after the inquest had been postponed to let tempers cool, and they later publicly expressed deep regret over the killings.

W. C. Hall, who was subsequently tried for murder, had been on the Danville police force and was noted for impetuosity and disregard for danger. While on the force he shot and killed a Negro and was twice hospitalized from fights with Negroes. His detective father had been shot and killed by a Negro. Harry Sweet, his co-defendent for murder, had served on the Richmond police force and had a similar temperament.¹⁸ Sweet was charged with corruption while working as an agent for the Department of Prohibition.¹⁹

On March 30, just two days after his censure letter to Peters over the Wilmington Case, Governor Davis ordered a full report on the Woodstock affair. The day before, the

¹⁸ Times-Dispatch, March 28, 1919, p. 1.

¹⁹ Anonymous but credible letter in 1919 Department files. Clarke, "Seventeen Years...", November 6, 1933. Howard Lee McBain, Prohibition, Legal and Illegal (New York: Macmillan Company, 1928), pp. 155-157. Sinclair, Prohibition: Era of Excess, pp. 183-184.

McBain, professor of constitutional law at Columbia University, described the frequent crimes of national prohibition officers and the numerous killings of civilians, often innocent bystanders, by officers. He emphasized the difficulty of attracting and holding good men with the meager salaries offered and of their resulting susceptibility to bribes. Another problem was men who quit and sold their services and inside knowledge to bootleggers. In 1928 two-thirds of the national officers could not pass the civil service exam when enforcement was transferred from the Treasury Department to the Justice Department.

Sinclair confirmed this record of corruption and gave substantially the same reasons. In spite of the lack of a study for Virginia, it is reasonable to assume a similar situation existed in this State in the period treated here.

National Referendum League which sought repeal of the 18th Amendment, passed and publicised a resolution in Washington, D. C., which urged Governor Davis to call a special session of the General Assembly and "deplore[d] methods used by leaders of the Anti-Saloon League and prohibitionists in Virginia, led by J. Sidney Peters, in attempting to suppress importation of liquor into Virginia."²⁰ The Virginian hotly rejected such "outside interference" in Virginia affairs.²¹

On the heels of the Woodstock Affair, a Richmond editorial condemned the liquor search of a coffin on a train in Roanoke. Though the search was later proved to have been conducted by federal agents, the paper associated the act with those of Virginia's Department of Prohibition and protested over the "sacredness of death." Three days later it publicised an exchange of letters among the Governor, Peters, J. B. Payne, and U. S. Attorney General Palmer over the casket opening episode.²²

Meanwhile the Methodist Ministers' Conference in Richmond deplored the loss of life at Woodstock but called on citizens to stand behind those charged with prohibition enforcement.²³ At its annual convention the Virginia WCTU passed

²⁰ Times-Dispatch, March 31, 1919.

²¹ Virginian, April 1.

²² Times-Dispatch, April 1 and 4, 1919.

²³ Times-Dispatch, April 2, 1919.

a resolution of support, and President Hoge expressed amazement at the criticism of the officers and the sympathy for the lawbreakers.²⁴ These actions by gatherings from across the State indicate how widespread was public arousal.

The Woodstock Affair was to re-echo through the following weeks and months, and already in late April Peters felt it necessary to mail out copies of the Report of 1918 along with a form letter of appeal to influential and interested citizens. The letter gave his version of the Wilmington, Woodstock and coffin cases, dismissing charges as "false and groundless." He also labelled as "base and false" charges of discourtesy to women on trains. He maintained they were circulated by "enemies of prohibition against the brave officers of this department," and he asked for suggestions for overcoming false impressions in the public mind.²⁵ The next day he got off a group of letters to citizens of Norfolk, urging them to attend the Rev. Dr. George W. McDaniel's address on "The Majesty of The Law". Dr. McDaniel had undertaken a speaking tour of the State in the interest of prohibition enforcement and was a fiery critic of newspapers he believed to be hostile to prohibition. Peters billed the upcoming speech beneficial because of Woodstock and "scurrilous rumors, designed to undermine public approval of prohibition in Virginia and the Nation." The politically-minded Commissioner stressed that

²⁴ Virginia WCTU Annual Meeting and Minutes: 1919
(Westminster, Maryland: Times Printing Company, 1919), pp. 20,26.

²⁵ Letter of Peters to various citizens, April 29, 1919, Department files.

election time in November would be too late to make their wishes felt and hinted at the approaching Democratic primary as the time and place to elect friends of prohibition and the Department for the 1920 session of the General Assembly.²⁶ Soon thereafter the dry Roanoke Times urged readers to attend McDaniel's speech in that city and to give a fair hearing to Peters' defenders.²⁷

Friends of the Department wrote from May through June, warning of hostile talk in their areas of the State and recommending counter-action. Other letters requested him to come to answer criticisms at public meetings.²⁸

The Religious Herald became fully alarmed. It warned of attempts to wreck prohibition and implored readers to vote in the primary and not be indifferent.²⁹

An episode involving the editor of a Gloucester paper helps explain why Peters was so criticized in 1919. His zeal for prohibition and loyalty to his men often swayed his

²⁶Letter of Peters to Norfolk citizens, April 30, 1919. Copies of McDaniel's speeches and criticisms of newspapers, especially the Times-Dispatch, can be found in the "prohibition file" of the Baptist Historical Society, Richmond. McDaniel was pastor of the First Baptist Church, Richmond, and a leading dry in Virginia. He made removal of liquor interests influence in the church a requisite to accepting the pastorate in Richmond. Pearson, Liquor and Anti-liquor..., p. 273. n.

²⁷Roanoke Times, May, 1919, editorial, p. 6.

²⁸Letters of Charles M. Fettner, Chief of police at Berryville, May 21, 1919, Robert A. Russell, an attorney at Rustville, May 10, the Rev. J. L. Love, May 22, L. D. Stables of Gloucester, May 25, and J. W. Hough, President of Virginia A-S L, in Norfolk, July 1, Department files.

²⁹Religious Herald, May 29, 1919.

judgement when either came under attack. In one of his letters to a friend, H. C. Bland, Peters disputed a recent editorial. In May he wrote the Gloucester editor directly about a recent story in reply to Peters' appeal of April 29 and claiming "Proof of Peters' coarse methods... Gloucester lady suffers indignities from Commissioner's 'Gentlemen'." Apparently on a false tip agents opened the lady's trunk, arousing considerable indignation. Peters had apologized profusely but refused to reprimand the officers who, though misled, had only done their duty, in his opinion. Whereupon the editor gleefully published Peters' letter and claimed it proved the paper's case. He called Peters "too zealous... too ready to suspect the innocent... they should stick to catching known bootleggers and leave refined ladies' baggage alone." The editor scoffed at the defense of the agents; "... how about the rights of the woman wronged?"³⁰

The whole affair could have been quashed by a non-specific assurance that he would investigate and take appropriate action. Instead, he played into the hands of an obviously hostile editor who made a fool of him. Peters revealed in this case his unfortunate knack for antagonizing reasonable people, many of whom were sincere supporters of prohibition. Either a person was for rigorous enforcement and his Department's efforts or he was against them, and therefore deserving of no

³⁰Letters of Peters to H. C. Bland, April 23, and to the editor of the Gloucester Gazette, May 22, 1919, Department files. Gloucester Gazette, May 29, editorial, p. 2.

consideration. Even granting the impossibility of pleasing everyone, Peters seems to have gone out of his way to make trouble for himself.

CHAPTER VI

J. SIDNEY PETERS AT THE BARRICADES

By mid-April of 1919 J. Sidney Peters could see that he and the Department of Prohibition were in serious trouble, and he set about buttressing a tottering regime. His appeal for help on April 29 and his publicizing of the McDaniel address attest to this, but his major effort was his "Statement of J. Sidney Peters, Commissioner of Prohibition of Virginia, in Reply to Hostile Criticism of the Department of Prohibition" which was printed at League expense, on July 31 and thereafter distributed wherever he thought it would do the most good. The fact that he felt it necessary was a sign of defeat, and its publication did not alter subsequent events materially. The "Statement" was based in part on the report with signed affidavits from Wilmington, N. C., prepared by Edward Dunford, his general counsel, various correspondence, and recourse to Department files.¹

Peters' "Statement" was addressed "To the People of Virginia" and was in answer to two main bodies of criticism:

¹Letter containing a special report from Dunford to Peters, May 7, 1919, Department files.

"that the Department of Prohibition [was] making no effort to enforce the law, and that the Department [was] enforcing it too zealously." He directed his attention to the charge of overzealousness, primarily, as might be expected. However, he also defended his recommendation in July 1918 to license Shield's drug store to dispense prescription liquor in Richmond and his decision in May 1919 to recommend suspension of the license. In recommending the licensing of a liquor dispensing drugstore for Richmond, he upset the drys, and in recommending license revocation, the wets. It has since been maintained that dropping the license was prompted by Shield's and Peters' dispute over whether the Department or Shield should have the profits from sales. Peters' explanations at the time were plausible and effectively refuted charges of personal profit, but the controversy was clearly harmful.²

The Commissioner went on to summarize cases of women who complained of mistreatment on pullman cars in Virginia, and especially the episode recognizable as the "Wilmington Case." He identified the women as "Mrs. A and Mrs. B" and, using Dunford's affidavits, refuted the substance of the charges, at least to his own satisfaction. Peters then reiterated the details and his own defense in the "Woodstock Case" and included in his appendix a supporting opinion of Judge Prentiss of

²Clarke, "Seventeen Years . . .," November 7, 1933. J. Sidney Peters, "Statement of J. Sidney Peters, Commissioner of Prohibition of Virginia, in Reply to Hostile Criticism of the Department of Prohibition" (Richmond: n.p., July 31, 1919), p. 3. Hereafter cited as "Statement of J. Sidney Peters . . ."

Richmond, approving bail for W. C. Hall.³

Having devoted much of his space to these cases on which he felt himself on strong ground, he grouped all other complaints under "Other Cases." He attempted to minimize numerous other cases without giving specifics concerning them, but he made a grudging concession that "for some [complaints] there has been more or less cause, and... they are simply human beings who are liable to error." He found it surprising that there had been "so few mistakes committed." Peters admitted for the first time that some bags and trunks had been searched on suspicion rather than reasonable evidence that they contained liquor. He hastened to remind his readers that Federal agents were busy in the State and that the Roanoke coffin case, which was blamed on his Department, really involved Federal officers.⁴ His final defense concerned search, seizure, and confiscation, especially of automobiles involved in rum-running. He referred readers to the law governing it and dismissed disgruntled critics as "bad citizens."⁵

Peters concluded his "Statement" with a closely reasoned plea for the retention of the Department. He claimed a drop of one-half and one-third in those committed to the penitentiary and jails, respectively, and boasted that State revenues

³ Ibid., pp. 5-8, 19.

⁴ Ibid., pp. 8-9.

⁵ Ibid., p. 9.

for educational purposes from fines were over \$80,000.00 per year after deducting the \$50,000.00 a year, appropriated for Department expenses. He argued that the meager Congressional appropriation pre-supposed active state enforcement, and should Virginia fail to do so, the revenues now enjoyed would go to Washington. Peters appealed to a sense of patriotic duty to enforce the law and cautioned friends of law and order "not to be deceived into placing stumbling blocks in the way of those who have expended so much time, energy and means in the effort to rid this country of the plagues that have followed in the wake of the traffic in alcoholic beverages." Peters claimed the achievements of Virginia under prohibition were attributable to the work of the Department of Prohibition but then bared his own breast to the dagger of the General Assembly: "If the General Assembly should be convinced that the present Commissioner of Prohibition had been guilty of maladministration, it should elect another in his stead; but it should not destroy the Department ... " unless another department could fully and effectively take over its work. In this gesture Peters was at his best, staunchly fighting against a sea of trouble but willing to personally assume blame if in doing so he could save the Department he believed to be essential to prohibition's success. J. Sidney Peters' devotion to the cause was complete and absolutely sincere. He had served since 1916 as a willing lightning rod to protect agencies of enforcement and in 1919

⁶Ibid., pp. 10-11.

was willing to bow out for their effective survival.

The Democratic primary, which was tantamount to election for most Assemblymen, had already been held before Peters' "Statement" was circulated, so it had only minimal effect on the make-up of the General Assembly, formally elected in November of 1919. U. S. Senator Thomas Staples Martin, leader of the Democratic machine in Virginia, died on November 12 in Charlottesville, removing from the scene the second of two major figures in the alliance between the machine and the Anti-Saloon League. With James Cannon's departure in 1918, only Peters was left, and he was no match for his foes. Peters' tacit offer of no resistance to his removal indicated his recognition and acceptance of this strong possibility. How much pressure was put on him by influential drys is hard, if not impossible, to determine. Certainly his old friend and supporter, G. Walter Mapp stood by him at the 1920 session of the General Assembly, but Peters had become an embarrassment and a liability to Virginia prohibition, and it is probable that other prominent drys were anxious for him to step aside.⁷

Throughout the summer and fall of 1919 supporters kept up the defense. The Virginian published reports from around the State on the good effects of prohibition. Drys mounted a vigorous campaign for strict enforcement with the Anti-Saloon League changing its slogan from "Outlaw the Saloon" to "Enforce

⁷Dabney, Dry Messiah, p. 138. Shibley, "G. Walter Mapp," pp. 49-50.

the Law". Wartime prohibition had gone into effect on July 1, 1919, and it was this act, more than the ratification of the 18th Amendment, which put an end to the rum-running of bottled-in-bond from the north and ushered in the era of moonshine against which prohibition officers were to have only limited success in the years to come.⁸

The Baptist Conference of Virginia passed a resolution urging the Governor and Legislature to retain the Commissioner and the Department of Prohibition, and reaffirming its support of the League and the WCTU. Dr. George W. McDaniel attacked a petition to abolish the Department, being circulated by the National Anti-Dry Referendum League, as the work of outsiders and Bolsheviks, garbed in the gowns of liquor. He went on to praise Peters' zeal and even defended the principle of warrantless search.⁹

Attorney General John Saunders stated on December 2, 1919 that "prohibition has been a great benefit to the Commonwealth" and cited a decrease of serious offenses. Even Governor Davis was pressed into a brief statement citing the "values of prohibition," and ex-governor Henry C. Stuart was long in praise and confident of citizen support of the dry law.¹⁰

⁸ Virginian, May 8, 1919. Clarke, "Seventeen Years...", November 6, 1933. Pearson, Liquor and Anti-liquor..., pp. 297-98.

⁹ Virginia Baptist Annual: 1919, Temperance Committee Report, p. 100. George W. McDaniel, "Liquor v. Life" (Richmond: n. p., n. d. Probably printed in late 1919), p. 6.

¹⁰ Anti-Saloon League Yearbook: 1920, Ernest H. Cherrington, Jr. (ed.) (Westerville, Ohio: American Issue Press, 1920), p. 68.

Virginia Methodists in their annual conference at Richmond on November 12-17 adopted resolutions proposed by their Temperance and Social Service Committee, in which they rejoiced in the work of the Anti-Saloon League and commended "the courage and effective work of the Rev, J, Sidney Peters." They pledged their "sympathy and support in the difficult task he [was] performing," and they requested his reappointment by the Bishop. They warned Virginia Methodists to "see to the election of such officials as will adopt effective and proper law enforcement legislation and will detect and punish all violators of the law. Vigilance and energy are needed to maintain the victory," they concluded. Both Cannon and Peters had once been active members of this important committee, and in 1918, when Peters was still a member, it praised him in the highest terms and pledged him their "sympathy, support, and cooperation in his arduous task. We further record our disapproval and contempt of the vicious attacks being made upon him in the discharge of his duties by individuals, newspapers, and corporations." Presumably, the "corporations" alluded to were railroads, and the Richmond, Fredericksburg, and Potomac in particular. Sensing the danger of complacency, the Committee warned Virginia Methodists against "the monster apathy."¹¹

¹¹Virginia Conference Annual, 1919, pp. 90-1.
Ibid., 1918, pp. 103-4.

CHAPTER VII

THE FALL

The legislators elected to the 1920 session of the General Assembly were predominantly dry, politically, if not philosophically, and Governor Davis continued to at least give lip service to giving prohibition a fair test. The Department of Prohibition and its Commissioner were another matter, however, and both had been the target of the Governor for the past two years, with the charge of waste in the Department the chief theme. This was a useful line to take, since it was as hard to disprove as to prove. In his letter to the Senate in 1918 he had recommended that the appropriation be cut out, but that chamber, which joined the House in ratifying the Eighteenth Amendment to the U. S. Constitution, was of no mind to do so. In his budget message to the 1920 Session he pointed out again that Virginia was the only state with a department of prohibition, and he maintained that it caused resentment among other law enforcement agencies of the state and relieved them of a feeling of responsibility. Davis refused to support Department requests for \$74,284 and \$56,054 for the biennium and recommended instead that the Department be abolished for reasons of economy and efficiency. He cited the existence of national prohibition

as obviating the need for a separate department in Virginia. Editorial comment referred to a "whip to his words ... a storm of approval ... claps of hands and stamped feet ... suggesting the Department [was] doomed." The editor scoffed at the "train of agents and detectives" as an expensive luxury.¹

At the Democratic caucus on January 15, Parks P. Deans, a Delegate from Isle of Wight County and a strong supporter of Peters, asked for and got a postponement of nomination for Commissioner. Speculation settled on the uncertain future of the Department as reason for his startling maneuver.² The next day sixteen Delegates sponsored a Kenneth Gilpin bill to kill both the Department and the office of Commissioner, and a similar bill was expected for the Senate.³ At the bill's hearing before the Moral and Social Welfare Committee, created with prohibition in 1916 and always stacked with drys, Chairman Mayo C. Brown of Lynchburg cautioned that "this is not a trial of Dr. Peters [sic]

¹Letter of Governor Davis to the Virginia Senate, March 18, 1918, and his 1920 Budget Message to the General Assembly, January 14, 1920, box 4, Executive Papers of Westmoreland Davis. This was the first executive budget since its creation by the General Assembly at Davis's urging in 1918. See Kirby, Westmoreland Davis, pp. 80 and 133. Times-Dispatch, January 15, 1920, p. 1 and editorial, p.6.

²Ibid., January 16, 1920.

³Ibid., January 17, 1920.

Ibid., January 18, 1920.

but a hearing" on whether or not to abolish the Department. The bill's chief sponsor assured those assembled that "we are not here to hurt the cause of prohibition or to abuse the present Commissioner but to abolish the Department." His chief argument was that federal agents were sufficient for enforcement, and he quoted from Governor Davis's speech of January 14. He asked that enforcement be put under the Attorney General and called for the appropriation of \$8000 to use the "ouster law" against local officials who refused or failed to uphold the law. Gilpin called attention to numerous complaints and friction over enforcement, and, while insisting he did not blame all on the Department and Peters, he outlined the difficulty of getting good men to do espionage work if not in their own counties and the impossibility of enforcement against the unanimous sentiment of a locality.⁴

Since espionage work can hardly be carried out successfully by a person known in the community, as Peters had often observed, either Gilpin was ignorant of the problem or this was an example of the strategy of many foes of prohibition itself. In 1920 it was still futile, even politically dangerous, for Assemblymen opposed to prohibition to do more than recommend revision in method, hoping to abolish centralized enforcement and to move quietly toward only token enforcement on the local level.

To the defense of the status quo rallied such men

⁴Ibid., January 25, 1920.

as Senator Mapp, the Rev. Dr. George McDaniel, the Rev. David Hepburn, new Superintendent of the Virginia Anti-Saloon League, and Peters, himself. A compromise bill, sponsored by Parks P. Deans, was ultimately passed, continuing the Department's life until September 1, 1922.⁵ Senator Mapp sought \$100,000 for both years of the biennium but had to settle for \$70,000, a considerable reduction from previous years.⁶

The immediate crisis was not ended for the Department with the decision to continue it for another two years. When pressed in a House resolution by Delegate Edwin Gibson for information on fines and confiscations, spokesmen for the Department admitted their inability to comply. Such information was routinely included in each annual report to the General Assembly, but it would have taken time to compile and present. Gibson was a dry but was strongly critical of Peters, and in this surprise move made it appear that the Department was either inefficient or concealing something. The opponents' initiative was followed up quickly on February 19, when Robert O. Norris and twenty-six other patrons got a resolution passed, calling for an immediate legislative investigation of Peters and the Department. The creation of the committee cast a cloud over both and gave vent to pent up hostility. To many this tentative indictment of Peters and the Department gave sufficient satisfaction, and the subsequent hearings before the

⁵Clarke, "Seventeen Years . . .," November 7, 1933.

⁶Times-Dispatch, March 7 and 9, 1920. Shibley, "G. Walter Mapp . . .," pp. 50-2.

investigating committee were dragged out and went largely unattended by most of the resolution's sponsors. The remaining dry members of the committee finally gave Peters a "clean bill of health" without pursuing the inquiry of the Department itself.⁷

The night of March 4 was Peters' undoing as the Democratic caucus met again to consider his reelection or replacement. Delegate Edwin Gibson, the dry who had started the initial inquiry which ended in formal investigation, launched a bitter attack in which the cautious language of earlier hearings was discarded. Gibson assailed Peters' public opposition to the Norris resolution for investigation of the Department, his hiring of outside lawyers to defend his agents against the state, and his calling General Assembly foes of his Department "friends of bootleggers." Gibson called Bishop Cannon "the boss of the House of Delegates," and pleaded, "for God's sake, don't saddle the Prohibition Department with a man [Peters] who cannot make a living at anything else. If you do, you will have the old brothers, the political parsons, buttonholing and communing with you." He concluded with the opinion that a preacher in politics was as despicable as a whiskey dealer in politics. Back in January a letter had been read from an attorney, Charles Smith, who revealed that Peters had offered him a job, if

⁷Clarke, "Seventeen Years . . .," November 7, 1933. Dabney, Dry Messiah, p. 133. Shibley, "G. Walter Mapp . . .," p. 49. Kirby, Westmoreland Davis, p. 133.

he would withdraw from a three-way race for a House seat, leaving the way clear for another dry to win against a wet. When he refused, League Superintendent David Hepburn campaigned against him, and he was defeated. Smith claimed Peters had bragged that he was active in most state elections and that he virtually controlled the General Assembly. The disclosure created an overnight sensation, blackening Peters and undercutting those who had argued in 1916 that the Department would keep prohibition out of politics. The showdown came with Gibson making his own nomination to the all important Democratic caucus on the night of March 4. He nominated Harry B. Smith, a Culpepper businessman, who polled fifty votes to Peters' forty-eight. Smith had been a member of the House of Delegates and was a conscientious but moderate dry, and therein lay much of his appeal. Peters' defeat appears unexpected, as machine forces were predicting victory through the newspapers. Subsequent newspaper accounts attributed his defeat to his conduct in office and to involvement of ministers in politics.⁸

⁸Clarke, "Seventeen Years . . .," November 7, 1933. Shibley, "G. Walter Mapp . . .," pp. 50-1. Charles Smith to Delegate E. Hugh Smith, January 12, 1920, Davis Papers, Alderman Library, University of Virginia, as cited in Kirby, Westmoreland Davis, pp. 133-4. News-Leader, March 2, 3 and 4, 1920. Peters' reelection was important enough to the Democratic machine for Hal Flood, Martin's heir, to circulate a letter in the General Assembly on Peters' behalf. Edwin Gibson, Peters' most bitter critic in the caucus fight, had once been a Martin man but had switched his friendship to the Independent Westmoreland Davis. Peters' defeat was a blow to the prestige of the machine but a boost to the fortunes of Governor Davis. See Kirby, Westmoreland Davis, pp. 134-5.

Under Smith's administration the Department ceased to be a center of controversy. He seems to have clearly understood what was expected of him, and his reports to the governor and the General Assembly were the very models of moderation, with a reference to the necessity of "tact and judgement."⁹ Before his lame-duck term expired on September 1, Peters had had to release all his agents for lack of money to pay them, and, thus, Smith was able to start his term with agents of his own choosing.¹⁰ He moved the offices of the Department of Prohibition from the old Anti-Saloon League headquarters building, thus removing a source of embarrassment. He employed only one attorney and held his force of agents to six, since he had to be content with appropriations of only \$40,000 and \$30,000 for the biennium. His emphasis was on the suppression of moonshining, which had mushroomed since national prohibition closed off legal liquor from the north, and his summary of the difficulties, such as local sentiment, a limited staff and budget, and inadequate laws for the new conditions, reveals a pessimism about what could be done about moonshining.¹¹

There had been little in the 1920 session of the General Assembly to bring cheer to drys. They had been unable to do more than mildly modify the Deal bill, sponsored by

⁹Smith, Report . . . , 1920, p. 4.

¹⁰Peters to W. C. Hall, an agent of the Department, July 6, 1920, Department files, as cited in Kirby, Westmoreland Davis, p. 135.

¹¹Smith, Report . . . , 1920, p. 4.

Senator Joseph T. Deal of Norfolk, which, when enacted, tightened warrant requirements and imposed severe fines for illegal searches of occupied pullman berths and baggage. The lawmakers also made it easy for owners to recover confiscated automobiles and went on to cut appropriations.¹²

The normally tightly controlled General Assembly thus asserted its independence to the delight of wets. However, control was soon reestablished by the Democratic machine under Senator Martin's chief lieutenant and political heir, Hal Flood, who was also the uncle of Harry Flood Byrd, Sr. A disciplined General Assembly would in 1924 enact the Layman Act, generally recognized as the most sweeping and severe dry law to be adopted by any state.¹³

¹²Smith, Report . . . , 1921, p. 5. Clarke, "Seventeen Years . . . ," November 9, 1933. A fitting epitaph to Peters' administration of the Department of Prohibition was the demise in 1920 of the Virginian, the unofficial organ of the Department, and of which Peters was part owner.

¹³Clarke, "Seventeen Years . . . ," November 9, 1933. Acts of General Assembly: 1924, chap. 407.

CHAPTER VIII

CONCLUSIONS

When measured by the goals of the Anti-Saloon League, prohibition was effective in the 1916 to 1920 period treated in this study. It reduced drinking, especially in public, considerably. The earliest and most marked evidence of this was in the lower socio-economic classes, among whom the abuse of alcohol had been the greatest social problem. The corner saloon, as a center of vice and a consumer of workers' Friday paychecks, disappeared as did public drunkenness. Employers noticed a significant reduction in absenteeism and accidents relating to drunkenness, and there is every reason to credit prohibition with some improvement in individual family welfare.

Drys could point to official sanction against liquor as anti-social in the passage of the Napp Law in 1916. Prohibition was a victory for the churches and the middle-class, and for the virtue of temperance, which many believed to be indigenous to old-stock Americans. To many it was viewed as an acceptance by society of its responsibility to help its weaker members by setting a good example. Virginians enjoyed for a time a sense of crusading enthusiasm and a general willingness to give prohibition a chance.

While difficult to assess, a certain prosperity during the early months of prohibition resulted from money being diverted into other areas of the state's economy and from fatter paychecks earned by men who spent more time on the job.

In the early months the more affluent tolerated the nuisance of having to order limited stocks from out of state. They were indifferent to the grumbling of the lower classes, who were denied access to quick and cheap beer and whiskey from the saloon and who could not afford the price of bottled-in-bond from Maryland. Few cries of protest were heard from the upper classes until pre-1916 stocks were exhausted and agents of the Department of Prohibition made inroads on the flow of liquor, legal and illegal, from the north. Meanwhile, Negroes and low income whites never supported prohibition, but most did not vote because of disfranchisement or apathy, and they were never factors in the political struggle over Peters and the Department of Prohibition.

A basic flaw in Virginia prohibition in the long run was that it had been a political victory rather than a public conversion. It had been more a victory for Cannon and the League than the result of a ground swell of popular conviction. Many, who only wished to get rid of the saloon, were swept along in the fervor for prohibition. Neither moderates, who were just caught up in the movement, nor ardent dries envisioned the measures Peters would feel necessary for strict enforcement. Many naively thought the deed was done with the passage of the

dry law, but on no other issue was the minority less willing to comply with the will of the majority, and in no other area was its unwillingness as obvious or troublesome. As the novelty wore off and the realities of prohibition, as enforced by Peters, became clear, the enthusiasm and goodwill of many of its initial supporters faded, and Peters and the Department came in for increasing criticism from all sides.

The choice of J. Sidney Peters was a mistake, even though he was a man of unquestioned honesty and dedication. Unfortunately, he interpreted his appointment as a mandate from heaven and saw himself as an Isaiah, chastizing his people with God's almighty rod. Virginians were made to feel guilty though never intellectually persuaded of personal guilt. This left an often unconscious sense of injustice which became deeply disturbing to many, and in time the benefits wrought by prohibition were outweighed by resentment of Peters and his agents.

In reality Peters never had the power that either his supporters nor his detractors believed he had. Peters, better than anyone else, knew the limits and frustrations of his job. A restrictive budget made him very dependent on local officers, but he was too impatient to use persuasion, and he lacked the power to compel cooperation from local law officers or the authority to remove them. Furthermore, Provisions of the Virginia constitution and the defectiveness of the "Custer Law" made the courts useless against lax or defiant officials.

The Baptist and Methodist churches, especially, were still four-square for Peters and his Department. However, they were outmaneuvered by those who claimed to simply question the competency and suitability of the incumbent commissioner and the need for a separate department in view of national prohibition. Then too, a crusade proved more effective in attacking the saloon than in defending a man and an agency, especially when prohibition itself did not appear threatened.

In view of the goals Peters set for it, the Department was underfunded and understaffed. It therefore could not succeed without the moral leadership and official support of a strong governor, a strong organization within the General Assembly, or, preferably, both. Peters had neither. Governor Davis was an Independent and was hostile to him, to the League, and to prohibition itself. The Martin machine in the General Assembly, having been coerced into enacting prohibition, lacked any enthusiasm for the Department and its Commissioner. Many in the legislature were resentful of Peters and the Department, both of whom they felt were creatures of Cannon and the League, and they found sweet revenge in later humbling the League which had wielded the whip hand so effectively in 1916.

The middle-class on whom enforcement depended was alienated by Peters' arrogance and high-handedness and by the intrusion of preachers into politics. However there is no evidence that a majority had lost faith with prohibition

by 1920. Perhaps for that very reason, they did not hesitate to remove Peters and curb the influence in state politics of the League, feeling that Peters and the League had hampered a fair trial of prohibition. Peters' downfall, then, should not be viewed as a result of rejection by Virginians of prohibition, for enough were satisfied that its beneficial effects outweighed objections over inconvenience and personal rights. Disillusionment and contempt for the law did not become widespread until after the mid-1920's, and support for thoroughgoing enforcement was still strong enough in 1924 for the passage of the Layman Act, considered to be the most comprehensive and strict of all state dry laws.

J. Sidney Peters was not the only casualty of the struggle over prohibition. Respect for the law itself, especially when personified by the arrogance of a professional dry, fell to a new low, differing only in degree with the general contempt for the dry law in the early 1930's before repeal. Virginia saw friends and relatives bitterly divided over a concept of moral superiority. Drys, theoretically motivated by a laudable concern for the welfare of their fellow men, sat in judgement over their personal lives and found the drift toward the exercise of moral tyranny irresistible. Intolerance on both sides of the prohibition question made rational discussion difficult and caused both citizens and lawmakers to assume inflexible positions which they defended with closed minds. With prohibition, government thrust itself into

citizens' private lives to a degree hitherto unknown, foreshadowing the "big government" we have come to know today.

J. Sidney Peters, in many ways a tragic figure, was thrust into a role which required a blend of firmness and diplomacy he did not possess. He had become obsessed with prohibition as an end in itself rather than a means for the betterment of society. As with other militant drys, the cause of true temperance had soon evolved for him into total abstinence, to be won or lost on the field of political battle. He exhibited little faith in his fellow men, or in the ability of a maturing society to chose moderation over excess. His fellow Virginians would not tolerate a Savonarola, a role fellow drys encouraged him to assume, and in the end it was the moderates, not the extreme wets who pulled him down. They replaced him with a functionary, and in that act Virginia prohibition lost the character of a moral crusade and settled down to merely a social experiment. It would be recognized as a poignant coincidence that Peters died in 1933 just after Virginia repealed both state and national prohibition.

BIBLIOGRAPHY OF WORKS CITED

I. PRIMARY SOURCES

1. MANUSCRIPTS

Correspondence of the Department of Prohibition. Prohibition Papers: 1916-1933. Division of Archives, Virginia State Library, Richmond.

Executive Papers of Governor Henry C. Stuart: 1914-1918. Division of Archives, Virginia State Library, Richmond.

Executive Papers of Governor Westmoreland Davis: 1918-1922. Division of Archives, Virginia State Library, Richmond.

Prohibition File. Virginia Baptist Historical Society, Richmond.

2. INTERVIEWS

Hoff, Dr. E. C., Director of Alcoholism and Rehabilitation, Medical College of Virginia, at Richmond, February 3, 1971.

Jarrett, Mrs. T. Roy, Virginia and National Presidents of Woman's Christian Temperance Union, at Richmond, December 23, 1969, June 8 and 12, 1970.

Jordan, Mrs. Frank H. [Virginia F.] at Richmond, September 11, 1970.

Mapp, John A., son of G. Walter Mapp, at Richmond, March 30, 1970.

Moorman, Mrs. Warren L. [Betty], daughter of J. Sidney Peters, by phone from Salem, Virginia, November 8, 1970.

Womer, Dr. Wayne W., Director of Education and Church Relations, Alcohol-Narcotics Education Council of Virginia Churches, at Richmond, September 9, 1969.

3. LETTERS

Moorman, Mrs. Warren L. [Betty], daughter of J. Sidney Peters, to author, September 12, 1970.

Peters, The Rev. Howard R., son of J. Sidney Peters, to author, August 5, 1970.

4. PAMPHLETS

McDaniel, The Rev. Dr. George W. "The Status of Prohibition in Virginia." Richmond: n.p., 1921.

_____. "Liquor Versus Life." Richmond: n.p., n.d. Probably printed in late 1919.

Peter, J. Sidney. "Statement of J. Sidney Peters, Commissioner of Prohibition of Virginia, in Reply to Hostile Criticism of the Department of Prohibition." Richmond: n.p., July 31, 1919.

5. PERIODICALS

Anti-Saloon League Yearbook: 1920, E. H. Cherrington, Jr. (ed.). Westerville, Ohio: American Issue Press, 1920.

Baltimore and Richmond Christian Advocate. Richmond: Advocate Publishing Company, 1912.

Religious Herald. Richmond: Religious Herald Company, 1908 and 1919.

Virginia Baptist Annual. Lynchburg: n.p., 1919.

Virginia Conference Annual. Methodist Episcopal Church. Richmond: Everett Waddey Company, 1918 and 1933. Norfolk: Burke and Gregory, 1919.

Virginia Woman's Christian Temperance Union Annual Meeting and Minutes. Westminster, Maryland: Times Printing Company, 1919.

6. NEWSPAPERS

- Danville, Virginia. Danville Register. 1919.
- Gloucester, Virginia. Gloucester Gazette. 1919.
- Lynchburg, Virginia. The News. 1919.
- Norfolk, Virginia. Norfolk Ledger-Pilot. 1919.
- Richmond, Virginia. Richmond News-Leader. 1919, 1920.
- _____. Richmond Times-Dispatch. 1911, 1916, 1919, 1920, 1933.
- _____. The Virginian. 1919.
- Roanoke, Virginia. Roanoke Times. 1919.
- Wilmington, N. C. Wilmington Evening Dispatch. 1919.
- Winchester, Virginia. Winchester Evening Star. 1919.

7. BOOKS

- Cannon, James Jr. Bishop Cannon's Own Story: Life As I Have Seen It, Richard L. Watson (ed.). Durham, N.C.: Duke University Press, 1955.
- Lafferty, John L. Sketches and Portraits of the Virginia Conference: Twentieth Century Edition. Richmond: n.p., 1901.

8. VIRGINIA GOVERNMENT DOCUMENTS

- Acts and Joint Resolutions of the General Assembly: 1886, 1902, 1908, 1916, 1918, 1924. Richmond: Superintendent of Public Printing.
- Report of the Department of Prohibition to the Governor and the General Assembly. Years of 1916 to 1933. Richmond: Superintendent of Public Printing.

II. SECONDARY SOURCES

1. ARTICLES

- Clarke, Allan Burton. "Seventeen Years in the Desert; An Authentic History of Prohibition in Virginia." Published serially in the Richmond Times-Dispatch, October 30 - November 21, 1933.
- Hohner, Robert A. "Bishop Cannon's Apprenticeship in Temperance Politics, 1901-1918." Journal of Southern History, February 1968. Pp. 33-49.
- _____. "Prohibition and Virginia Politics: William Hodges Mann v. Henry St. George Tucker, 1909." Virginia Magazine of History and Biography, January 1966. Pp. 88-107.
- _____. "Prohibition Comes to Virginia: The Referendum of 1914." Virginia Magazine of History and Biography, October 1967. Pp. 473-88.
- Kirby, Jack Temple. "Alcohol and Irony, the Campaign of Westmoreland Davis for Governor, 1909-1917." Virginia Magazine of History and Biography, July 1965. Pp. 259-79.

2. UNPUBLISHED MATERIALS

- Hohner, Robert A. "Anti-Saloon League in Virginia, 1901-1910; Prelude to Prohibition." Unpublished Master's thesis, Department of History, Duke University, 1963.
- _____. "Prohibition in Virginia, 1901-1916." Unpublished Ph. D. dissertation, Department of History, Duke University, 1965.
- Shibley, Ronald E. "G. Walter Mapp: Politics and Prohibition in Virginia, 1873-1941." Unpublished Master's thesis, Department of History, University of Virginia, 1966.

3. BOOKS

- Bailey, Kenneth. Southern White Protestantism in the 20th Century. New York: Harper and Co., 1964.
- Dabney, Virginius. Dry Messiah, The Life of Bishop Cannon. New York: Alfred A. Knopf, 1949.
- Kirby, Jack Temple. Westmoreland Davis, Virginia Planter-politician, 1859-1942. Charlottesville: The University Press of Virginia, 1968.
- McBain, Howard Lee. Prohibition, Legal and Illegal. New York: Macmillan Company, 1928.
- McDanel, Ralph C. The Virginia Constitutional Convention of 1901-1902. Johns Hopkins Studies in Historical and Political Science. Baltimore: Johns Hopkins Press, 1928.
- Pearson, C. C. and Hendricks, J. Edwin. Liquor and Anti-liquor in Virginia, 1619-1919. Durham, N.C.: Duke University Press, 1967.
- Poteat, Edwin McNeill, Jr. "Religion in the South," Culture in the South, W. T. Couch (ed.). Chapel Hill, N.C.: University of North Carolina Press, 1934.
- Sinclair, Andrew. Prohibition: The Era of Excess. Boston: Atlantic - Little, Brown and Company, 1962.
- Timberlake, James H. Prohibition and the Progressive Movement. Cambridge, Mass.: Harvard University Press, 1963.