

The University of North Carolina-Asheville

Ben Hooper's Crusade For Prohibition Law Enforcement

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On September 22, 1913, at a special session of the Tennessee House of Representatives, Governor Ben W. Hooper informed the delegates of the important decision that was before them. “No Legislative body in Tennessee in times of peace ever faced such a grave and difficult situation, so fraught with the alternative possibilities of great good or enormous harm to the people of the state.” He continued, “Representative government will be on trial in the House during the coming week.”<sup>1</sup> The important issue before the House that had dominated Tennessee state politics for the preceding four years was prohibition’s enforcement as a law.

In 1909, Tennessee extended its Four-Mile Law to include all of its cities, which, by outlawing the sale of liquor within four miles of any school or church, accomplished, on the statute book at least, statewide prohibition. It was a great victory for the temperance advocates, but their battle was far from its conclusion. Because the law proved difficult to enforce, the gubernatorial races of 1910 and 1912 hinged mainly on the issue of prohibition law enforcement.<sup>2</sup> A minority party candidate, a Republican, who supported the enforcement of prohibition, won both races. That person, from the small eastern Tennessee town of Newport, was Ben W. Hooper. Hooper’s main issue in both the 1910 and 1912 campaigns was the enforcement of the Four-Mile Law.<sup>3</sup> While in office, Hooper fought obsessively against oftentimes an unproductive, divided House to rid the state of what he truly believed to be its one great and most dangerous vice, alcohol.

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<sup>1</sup> Ben Hooper’s Special Message of September 22, 1913 to the 58<sup>th</sup> General Assembly of Tennessee, in Stephen V. Ash, *Messages of the Governors of Tennessee*, Volume 9, (Nashville: The Tennessee Historical Commission) 1990, 11 Volumes, 335.

<sup>2</sup> The law proved to be especially difficult to enforce in Tennessee’s larger cities. In Memphis, new saloons continued to register with the city despite the fact that they were illegal.

<sup>3</sup> Russell Stockard, “The Election and First Administration of Ben W. Hooper as Governor of Tennessee”, *The East Tennessee Historical Society Publications*, Volume 26, 1954, 38-59; Russell Stockard, “The Election and Second Administration of Ben W. Hooper of Tennessee”, *The East Tennessee Historical Society Publications*, Volume 32, 1960, 51-71.

After four years of struggle, Hooper accomplished his main political goal as governor: passing additional prohibition law enforcement measures. He was able to accomplish this goal by continuously fighting for prohibition and calling two extraordinary sessions of the 58<sup>th</sup> General Assembly in 1913. Hooper's terms in office were, without a doubt, filled with political strife, but the passage of laws to ease prohibition's enforcement in Tennessee proved to be an enormous political victory for Ben Hooper.

The majority of literature concerning Tennessee's prohibition movement and Hooper's role in enforcing it as a law was authored prior to 1970. The lack of contemporary historical interest in prohibition is due in part to the fact that it failed as a law, but its importance for numerous decades in state and national politics proves its worth as a valid field of study, specifically in Tennessee where numerous counties remain dry to this day. Regardless of the exact reason for the deficiency of historiographical material in this area, the long passage of time since a thorough study was conducted leaves this issue open to new interpretations.

The two most respected historians of the progressive movement in the South are William Link and Dewey Grantham. Both of their books deal exclusively with the southern Progressive Era, and both include sections concerning the moral reform aspect of the movement, of which prohibition was a main part. Both authors also directly touch on Tennessee's drive for prohibition.<sup>4</sup>

However, the most thorough account of Tennessee's drive for statewide prohibition and Hooper's efforts in law enforcement is Paul Isaac's 1965 publication

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<sup>4</sup> William Link, *The Paradox of Southern Progressivism, 1880-1930*, (Chapel Hill: The University of North Carolina Press) 1992; Dewey Grantham, *Southern Progressivism: The Reconciliation of Progress and Tradition*, (Knoxville: The University of Tennessee Press) 1983.

*Prohibition and Politics: Turbulent Decades in Tennessee 1885-1920*.<sup>5</sup> Isaac's study of the temperance and prohibition campaign in Tennessee prior to 1909 is the most well rounded account of this period. He credits the Anti-Saloon League and the Women's Christian Temperance Union (WCTU), as well as other Christian organizations, for the eventual victory of prohibition in Tennessee. He also provides a complete summary of Hooper's second term in office, in which new legislation was passed to facilitate the enforcement of the Four-Mile Law. Another thorough study on Hooper's four years in office is written by Stephen Ash, who touches on all the major issues of Hooper's terms. Paul Isaac also authored "The Problems of a Republican Governor in the South: Ben W. Hooper of Tennessee", an article in which he outlines the uneasy times faced by Hooper during his two terms as governor. "The Election and First Administration of Ben W. Hooper" and "The Election and Second Administration of Ben W. Hooper as Reflected in the State Press", two articles by Russell Stockard, provide a good summary of the highlights of Hooper's terms in office. Carmen Priest's master's thesis entitled "The History of Temperance in Tennessee 1910-1918" relies almost exclusively on contemporary newspapers to provide a history of prohibition following its enactment as a statewide law in 1909. A majority of this paper is devoted to Hooper and his push for prohibition law enforcement measures in both his terms as Governor.<sup>6</sup> All of these articles, in varying degrees of detail, deal with Hooper's campaign for prohibition law enforcement measures, but they fail to provide Hooper with the majority of the responsibility of achieving these publicly supported measures. Instead, these works focus

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<sup>5</sup> Paul Isaac, *Prohibition and Politics: Turbulent Decades in Tennessee 1885-1920*, (Knoxville: The University of Tennessee Press) 1965, 153-160.

<sup>6</sup> Ash, "Ben W. Hooper", *Messages of the Governors of Tennessee*, 143-176; Paul Isaac, "The Problems of a Republican Governor in a Southern State: Ben W. Hooper of Tennessee, 1910-1914", *Tennessee Historical Quarterly*, Volume XXVI, Spring-Winter, 1968, 229-248; Stockard "The Election and First" 38-59; Stockard "The Election and 2<sup>nd</sup>" 51-71; Carmen Priest, "The History of Temperance in Tennessee, 1910-1918", Unpublished MA thesis, University of Tennessee, 1937.

primarily on the political uneasiness of Hooper's term in office. This conclusion is unquestionably true, but it misses one obvious fact: namely, that provided the uncertain political climate, Hooper's ability to achieve his main gubernatorial promise was an impressive political accomplishment.

In the following quotation, Hooper demonstrated the reasoning behind his support of prohibition:

If the drinking of any liquor, the eating of any food, or the wearing of any apparel robs him of his reason, destroys his moral stamina, reduces him to the level of a beast, and makes him a menace to his fellow man, the state has a right to restrain him, not for the petty purpose of tyrannizing over him, but for the great and righteous purpose of protecting society.<sup>7</sup>

The preceding excerpt from a larger speech delivered by Governor Hooper to the General Assembly of 1911 was indicative of the rationale for the moral reforms that swept across the South and the rest of the nation at this time. The movement, known as Progressivism, was highlighted by reform efforts designed to increase the standard of living of all citizens and, as Hooper's speech made clear, improve society as a whole.

One of the most explosive and publicly supported of these reform measures throughout the South was temperance and later prohibition. The evangelical protestant churches of the region spearheaded the early push for temperance and prohibition. By the late 19<sup>th</sup> century, churches had begun to fine members for suspected drinking. Churches, however, did not favor government action in order to achieve temperance in the area.<sup>8</sup> Their strong sense of independence made them extremely skeptical of outside governmental influence, which they saw as an infringement upon their personal lives. Instead, the churches and, by the turn of the century, numerous temperance organizations

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<sup>7</sup> Tennessee Senate Journal, 1911, 168-171.

<sup>8</sup> Link, *The Paradox of Southern Progressivism*, 32-36.

thought they were fully capable of ridding society of evil alcohol without governmental intervention.<sup>9</sup>

Alcohol consumption and distribution increasingly became the scapegoat for many of society's problems, including the break-up of the family. As the number of divorces continued to rise during this time, women became increasingly involved in the temperance campaign. Women's groups, including most notably the WCTU, emerged all across the South and began working closely alongside the protestant churches, greatly mobilizing the temperance movement.<sup>10</sup>

The temperance organizations now realized that in order to accomplish true statewide prohibition, government intervention would be necessary and the increased role of the government into the citizen's private lives would be a small price to pay for a society free of alcohol. By the first decade of the 20<sup>th</sup> century, the temperance campaign had proved successful in the region, with six southern states adopting prohibition measures between 1907 and 1909.<sup>11</sup>

Tennessee's drive for prohibition mirrored in many ways the temperance movement in other southern states. By 1877, Tennessee had adopted the Four-Mile Law, which according to William Link was one of the best "examples of temperance legislation in the 19<sup>th</sup> century South."<sup>12</sup> The Four-Mile applied only to rural areas at this time. Much of the battle of prohibition in Tennessee over the next four decades centered on the extension of or attempts to repeal this Four-Mile Law. Ten years later in 1887, the law was extended to include all rural schools, public and private, chartered and unchartered. This measure effectively outlawed the sale of any intoxicants in the

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<sup>9</sup>Ibid, 32-39.

<sup>10</sup> Ibid, 40-49.

<sup>11</sup> Grantham, *Southern Progressivism*, 160-172.

<sup>12</sup> Link, *The Paradox of Southern Progressivism*, 46.

majority of rural Tennessee. In 1899, the law was further extended to include towns of 2,000 or less.<sup>13</sup>

By the start of the 20<sup>th</sup> century, prohibition forces headed by the Anti-Saloon League and the WCTU continued to lobby heavily to achieve their goal of a dry Tennessee. While publicly condemning those who did not support statewide prohibition, the groups openly endorsed political candidates in favor of their ultimate cause.<sup>14</sup>

The real breaking point in the prohibition battle in Tennessee, however, came during the events surrounding the Democratic primary for governor in 1908. By the time of the campaign, Edward Carmack, endorsed by the Anti-Saloon League and the WCTU, emerged as the political leader for statewide prohibition, and his opponent, Malcolm Patterson, became the great adversary to the prohibitionist cause. After an intense primary, Patterson emerged victorious. Shortly after Patterson won the election, Carmack published several editorials condemning Patterson and his advisors, especially Duncan Cooper. Cooper took particular offense to the comments, and when he encountered Carmack on the streets of Nashville, a gun battle ensued. Cooper, accompanied by his son, was victorious, and both he and his son were charged with murder. Prohibition forces immediately seized their opportunity and hailed Carmack as a true martyr for the prohibition movement. Silena Holman, president of Tennessee's WCTU, claimed "the bullet that ended Carmack's life will write prohibition on the statute books of Tennessee."<sup>15</sup> On the heels of Carmack's death, the General Assembly of 1909 passed a bill over Governor Patterson's veto that extended the Four-Mile Law to include every city in the state, and Tennessee in theory at least was now free of alcohol.<sup>16</sup>

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<sup>13</sup> Isaac, *Prohibition and Politics: Turbulent Decades in Tennessee*, 153-160. Prior to the law passing in 1899, it had been voted down in four consecutive legislative terms (1889, 1891, 1893, and 1895).

<sup>14</sup> Isaac, "The Problems of a Republican Governor in a Southern State, 229-230.

<sup>15</sup> Silena Holman, Quoted in Isaac, *Prohibition and Politics: Turbulent Decades in Tennessee*, 160.

<sup>16</sup> *Ibid*, 153-160.

The political atmosphere of Tennessee during the early 20<sup>th</sup> century was obviously tense. For over thirty years, temperance and later prohibition had been the prevailing progressive issues in the state, over which many political battles were waged. The prohibition issue had now caused a split in the dominant Democratic Party. The tensions, however, only continued to grow as the Four Mile Law was openly defied in Tennessee's larger cities.<sup>17</sup> As disregard for the law continued, prohibition forces increasingly shifted their attention to additional legislative measures aimed at easing the enforceability of the Four-Mile Law, and this issue became the key one in state politics, the one to which Ben Hooper would devote the majority of his political energies and the one that would become his greatest political achievement.

Hooper did little to hide the origins of his fight against alcohol. In his autobiography, he revealed the roots of his opposition to alcohol, "I need not conceal the thing, which, primarily made me a life-long enemy of intoxication liquors."<sup>18</sup> That one thing was his father, Dr. L.W. Hooper, who once or twice a year would go "completely berserk."<sup>19</sup> On those occasions of binge drinking when his father would arm himself with an array of deadly weapons, young Ben was often the one who restrained his father. These instances left a lasting impression on Governor Hooper: "It was a terrible thing for a small boy to remember this wrestling all night with a wild man..."<sup>20</sup>

Clearly, Hooper saw first-hand the overwhelming effects that alcohol could pose, and primarily as a result of these experiences with his intoxicated father, Hooper devoted much of his time and energy throughout his life to rid Tennessee of whiskey. At the age of sixteen, Hooper participated in his first prohibition organization when he aided the

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<sup>17</sup> Ash, "Ben W. Hooper", 143-176.

<sup>18</sup> Ben W. Hooper, *The Unwanted Boy*, Ed. Robert Boyce, (Knoxville: The University of Tennessee Press, 1963) 22.

<sup>19</sup> *Ibid*, 23.

<sup>20</sup> *Ibid*, 23.

establishment of prohibition clubs to support the Tennessee constitutional amendment for prohibition, which was defeated.<sup>21</sup> Then, as a member of the House of Representatives at age twenty-two, Hooper introduced a bill proposed to extend the Four-Mile Law to towns of 2,000 or fewer people, which Hooper later claimed to be the “most significant thing I did in the legislature.”<sup>22</sup> Once ascending to the highest office in the state, Hooper only intensified his fight for prohibition.

In 1910, Ben Hooper was elected governor of Tennessee, marking the first time in thirty years that a Republican had been elected to that office. In 1880, a Republican won due to a split in the Democratic Party, and Hooper’s election in 1910 was no different. Following the extension of the Four-Mile Law in 1909, Democrats had remained split between the prohibitionist Carmack faction or the Independent Democrats, and the anti-prohibition Patterson followers or Regular Democrats. The Independent Democrats chose to support the Republican candidate mainly because of his tough stance on prohibition law enforcement. Due to this position, Hooper was also given support from the state’s Anti-Saloon League and WCTU. The merger of the Independents and the Republicans, known as the Fusionist Party, made it clear from the beginning that the enforcement of the prohibition laws was a key part of their agenda. In speech after speech, Hooper promised the people of the state he would provide a government that would maintain and, if necessary, institute new prohibition measures. On Election Day, the people of Tennessee responded, and Hooper carried all three divisions of the state to win the governorship.<sup>23</sup>

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<sup>21</sup> Ibid, 19-22.

<sup>22</sup> Ibid, 19.

<sup>23</sup> Verton Queener, “The East Tennessee Republican Party” *The East Tennessee Historical Society Publications*, Volume 22, 1950, 94-127.

The Fusionists had been successful in placing their candidate for governor in office, but were unable to obtain a majority in the House of Representatives, which led to a legislative session filled with controversy. The greatest struggle of the 57<sup>th</sup> General Assembly concerned the Election Law of 1909. Although on the surface it had nothing to do with alcohol, this act was, in fact, very connected to the prohibition movement. This law, passed in the previous legislative term, called for at least one individual from the minority party to be a member of each county's election board. The Regular Democrats' attempt to repeal the law in 1911 was seen as a ploy by the liquor lobby to regain control of local elections in order to illegally place officials in office who would be an enemy to the cause of prohibition.<sup>24</sup>

In order to prevent the repeal of the election law, thirty-four Fusionists fled Nashville in order to break the quorum in the House. For close to two months, the House remained unable to conduct any official business due to the lack of a quorum. Despite this long period of inactivity, the assembly was able to pass several measures; however, none of these measures strengthened the state's ability to enforce prohibition.<sup>25</sup>

Hooper's first term failed in passing new law enforcement legislation to slow the sale of intoxicants in the state's larger cities, but this was due more to the bitterly divided House than to Hooper's ineptitude as governor. During Hooper's first term he worked diligently to try to enforce the existing prohibition laws. At one point, Hooper contacted

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<sup>24</sup> Stockard, "The Election and First Administration of Ben W. Hooper", 38-59.

<sup>25</sup> Rufus Terral, *Newell Sanders: A Biography*, (Kingsport, TN: Kingsport Press) 1935, 195-202; Stockard, "The Election and First Administration of Ben W. Hooper, 38-59. Successful legislation passed in Hooper's first term included: a child labor law, Pure Food and Drug Act, bonds issued to counties to purchase land for schools and hospitals, and a law that made women's paychecks payable only to those women.

the state's Attorney General to know if legally he could call out the state's militia to force people to obey the law, which, as Hooper discovered, was illegal.<sup>26</sup>

In November of 1911, Hooper announced a meeting of all temperance leaders in order to discover a way to enforce the prohibition laws, which would prove to be the best move Hooper made in his first term as governor to eventually achieve statewide prohibition. Hooper invited all enemies of whiskey, regardless of party affiliation, to participate in the conference. Hooper's reasoning for calling the meeting was, as he said, "The people have the right to combat this condition [unenforcement of the laws] and undoubtedly it is the duty of the governor of the state to lead in this movement."<sup>27</sup> Hooper also noted that as Governor he had no real power to ensure the enforcement of liquor laws or for that matter any laws. At the conference, Hooper appointed a committee to investigate the problems facing the prohibition forces and to recommend a possible solution to facilitate the enforcement of the Four-Mile Law. Three months later the committee reported that the prohibition laws should not be altered, but, instead, local officials should have to answer to the state government; and furthermore, the state ought to have the right to intervene in local affairs. Moreover, the committee recommended that a group in favor of law enforcement be established in every county to ensure the law was being obeyed. Hooper's calling of the temperance meeting did not enact any new measures to enforce prohibition, but what it did do was to allow all the temperance leaders of the state to begin working towards a common goal.<sup>28</sup>

As Hooper later revealed in his autobiography, during his first term in office he "was not permitted merely to work, but was compelled to fight for the privilege of

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<sup>26</sup> Charles Cates, State Attorney General, to Hooper, November 29, 1911, Ben Hooper's Personal Papers, Box12, The University of Tennessee, Special Collections, Hoskins Library, University of Tennessee.

<sup>27</sup> Ben Hooper, quoted in Priest, "The History of Temperance in Tennessee, 1910-1918, 58.

<sup>28</sup> *Ibid*, 57-62; Isaac *Prohibition and Politics*, 205-210.

working.”<sup>29</sup> He compared himself to an old Puritan with a hoe in one hand and a gun in the other. These statements by Governor Hooper were not far from the truth. It was very difficult to pass any legislative program given the extreme factionalism of the House in 1911, where for two months there was not even a quorum. Clearly, achieving additional law enforcement measures, the very issue dividing the House, was next to impossible. However, what Hooper was able to do was coordinate the efforts of all the temperance forces, which would further prepare them for their biggest showdown yet to come, the events surrounding the legislative session of 1913.

From the beginning of his 1912 gubernatorial campaign, Ben Hooper made it abundantly clear that his main goal as governor, if elected for a second term, would be the achievement of additional prohibition law enforcement measures. From his first speech in the Republican stronghold of Knoxville to the heart of open rebellion against the liquor laws in Memphis, Hooper promised to achieve statewide prohibition. In a speech in Memphis, Hooper said, “I promise you this—that when I am elected governor of Tennessee again, I will with the help of an honest legislature and a good God, clean out every saloon and low down dive in Memphis.”<sup>30</sup> Standing firmly on this platform of unwavering support for additional law enforcement measures, Hooper, again endorsed by the WCTU, the Anti-Saloon League, and the Independent Democrats, was elected governor of Tennessee for a second term.<sup>31</sup>

Unfortunately for Hooper, the Regular Democrats again controlled the house, but, regardless of this fact, Hooper was determined to carry out what he believed to be the will of the people. He claimed that both the elections of 1910 and 1912, where prohibition was the main issue, displayed the people’s desire for the enforcement of the

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<sup>29</sup> Hooper, *Unwanted Boy*, 94.

<sup>30</sup> Stockard, “Election and Second Administration of Ben Hooper”, 55.

<sup>31</sup> *Ibid*, 51-71.

Four-Mile Law. “The people of the state having made plain and unequivocal the expression of their will in this manner, it is the imperative duty of the Executive and the Legislature to carry the popular will into effect.”<sup>32</sup> In a special message to the 58<sup>th</sup> General Assembly on January 27, 1913, the day of his second inauguration, Hooper outlined his program concerning additional law enforcement measures. Hooper, echoing the report of the prohibition committee of over a year before, called not for repeal of the Four-Mile Law, but instead for the additional legislation to strengthen it. Hooper proposed eight additional measures, including one to ensure that public officials enforced the Four-Mile Law, one to authorize the governor to remove public officials who failed to obey any Tennessee law, and another to designate a beverage as an intoxicant if it contained over one-half of one percent alcohol.<sup>33</sup>

Hooper’s argument, however, was not enough to unite the House to pass these measures. In fact, the General Assembly of 1913 would prove to be even more volatile than that of two years before. Similar to the session of 1911, the Regular Democrats held a majority in both the Senate and House of Representatives. On March 22, these Regulars again passed a measure designed to amend the Election Law of 1909. Claiming it would bring corrupt elections back to Tennessee, Hooper quickly vetoed the measure. Before the Regulars could pass the bill over the veto, twenty-six Fusionists fled Nashville, thus breaking the quorum in the House, and for the second time in as many sessions, the House of Representatives was incapable of performing any official business. The lack of a quorum remained until the Regulars finally adjourned the session on August 23<sup>rd</sup>. By adjourning the session, the Regulars allowed Governor Hooper to call a special session in which he could dictate the agenda. On August 29<sup>th</sup>, Hooper did just

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<sup>32</sup> Ben Hooper’s Special Message of January 27, 1913 to the 58<sup>th</sup> General Assembly in Ash, *Messages of the Governors of Tennessee*, 264-265.

<sup>33</sup> *Ibid*, 262-270.

that and announced a special session of the 58<sup>th</sup> General Assembly that would convene September 8<sup>th</sup>, and set the stage for one of the most dramatic and tension filled months in Tennessee political history, as well as what would become a great political victory for Governor Hooper.<sup>34</sup>

The proposed twenty-day special session was marred by political turmoil and even violence. In a special address to the General Assembly, Hooper discussed the “paramount question” before the assembly, which was the issue of the Four-Mile Law.<sup>35</sup> In his speech, Hooper claimed “...there is only one other alternative left: For the sake of the state’s good name, the law must be enforced.”<sup>36</sup> He went on to argue that the people fully supported the enforcement of the law and that contrary to the opinions of its opponents, the law was capable of being enforced in Tennessee’s major cities. Also included in the agenda set by the governor, were 150 local measures, as well as additional state measures unconnected with prohibition. However, the main objective and also the most controversial measure behind the special session was the additional law enforcement measures.<sup>37</sup>

On September 9<sup>th</sup>, Hooper proposed these six measures aimed at achieving true statewide prohibition: 1. The Nuisance Bill – “to abate lawless saloons, gambling dens, and similar hellholes as nuisances”<sup>38</sup>; 2. Removal Bill – to remove city and county officials for not performing their assigned duties; 3. Requirement of Municipalities to Enforce Certain Laws; 4. Anti-Shipment Laws – to prevent the transport of liquor into dry territories; 5. Interchange of Judges – to replace judges not performing their jobs; 6.

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<sup>34</sup> Stockard, “Election and Second Administration of Ben Hooper”, 51-71.

<sup>35</sup> Ben Hooper’s Special Message of September 9<sup>th</sup>, 1913 to the 58<sup>th</sup> General Assembly in Ash, *Messages of the Governors of Tennessee*, 324.

<sup>36</sup> *Ibid*, 325.

<sup>37</sup> *Ibid*, 324-327.

<sup>38</sup> *Ibid*, 327.

Law Empowering Governor – to empower the governor to intervene in cases of gross law violations in cities.<sup>39</sup>

By September 22<sup>nd</sup>, three of the proposed measures had passed the Senate: two Anti-Shipment Laws and the Nuisance Law. However, the measures still had not been voted upon in the House, so hoping to bring about action, Hooper spoke to the legislators: “The danger, therefore, which confronts the law enforcement legislation is not that it will fail to receive sufficient votes to enact it, but that it will be prevented from reaching a vote at all.”<sup>40</sup> Later in the same speech, Hooper appealed to the moral side of the representatives: “As citizens of Tennessee, as Representatives of the people, as men who love our families, our country and our God, we owe this duty to the state.”<sup>41</sup>

Hooper’s pleas, however, fell upon deaf ears, as the following day not only were the measures not brought to a vote, but, instead, the news of the day focused on the near violence in the State House. On the morning of September 23<sup>rd</sup>, Speaker of the House Stanton rose and gave a fiery speech in which he claimed that he had been threatened by the Fusionists for several days to bring the law enforcement measures to a vote. He also contended that Governor Hooper placed armed guards in the State House to intimidate him. His speech became increasingly accusatory: “There are two suitcases of guns now in the office of the superintendent of the capitol sent there by friends of Governor Hooper and even this will not intimidate or scare me.”<sup>42</sup> Stanton’s speech alluded to the preceding day’s session when Nashville city detectives and then state penitentiary guards had been placed in the State House, by whom it was unclear. Obviously, the Regulars

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<sup>39</sup> Ibid, 325-329.

<sup>40</sup> Ben Hooper’s Special Message of September 22, 1913, in Ash, *Messages of the Governors of Tennessee*, 336.

<sup>41</sup> Ibid, 339; Ibid 336-339.

<sup>42</sup> *Nashville Tennessean*, September 24, 1913.

had little doubt that it had been the Governor. Following the speech, eighteen gunmen filled the chamber, this time for the protection of the Regulars.<sup>43</sup>

Amidst all the chaos of the day's session, one fact was made clear: if the law enforcement measures were brought to a vote, they would pass. The numerous roll calls of the day proved the widespread support for the proposed legislation. A majority of the House was in favor of the three law enforcement measures, but if the legislators would ever receive the chance to vote upon them, was a question that was still yet to be answered.<sup>44</sup>

The following two days, the last of the session, would provide the answer to that question: a resounding "no." After the previous day's drama, the mood in Nashville was extremely tense. *The Knoxville Journal and Tribune* reported, "Things are at a fever heat here tonight. There was never such bitterness in Tennessee before."<sup>45</sup> The day of September 24<sup>th</sup> was again filled with controversy. The morning session saw several Democratic speeches criticizing Governor Hooper. In the afternoon, there was a motion to bring the law enforcement measures passed by the Senate to a vote at 6:00 PM. Immediately there was another measure for adjournment, which carried without a vote. A brief struggle for the gavel ensued, allowing time for several Democrats to leave the House and break the quorum. With only one day remaining in the session, it was becoming clear that the Democratic filibuster had proved successful.

On the final day of the session, Hooper sent a spirited message to the House condemning them for their lack of effectiveness in operating the state's government. The message, which was not even read to the representatives, but was published by the pro-

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<sup>43</sup> Ibid.

<sup>44</sup> *Knoxville Journal and Tribune*, September 24, 1913.

<sup>45</sup> Ibid, September 25, 1913.

Hooper *Knoxville Journal and Tribune* displayed the Governor's frustration and embarrassment with the extra session.<sup>46</sup>

Finally, we have witnessed the most humiliating spectacle that ever occurred in a Tennessee legislature. We have seen fifty representatives, a majority of the body, humbly petition the speaker to vouchsafe to them their legal parliamentary and constitutional rights. It seems that no heed was paid to this request and these bills have not reached a vote, although a majority stands ready to enact them.<sup>47</sup>

Although several noncontroversial measures were passed, the extra session proved to be unsuccessful in passing additional prohibition measures. The main issue behind the calling of the special session was not even brought to a vote. Violence and ineffective government marred the session, which was a source of embarrassment to Tennesseans. The issue of law enforcement had again eluded Governor Hooper, despite his many pleas to the Legislature. However, Hooper was not about to let the issue, for which he had fought so hard and made so many promises, die without even a vote.

Immediately following the close of the extra session, Hooper announced the calling of a second extraordinary session. In the same proclamation to the people of Tennessee in which he announced this second extra session, Hooper also made a plea to the citizens that would eventually rally enough momentum to pass the long desired law enforcement measures. In the September 30<sup>th</sup> message, Hooper urged the citizens to inform their representatives to stop lawless saloons in their state:

I call upon the people for its public expression throughout the length and breadth of Tennessee. The will of the people should be irresistibly powerful in a commonwealth like ours. I, therefore, appeal to the people of every county in the state to rise above the narrow confines of partisan limitation, to assemble at the county seats and elsewhere, and to instruct, encourage, and support both governor and General Assembly in the restoration of the majesty of the law.<sup>48</sup>

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<sup>46</sup> Ibid, September 27, 1913.

<sup>47</sup> Ibid, September 28, 1913.

<sup>48</sup> Ibid, October 1, 1913.

Along the same lines as Governor Hooper, the Anti-Saloon League and WCTU released a joint statement also pleading for the people of Tennessee to meet together to express their desire for the proposed law enforcement measures.<sup>49</sup>

Many citizens of Tennessee responded to the pleas and showed their unconditional support for law enforcement. Letters flooded the Governor's office and rallies were held throughout the state. On October 2<sup>nd</sup>, Hooper received correspondence from D.S. Burlison, an appreciative citizen: "Your active and courageous fight in behalf of temperance and law enforcement deserves the commendation and hearty support of every loyal citizen of the state."<sup>50</sup> Many letters very similar to this one arrived at Hooper's office in the weeks between the two extra sessions.<sup>51</sup>

In addition to the letters, pro-prohibition meetings were held across Tennessee in response to the call for support issued by the Governor and other temperance leaders. The October 7<sup>th</sup> edition of the *Knoxville Journal and Tribune* reported rallies in eight eastern Tennessee counties on the day before alone. The following day's edition stated that these prohibition rallies "have been, or will be held in practically every county seat."<sup>52</sup> Similarly, the *Nashville Tennessean* reported the meetings of twelve counties in middle Tennessee.<sup>53</sup>

The largest and most surprising of the rallies was held in Memphis, the lawless saloon capitol. Governor Hooper himself could not pass up the opportunity to address the crowd in the town that housed his greatest political enemies. On the night of

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<sup>49</sup> *Nashville Tennessean*, October 5, 1913.

<sup>50</sup> D.S. Burlison to Hooper, October 2, 1913, Gov. Hooper's personal papers, Box 37, Special Collections, Hoskins Library, University of Tennessee.

<sup>51</sup> These additional letters can be found in Hooper's personal papers, Box 37, Hoskins Library, University of Tennessee. This box contains letters received by Gov. Hooper in the month of October. Approximately 100 of these letters are in support of the Governor's law enforcement measures.

<sup>52</sup> *Knoxville Journal and Tribune*, October 8, 1913.

<sup>53</sup> *Ibid*, October 7 and 8 1913; *Nashville Tennessean* October 8, 1913.

October 8<sup>th</sup>, a reported 10,000 people packed the Madison Avenue Auditorium to show their support and hear the Governor speak.<sup>54</sup> After the Governor's speech, the city of Memphis, similar to others across the state, adopted a resolution "requesting that city and county officials enforce the prohibition law locally and that members of the Legislature from this county honestly support the bills for which the Legislature is called to convene on special session Monday."<sup>55</sup> Responding to the request of Governor Hooper and other prohibition leaders, many Tennesseans displayed to their representatives their desire for additional law enforcement measures, but despite this public expression, it was uncertain, given the behavior of the General Assembly over the past four years, if the proposed measures would be brought to a vote.<sup>56</sup>

For the first time since 1882, the legislature met in a third term, which would prove to be its shortest, lasting five days, as a result primarily of Governor Hooper's limiting the session to only two issues: one concerning state bonds and the other, of paramount importance, the prohibition law enforcement measures. Hooper also narrowed the law enforcement measures to only four: The Nuisance Bill, two Anti-Shipment Laws, and the Removal Bill. By the opening of the October 13<sup>th</sup> session, it was unclear if the Democrats would support any prohibition legislation introduced by Hooper. As a result of this, newspapers throughout the state reported that Tennessee legislators were preparing for another fierce battle in the 3<sup>rd</sup> session. The headlines of the Nashville *Tennessean* asked the citizens of Tennessee, "Are You Ready For The Fray?"<sup>57</sup>

On October 14<sup>th</sup>, everything on the Governor's agenda for the session was introduced into the House, meaning there would finally be a vote on the law enforcement measures. Two days later both the House and the Senate passed two Anti-Shipment laws

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<sup>54</sup> *Memphis Commercial Appeal*, October 9, 1913.

<sup>55</sup> *Ibid*, October 9, 1913.

<sup>56</sup> *Ibid*, October 8 and 9 1913.

and the Nuisance Law, which the following day Governor Hooper signed into law. On October 17<sup>th</sup>, 1913, the third and final session of the 58<sup>th</sup> General Assembly had come to a close. The session had been as quiet and productive as the previous had been chaotic and futile.<sup>58</sup>

The prohibition forces led by Governor Ben Hooper had waged a virtual war against the Regular Democrats for over three years to pass additional law enforcement measures, and finally he and his supporters were victorious; Hooper did not fail to realize the scope of his great victory. “They [Regular Democrats] have put in nine and one-half months fighting the law enforcement measures, which I recommended to the legislature and, with every advantage in their favor, have finally been scattered, crushed, and overwhelmed.”<sup>59</sup> Other Prohibition leaders of the state did not fail to realize Ben Hooper’s importance in achieving their goal. Silena Holman, President of Tennessee’s WCTU, and H.B. Carre, President of the Tennessee Anti-Saloon League, wrote Hooper to thank him for his many contributions to the prohibition cause. Carre’s letter read in part: “You have made the people of Tennessee your lasting debtors for the triumphant fight, which you have made on their behalf.”<sup>60</sup>

Hooper had dedicated a large portion of his life and an even greater portion of his political life to, for him personally, the greatest cause of all, prohibition. As Hooper stated, “[I] sacrificed my health and private business interest without stint in order to make sure that my official duties were performed in a way to meet my conscience...”<sup>61</sup> It is important to understand the genuine nature of Hooper’s drive for prohibition. It was

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<sup>57</sup> *Nashville Tennessean*, October 13, 1913.

<sup>58</sup> Ben Hooper’s Special Message of October 13, 1913 to the 58<sup>th</sup> General Assembly in Ash, *Messages of the Governors of Tennessee*, 345-346; *Nashville Tennessean* October 14, 1913; *Memphis Commercial Appeal* October 17, 1913.

<sup>59</sup> *Nashville Tennessean*, October 17, 1913.

<sup>60</sup> Silena Holman to Hooper, Hooper’s personal papers, Box 37, Special Collections, Hoskins Library, University of Tennessee; H.B. Carre to Hooper, Hooper’s personal papers, Box 37, Special Collections, Hoskins Library, University of Tennessee.

not simply a savvy political maneuver, but, instead, a true desire on Hooper's part to improve the lives of Tennessee's citizens by ridding the state of whiskey. Undoubtedly, his uncompromising style may have, at times, cost Tennessee the possibility to enact legislation unrelated to prohibition, but there was little doubt in Ben Hooper's mind that the people of Tennessee, by choosing him for their governor, were making it abundantly clear that they favored the enforcement of the existing prohibition measures and that he as their elected official was bound and determined to put their voice into law, no matter what the consequences.

During his two terms as governor, Hooper tried earnestly to pass additional law enforcement measures through a House of Representatives that was prone to vicious factional rivalries. In his first term he organized an important meeting of prohibition forces from across the state. Following the ineffective 58<sup>th</sup> General Assembly, Hooper, calling two special sessions in the span of a month, moved quickly to reach his goal. The last of these sessions would finally prove successful to Hooper and prohibition advocates all across Tennessee. Hooper achieved this end by calling upon Tennesseans to demonstrate in favor of the proposed legislation, which they did throughout the state. Hooper had piloted Tennessee through a fierce political storm and, by the end of his terms, was able to unite the House of Representatives to achieve enforceable statewide prohibition.

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<sup>61</sup> Hooper, *Unwanted Boy*, 86.

## Bibliography

### *Primary Sources*

#### **Newspapers**

*Knoxville Journal and Tribune*, 1913.

*Memphis Commercial Appeal*, 1913.

*Nashville Tennessean*, 1913.

These newspapers provide accounts of the major political occurrences during Hooper's terms from both sides of the prohibition issue. The Knoxville and Nashville papers are prohibition supporters, while the Memphis paper is anti-prohibition.

#### **Manuscript Collection**

University of Tennessee Special Collections, Hoskins Library. Knoxville, Tennessee \_\_\_\_\_. Hooper, Ben W. Papers.

These papers house many letters written to Hooper supporting his stance on prohibition, including letters from state prohibition leaders.

#### **Legislative Records**

Tennessee General Assembly, House of Representatives. *House Journal*. Nashville, 1913.

The Journal contains the official accounts of legislation passed and Hooper's special addresses during the legislative sessions of 1913.

#### **Collection of Special Addresses**

Ash, Stephen V. *The Messages of the Governors of Tennessee*. Volume 9. (Nashville: The Tennessee Historical Commission) 1990. 11 Volumes.

“Ben Hooper's Special Message of January 27, 1913 to the 58<sup>th</sup> General Assembly”

“Ben Hooper's Special Message of September 9, 1913 to the 58<sup>th</sup> General Assembly”

“Ben Hooper's Special Message of September 22, 1913 to the 58<sup>th</sup> General Assembly”

“Ben Hooper's Special Message of October 14, 1913 to the 58<sup>th</sup> General Assembly”

This is a collection of speeches delivered by Hooper to the G.A. during 1913.

### Secondary Sources

#### **Books, Journal Articles, and Thesis**

Ash, Stephen V. “Ben W. Hooper”. *The Messages of the Governors of Tennessee*.

Volume 9. (Nashville: The Tennessee Historical Commission) 1990. 11 Volumes. 143-176.

This is a thorough account of Hooper's four years in office that touches on all major issue of Hooper's governorship.

Grantham, Dewey. *Southern Progressivism: The Reconciliation of Progress and Tradition*. (Knoxville: The University of Tennessee Press) 1983.

Grantham's work is an extensive account of the progressive movement in the South, which includes a section specifically on Hooper.

Hooper, Ben W. *The Unwanted Boy*. Ed. Robert Boyce. (Knoxville: The University of Tennessee Press) 1963.

Hooper's autobiography provides relevant background to Hooper's fight against prohibition.

Isaac, Paul E. "The Problems of a Republican Governor in a Southern State: Ben W. Hooper of Tennessee, 1910-1914." *Tennessee Historical Quarterly*, Volume XXVI Spring-Winter. 1968.

This essay focuses mainly on the political upheaval of the time, but also includes a section on the major achievements of Hooper's administration.

\_\_\_\_\_. *Prohibition and Politics: Turbulent Decades in Tennessee 1885-1920*. (Knoxville: The University of Tennessee Press) 1965.

This book provides a complete history of the achievement of prohibition in Tennessee and contains a major section devoted to the years of 1910-1914.

Link, William A. *The Paradox of Southern Progressivism, 1880-1930*. (Chapel Hill: The University of North Carolina Press) 1992.

This work contains main themes of the progressive movement throughout the South, and it places Tennessee's prohibition movement with other similar movements throughout the region.

Priest, Carmen Hamilton. "The History of Temperance in Tennessee, 1910-1918". Unpublished M.A. Thesis, University of Tennessee, 1937.

This essay provides information on Hooper's organizing a meeting of all state prohibition leaders in Tennessee.

Queener, Verton M. "The East Tennessee Republican Party". *The East Tennessee Historical Society Publications*, Volume 22, 94-127.

This article deals with Hooper's party in his home area and shows that despite being a minority party in the state they were ready to take advantage of any slip made by the Democrats.

Stockard, Russell. "The Election and First Administration of Ben W. Hooper as Governor of Tennessee". *The East Tennessee Historical Society Publications*, Volume 26. 38-59.

\_\_\_\_\_. "The Election and Second Administration of Ben W. Hooper as Governor of Tennessee." *The East Tennessee Historical Society Publications*. Volume 32, 51-71.

Stockard's two essays show both of Hooper's campaigns for governor and highlights of his two terms in office.

Terral, Rufus. *Newell Sanders: A Biography*. (Kingsport Tennessee: The Kingsport Press) 1935.

This book provides a detailed account of the two filibusters in 1911 and 1913, because Sanders played a big part in organizing them both.