

A DAUNTING TASK: ENFORCEMENT ISSUES INVOLVING PROHIBITION OF LIQUOR IN OKLAHOMA PRIOR TO 1920

by

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The prohibition of liquor in the early twentieth century has left an indelible mark on American culture and society. Drinking is viewed as a mild form of rebellion against staid moral patterns. To drink is to admit to possessing at least one vice. These attitudes, prevalent in Oklahoma as well as the rest of the country, result from past attempts by state and local governments and subsequently the federal government to eliminate the recreational consumption of alcohol and the equally strenuous response by individuals and groups seeking to continue their drinking habits. Prior to the onset of national prohibition in 1920, several states— including Oklahoma—banned the liquor traffic. Municipal, county, and state agents experienced considerable difficulty in stemming the tide of illegal liquor without violating the civil liberties that Americans held sacred. Some also risked removal from office if they enforced prohibition strictly. A significant part of the population continued its recreational use of alcohol and voted for sheriffs, county attorneys, and judges according to the enforcement by these officials. Concern for their jobs, as well as the temptation of supplemental extralegal income from the lucrative bootlegging business, convinced many such officers to overlook or even sponsor liquor establishments described as holes-in-the-wall, speakeasies, blind pigs, and blind tigers.¹ As a significant population supported the strict enforcement of the liquor ban, officials had to strike a balance between enforcement and indulgence of liquor violations.

Oklahoma entered the union as a dry state in 1907 when Congress combined Oklahoma Territory and Indian Territory. In the Enabling Act of 1905, the federal government stipulated that the future state must forbid the sale and use of liquor in the lands then designated as Indian Territory (roughly the eastern half of present-day Oklahoma) for twenty-one years after statehood. Voters in Oklahoma Territory and Indian Territory, in

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September 1907, chose to ban the sale and transportation of liquor in all parts of the new state, and Oklahomans reaffirmed their support for prohibition in a 1910 referendum. While dry sentiment carried the day in each election, a significant portion of the electorate voted wet (forty-six percent in 1907 and forty-five percent in 1910). Further, the voter turnout was poor, particularly in the 1910 referendum. Based on that year's federal population census, forty-three percent of Oklahoma's eligible voters (men at least twenty-one years of age) did not vote on the 1910 prohibition referendum. This suggests the presence of two determined populations, one in favor of prohibition and one opposed to the liquor ban, amidst a large population that was not sufficiently interested in the liquor issue to cast a vote or was prevented from voting. This was the situation confronting Oklahoma's early law enforcement officials.

During the territorial period, the enforcement of liquor laws in the region was spotty. Liquor was available in Oklahoma Territory beginning in 1889, but the federal government continued to ban it from Indian Territory. In 1889 this region came under the supervision of United States marshals, but, as very few were stationed in Indian Territory, enforcement of the liquor ban was quite lax. The various Indian tribes in the region employed law enforcement officials, but they could not act against those who were not citizens of the tribe. As word of the enforcement situation in Indian Territory spread, outlaws and desperadoes from neighboring states flocked into the region. Robbery, assault, and murder were common. Given these conditions, federal marshals and two local sheriffs generally ignored liquor violations unless the liquor men aroused the ire of the local community by engaging in violent crime.

As the nineteenth century came to a close, a growing number of people in the territories and across the nation held that the saloon, as an institution, inherently bred such violent activity. They urged officials to close down the saloons, and prosecution of liquor offenses came to represent a significant portion of the federal court dockets in Indian Territory. The agenda for the November 1905 court held in Eufala listed seventy-one charged offenses including thirty-three liquor offenses; the December 1905 court held in Wagoner heard charges of fifty-nine total offenses of which twenty-four involved liquor.³ Evidence of the causal link between liquor establishments and crime abounded. Saloons across the nation were the sites of assault, robbery, prostitution, and murder. Richard Erdoes, in *Saloons of the Old*

West, estimates that ten people were killed each day in saloons across America in the late nineteenth century. One of the most notorious establishments was Murphy's Exchange in Denver, which became known as the Slaughter House because so many men lost their lives there.³

The residents of Oklahoma and Indian territories also saw their share of saloon-related violence. In 1905, in the western Oklahoma Territory town of Sayre, one man killed another and wounded a third with a shotgun blast when a saloon argument turned violent. The following year, two boys, having consumed a considerable amount of whiskey, went on a drunken shooting spree in Kingfisher. The spree ended in tragedy when an errant bullet struck and killed a woman.⁴ Violence was common in Indian Territory also. Kiefer, one of the boomtowns in the Glenn Pool oil field and rampant with bootleggers, became known as the roughest town east of Cripple Creek, Colorado. The burgeoning oil town of Tulsa also witnessed violence in its many saloons. The Bucket of Blood Saloon, on the outskirts of Tulsa, became known for fistfights and murders.⁵

In 1907 President Theodore Roosevelt, apprised of the grave situation in the territories, commissioned William E. Johnson as "Special Officer for the Suppression of the Liquor Traffic in Indian Territory" for a \$2,500 yearly stipend plus expenses.⁶ Johnson, a member of the Anti-Saloon League and a former supporter of the Prohibition Party, carried out his mission with gusto. He gained the moniker "Pussyfoot" for his ability to enter towns and liquor establishments unnoticed and smash the furnishings of saloons, joints, and gambling halls (also illegal) throughout the territory. The liquor he found he dumped into the streets or nearby streams. One such raid produced the spectacle of patrons from a victimized saloon scooping the spilt liquor from the streets with their hands.⁷ Johnson's actions encouraged other enforcement officials to take a harder stand against the bootleggers and blind tigers, and for a time prohibitionists became hopeful that the territories might be cleaned up permanently. Before long, however, these local enforcement campaigns lost momentum, and the liquor joints reopened.

To enforce the liquor ban, authorities first had to define liquor—to determine the amount of alcohol a beverage must contain for it to be deemed intoxicating and thus banned. This chemical definition of intoxicating remained vague during the territorial period. Many people at the time did not consider beer or wine to be intoxicants, as a person would not become visibly drunk unless he or she consumed generous amounts of these liquids.

Indian Territory stores, saloons, hotels, and restaurants sold Choetaw, Uno, Ino, and Tintop beers regularly under the assumption that they were not intoxicating—they contained three percent alcohol by content. In 1906 Judge W.R. Lawrence of Muskogee ruled that any beverage containing two percent alcohol or more was liquor and thus illegal in the territory. Special agent Johnson raided the Uno joints as well as those that sold more spirited drinks. Authorities often did not have the equipment to conduct immediate chemical analyses of beverages served at suspicious establishments. A South McAlester proprietor of such a business claimed, when raided by authorities, that the cider he served was not intoxicating. The marshal leading the raid established that the cider was intoxicating by serving it to five onlookers. These five farmers subsequently began to stagger about, and the marshal arrested the saloon keeper.⁸ After statehood, the Oklahoma legislature would define liquor as any beverage containing at least one-half of one percent alcohol by content. The state courts ruled that authorities need not establish the alcohol content of “spirituous, vinous, fermented or malt liquor” to determine that these were illegal as the constitution explicitly forbid the sale or giving away of these drinks as well as intoxicants.⁹

Johnson broadened liquor enforcement efforts in the region. He attacked the source of liquor for middle class people in Indian Territory by monitoring activity at the railroad freight yards. As liquor could be purchased legally in other states, some territorial residents resorted to ordering it through the mail. United States Marshal Bud Ledbetter, stationed in Muskogee prior to statehood, intercepted several shipments of liquor ordered from Kansas City and St. Louis liquor distributors by local citizens. Just prior to Christmas 1905 he arrested several prominent Muskogee businessmen for receiving their holiday spirits through the mail. When Johnson came to the region, raids at the train yards increased and the amount of liquor coming into Indian Territory declined. Johnson claimed in December 1906 that Muskogee was completely dry except for a few private Christmas parties. The following spring he conducted similar raids at the railroad yard in Durant near the Red River, seizing and destroying several shipments of beer and whiskey that had been brought across the river from Texas.¹⁰ The problem of uneven enforcement would return after statehood. A Watonga man noted in a 1911 letter to Governor Lee Cruce that local law officers ignored the “moneyed” men who shipped liquor into that town for resale, while targeting those of meager means.¹¹

Before statehood, the methods utilized by Johnson and the other enforcement officers created angry reactions from some residents, and enforcement officers did not proceed unimpeded. In 1906 a resident of the mining community of Coalgate protested in the *Muskogee Times-Democrat* that "carpetbaggers" enforced the liquor laws with a "...nonsensical disregard of common sense and decency. The homes of private citizens were entered and in some instances the lonely quart which was intended only as a remedy for the sick wife or aged parents, was ruthlessly confiscated."¹² In February 1907 the United States Circuit Court of Appeals overturned the conviction of L.L. Ellis for introducing liquor to Indians. Federal authorities had arrested him when they found liquor in his house, but the court ruled that this did not constitute introduction of liquor. It determined that the perpetrator must be caught with liquor on his or her person or in a mode of transportation. As a result of this ruling, authorities had to dismiss many of the cases pending.¹³ This limitation plagued enforcement officers only for the remainder of the year as the people of Indian Territory came under the jurisdiction of the Oklahoma legal system, which included statewide prohibition, in 1907.

Criticism of liquor enforcement came from other quarters as well. African Americans and Native Americans of Oklahoma charged that liquor officials targeted their establishments while ignoring larger bootlegging operations that catered to whites. Access to liquor by these groups concerned white Oklahomans. They viewed American Indians' seeming propensity for drunkenness as a threat. Studies in the late twentieth century have determined that Indian liquor consumption is no greater than that of the larger American population, but early Oklahomans held to the stereotype. Additionally, American Indians comprised a very small part of the early state population—less than ten percent of Oklahoma residents according to the 1910 census. Nevertheless, white residents continued to see Indian drunkenness as a significant societal problem. Attitudes varied from pity to revulsion. White religious missionaries lamented the Indians' apparent susceptibility to liquor and decried its use as a means for whites to divest them of their property or provisions. Other observers abhorred the Indian's perceived inability to "hold" his liquor and complained regularly about the societal danger from drunken Indians. In 1906 the *Muskogee Times-Democrat* reported that Louis Yaholar, a "drunken Indian," attacked the Tulsa police chief with a knife when the latter attempted to arrest him for

intoxication. At Ft. Sill in southern Oklahoma Territory, the famous Apache warrior Geronimo received mention in the press when authorities found him unconscious in a ditch after drinking an inordinate amount of beer at a circus. A reporter described him as "...a good Christian but like many others of the same persuasion, likes beer and other things that make the head go round and round."¹⁴ This repugnance by whites also extended to those Indians engaged in the illicit liquor trade. Early territorial newspapers reported numerous arrests of Indians—Seminoles, Osages, Cherokees, and Creeks among others—for selling liquor to other Indians.¹⁵ Such articles allowed readers to see the Indian as a willing participant rather than a victim of the evil liquor trade. Accounts by Indians from later in the twentieth century indicate that the enforcement of liquor laws was uneven—local authorities were likely to arrest an Indian for drunkenness, but were apt to take a drunken white person home instead.¹⁶

White residents also expressed concern about the availability of liquor to the growing black population in the region prior to statehood. The *Muskogee Times-Democrat* served the largest city in Indian Territory in 1907 as well as a county—Muskogee—containing the third highest percentage of blacks in the two territories (thirty-one percent of the total county population). This newspaper periodically published the dockets for courts meeting in Muskogee and nearby towns. According to a 1907 report of the Muskogee criminal docket, Judge C.W. Raymond sentenced thirty-three white men, twenty-nine black men, three white women, and two black women for various offenses. Of these, nine white men, ten black men, and two black women were convicted and sentenced for liquor violations.¹⁷ From September 1906 through April 1907 the *Times-Democrat* ran twelve articles on Muskogee county residents arrested for bootlegging or for drunkenness. Six of the twelve articles identified the perpetrator as black.¹⁸ The newspaper's presentation of criminal activity indicates that the county's black population, comprising thirty percent of the total population, committed half of the region's crimes and more than half of the liquor violations. This prominent source of regional information portrayed African Americans as disproportionately prone to engage in the illegal use or sale of liquor.

The issues of liquor and race remained linked after Oklahoma statehood. In 1907 the McIntosh County sheriff and three deputies raided a meeting of African Americans and Indians in the rural northwestern portion

of that county only to be rebuffed by this group. Returning the following day with reinforcements from Henryetta, they engaged in a gun battle with the bootleggers that resulted in several serious though non-life-threatening injuries. The authorities arrested forty-one men, whom they described as drunk and belligerent, but sixteen remained at large. The *Oklahoma City Times* identified thirty-six of those arrested as black men, one as a white man, and three as Snake Indians, a radical faction of the Creek Indian population that had staged an uprising against allotment in 1905 under the leadership of Chito Harjo (Crazy Snake, also known as James Wilson). The *Times* also reported that the African Americans and Indians met near the Hickory Stomp Grounds, the site of Creek ceremonial dances. The conflict, which the newspaper termed a race war, continued for several days as local authorities, buttressed by the state militia, pursued the leaders of the uprising, including Crazy Snake. The group confronted the authorities in a series of violent skirmishes that left two deputies and an estimated twenty-five African Americans and Indians dead.¹⁶ The breadth of the uprising suggests that local black and Indian populations supported the bootleggers against the authorities. Resentment at the uneven enforcement of prohibition, disproportionately focused on these populations, encouraged this popular support for a group that engaged in criminal activities. The *Ponca City Courier* in 1912 noted this uneven enforcement in the conviction of a black man named George Reeves for serving a small amount of liquor in his restaurant. "It is deemed proper to make an example of somebody occasionally and George looked like a safe sort of goat."¹⁷ Oklahoma African Americans, then, experienced the liquor ban very differently from their white neighbors.

Liquor enforcement presented particular difficulties in the numerous all-black towns established in Oklahoma. African Americans in Oklahoma—former slaves of the Five Tribes, their descendants, and those who had moved into the region from other states—established and settled in these communities to avoid dangerous interaction with whites. The rash of lynchings in early Oklahoma convinced many residents that a black person could not be guaranteed due process of law in many white courts. All-black towns such as Boley created their own law enforcement agencies in an effort to discourage county (white) authorities from entering their communities. Boley authorities conducted several raids of the local liquor and gambling joints. As in numerous other communities around the state, these officials

were unable to quash the illegal liquor industry entirely. Early in 1911 Boley residents forced Justice of the Peace E.P. Cabbell to resign his office amidst allegations that he had relations with a lewd woman and that he had received weekly payments from bootleggers who continued their business unmolested by the law. A petition to the county board of commissioners, "signed by the best men in the town," recommended Reverend L.P. Foster as Cabbell's successor due to his staunch opposition to the liquor industry.²¹

Despite residents' desire for separation from white society, liquor enforcement in Boley remained inextricably linked to issues of race. White bootleggers in east central Oklahoma, mindful that the town's black enforcement officers would hesitate to challenge let alone arrest a white man, began shipping vast amounts of out-of-state liquor to the Boley railroad yard to be distributed around eastern Oklahoma. Boley officials decided to act against these liquor men—and risk incurring the wrath of other whites residents—in order to deter white county authorities from entering their community. As the amount of liquor delivered to the railroad yard increased, the town, following negotiations with Okfuskee County authorities, had the Boley constable seize the liquor at the depot to discourage such shipments financially. In January 1911 he confiscated sixteen cases of Sunny Brook whiskey consigned to a Will Spade of Wewoka. The local newspapers made no mention of arrests, and these publications did not revisit the topic, suggesting that the liquor shipments ended.²² In this instance, black officials successfully navigated the uncertain waters of liquor enforcement and race relations.

While not constrained by race-related issues, Oklahoma's white officials also encountered problems in enforcing the liquor ban. Oklahoma's early governors, Charles N. Haskell, Lec Cruce, and Robert L. Williams each struggled with the state legislature when seeking sufficient funds to enforce prohibition. A majority of the public voted dry in 1907 and in 1910, and most state legislators voiced their support for the liquor ban. Nevertheless, those same lawmakers tight-fistedly refused the governor necessary money to hire a sufficient number of state prohibition enforcement officers. The 1908 legislature, in drafting laws to enforce the prohibition clause of the constitution, created a dispensary system by which Oklahomans might purchase from the state alcohol for medicinal and industrial purposes. The Oklahoma Anti-Saloon League, the leading dry political organization in the state, supported the dispensary system as necessary to ensure proper

enforcement of the liquor ban. The dispensary came under fire almost immediately. Many voters saw it as a means for the state to regulate rather than ban liquor. Oklahoma wets opposed the dispensary system hoping to complicate enforcement. They sought to make medicinal liquor unavailable and thus turn public opinion against prohibition.²³ The location of the dispensaries also generated controversy as the law permitted these establishments only in towns containing at least 2,000 people and one in each county without a town of that size. Critics claimed that this system favored townspeople over those in predominantly rural districts. In November 1908 the legislature placed before Oklahomans a confusing referendum in which voters were asked both whether the dispensaries should be established in towns of 1,000 or larger and whether the dispensary system should be scrapped. A majority voted in the affirmative and Governor Haskell ordered the dispensaries closed. A subsequent court ruling declared the referendum void due to its confused wording and the dispensaries reopened. In 1911 the legislature ended the dispensary system and determined that federally licensed druggists should be allowed to sell producers containing alcohol for medicinal use. This industry soon took off in Oklahoma.²⁴

Following the demise of the state dispensary system, Governor Cruee designated the Alexander Drug Company of Oklahoma City as the state's wholesale distributor of alcohol to licensed druggists. In this way, the state controlled and monitored the amount of alcohol sold by local druggists. Concern over these sales led the governor, in 1913, to commission a report by Alexander Drug listing the amounts of alcohol licensed druggists had purchased during the summer of 1913. This report indicated that some Oklahoma pharmacists were purchasing suspiciously large quantities of alcohol. Numerous druggists and drug stores around the state bought more than fifty gallons of alcohol during the three-month study. Alexander Drug sold the largest volumes to the Cheyenne Drug Company of Tulsa (190 gallons of alcohol), the Red Cross Drug Store of Sapulpa (185 gallons), Brown's Pharmacy of Tulsa (111 gallons), and druggists Bryant & Keith and Burke & Son both of Collinsville (137 gallons each).²⁵ Cruee then approached several reputable druggists requesting information on the amount of alcohol they bought each month to determine an appropriate limit to place on such purchases. Most of the respondents indicated that a moderate-sized drug store would buy approximately five or six gallons of alcohol each

month to create liniments and tinctures, and to sell to local hospitals.²⁶ The vast quantities sold to the drug stores in Tulsa, Sapulpa, and Collinsville suggest that, excepting the existence of a medical epidemic, these establishments bought considerable alcohol for illicit purposes. These druggists were only the worst offenders—many other pharmacies scattered around the state bought much more than five or six gallons of alcohol per month.

Cruce, concerned about restricting business in Oklahoma, adopted a generous limit on alcohol sales to pharmacists. He informed Alexander Drug that it was to sell no more than ten gallons of alcohol each month to any druggist in the state. Moreover, he allowed druggists to appeal to him to increase their allotment. He checked the reputation of the petitioner in question with local residents, and in the first months of 1914 approved most requests for additional purchases, instructing Alexander Drug to sell up to twenty gallons of alcohol each month to these applicants. At the same time, he urged county attorneys to investigate local drug stores to explain the amounts listed in the report, and he ordered Alexander Drug to sell no alcohol to those drug stores that resold it as a beverage.²⁷ The governor's effort to balance his desire for liquor enforcement with his desire to support legitimate business growth in the new state. The result was something very similar to the dispensary system that the legislature had ended in 1911. The state regulated the sale of alcohol for medicinal and industrial purposes, and, given the generous amounts Cruce allowed many druggists to purchase, the state effectively sanctioned some drug store sales of alcohol as a beverage.

Cruce's successor as governor, Robert L. Williams, continued this regulatory policy throughout his term in office (1915-1918). The Alexander Drug Company of Oklahoma City retained the state contract as the alcohol supplier to pharmacists, though the state added the Cardinal Drug Company of Muskogee as liquor wholesaler for the eastern portion of the state in 1917.²⁸ Williams, like Cruce, sought information from county attorneys on druggists who applied for alcohol from the state-sanctioned wholesalers. While Williams seems to have been less willing than Cruce to allow druggists greater amounts of alcohol, the issue of pharmacists selling alcohol as a beverage continued to plague Oklahoma prohibition enforcement officials. In November 1918 Mayor H.R. Kent of Woodward complained to Williams that druggists and grocers in that northwestern Oklahoma community were selling patent medicines that were at least half alcohol. He

noted that men were becoming intoxicated from these medicines, and inquired whether the state might restrict the sale of extracts—bay rum, Jamaica ginger, and others—that contained alcohol. Mayor Ed Linthicum of Hugo, in southeastern Oklahoma, echoed these concerns to the governor at nearly the same time.²⁹

Oklahoma's second governor, Lee Cruce, endured numerous complaints about lax prohibition enforcement by municipal and county officials. During his first eight months in office, he received letters from eighty-two different communities around the state grumbling about the flagrant violation of liquor laws. Some charged that local officials were in collusion with bootleggers, while others stated that enforcement personnel were too few to reduce significantly the liquor traffic in their community. W.T. Adams of Bartlesville described his city of 6,181 as "...running wide open. According to one joint-keeper there are, to be exact, '152 open joints' here."³⁰ Governor Cruce responded to such letter writers that he could do little to aid local enforcement officials. The state legislature, in February 1911, terminated the commissions of all state enforcement officers due to the program's cost—\$8,000 since its implementation in 1907—and subsequently allowed the governor to appoint one prohibition enforcement officer for the state.³¹ Amidst this paltry enforcement allocation by the legislature, illegal liquor sales soared. The number of liquor outlets in Oklahoma City increased ten-fold following the adoption of prohibition.³² State officials allowed liquor enforcement to lapse to reduce the size and cost of government.

Enforcement officers also encountered obstacles in the courts. Federal circuit court judges, Ralph E. Campbell and John H. Cotteral, ruled that the state infringed on interstate traffic when seizing liquor shipped into Oklahoma while it was still in the possession of the shipper.³³ This ruling prevented officers from confiscating liquor as it entered the state. The amount of liquor imported into Oklahoma swelled. In 1910 the Oklahoma Criminal Court of Appeals ruled that Oklahomans could purchase and receive liquor from outside the state if it was for personal use only.³⁴ Bootleggers began importing large quantities of liquor into the state, purportedly for their personal use.

The Oklahoma courts provided some aid for enforcement officials as well. In 1910 the Criminal Court of Appeals ruled that authorities did not need to prove that liquor was intoxicating to convict a defendant of bootlegging. They needed to prove only that the substance in question was

"a spiritous, vinous, fermented, or malr liquor...or an imitation of or substitute for one or the other of such liquors..."³⁵ As the prohibition clause of the constitution explicitly forbade the sale or provision of these substances, the courts did not insist that authorities prove (through chemical analysis) that they were intoxicating. Further, the courts ruled in 1912 that circumstantial evidence was allowable in proving that a defendant intended to sell liquor in his or her possession. Oklahoma judges provided some solace to bootleggers and liquor officers alike. Parties on each side of the liquor issue struggled with the legal adaptations of prohibition enforcement.

While a significant number of Oklahomans continued to support the liquor industry, others became increasingly dissatisfied with prohibition enforcement. Some encouraged the governor to exert greater effort in executing the liquor ban. State Attorney General Charles West urged Cruce to order the state bank commissioner to act against those banks which served as collection agencies for liquor purchased through the mail. A Hennessey resident suggested that Cruce allow authorities to enter houses without search warrants in order to ferret out bootleggers.³⁶ Cruce rejected both of these measures. The governor was conscientious in his efforts to enforce the liquor ban, but hesitated to adopt policies which he viewed as excessive.

Open defiance of prohibition remained a problem in Oklahoma throughout the period prior to national prohibition. Supporters of the ban blamed local law enforcement officials. Authorities in the state's early cities—Oklahoma City, Muskogee, and Tulsa—adopted a pattern of neglectful enforcement, followed by a crackdown on the illegal liquor industry, followed by a return to inattentiveness. Muskogee attracted the attention of federal agent William E. Johnson in October 1907. He and his deputies raided the city's liquor joints that sold two percent beer. City officials, unsympathetic toward this incursion by the federal government, arrested Johnson and his men and charged them with destruction of property. A regional newspaper noted in 1907 that Muskogee County had been wide open (allowing unrestrained liquor sales) in the past and speculated that it would become wide open again in the near future.³⁷

If Muskogee appeared unenthusiastic in its enforcement of prohibition, Tulsa was positively lax. Spurred by the opening of the nearby Glenn Pool oil field in 1905, this city experienced phenomenal growth as its population exploded from 1,390 in 1900 to 72,075 by 1920. William E. Johnson and his federal deputies raided the illegal saloons and joints selling two percent

beer there in September 1907, dumping 25,000 barrels of it into the Arkansas River. As in Muskogee, Johnson met stiff resistance in these Tulsa raids. He was attacked and nearly killed in one episode. The following year the Oklahoma Anti-Saloon League optimistically reported that Tulsa had dried up.³⁸ This report proved premature, as in 1910 Tulsa's liquor industry was again, or still, thriving. According to newspaper reports, bootleggers evaded the authorities by hiding their product in coffins and by shipping it amidst bottles of nitroglycerin. The dries, in 1912, admitted the failings in the city's liquor enforcement stating, "Tulsa is a city that perhaps has more flagrantly violated the law than any other city in the state." In November 1915 local authorities arrested the city's leading bootleggers in a general clean up.³⁹ Despite these efforts the illegal liquor industry remained vibrant in Tulsa into the period of national prohibition.

Oklahoma City, by far the state's largest municipality with a 1910 population of 64,205, also experienced considerable liquor activity despite the additional scrutiny the city drew as a seat of state government. Like that of other municipalities, Oklahoma City's enforcement of liquor laws adopted a cyclical pattern of leniency followed by one of rigor and a subsequent return to leniency. Albert McRill, former Oklahoma City Manager, recalled the city's struggle with vice, noting, "When statehood came in the fall of 1907, with constitutional prohibition, seven hundred bootleggers soon supplanted seventy saloon-keepers. Vice was so rampant that State Enforcement Attorney Fred S. Caldwell and Attorney General Charlie West, at the direction of Governor Haskell, virtually took over law enforcement in Oklahoma County."⁴⁰ Attorney General West also described conditions in Oklahoma City as deteriorating after the adoption of the liquor ban.⁴¹ This indictment of prohibition as less effective than the legal regulation of saloons echoed arguments made at the time by anti-prohibition groups such as the Local Option and High License Committee and the United Civic League. Prohibition proponents such as the Anti-Saloon League vehemently argued that prohibition was effective. McRill campaigned around the state for the Anti-Saloon League in 1907 and in 1910 prior to referenda on the liquor question. His subsequent criticism of prohibition suggests that its effectiveness was quite limited.

In late 1909 Oklahoma City Attorney John M. Hays began a crackdown on the city's saloons. He notified one hundred individuals that liquor was being sold at establishments on their property and held them responsible for

these violations. Police Chief Charles Post led a series of raids that closed many of the joints.⁴² The illegal liquor industry remained a problem, and in 1911 the city hired famed lawman William O. Tilghman as the new chief of police. He promptly arrested twenty-five bootleggers, which observers called the most enforcement in two years. Another stepped-up campaign produced several arrests in 1915. The liquor industry flourished in the city after 1920 (under national prohibition), prompting the police chief to denounce the liquor ban as unenforceable.⁴³ As in the state's other urban regions, liquor continued to flow in Oklahoma City after 1907 with several brief interruptions. Excepting the intervention by State Enforcement Attorney Caldwell and Attorney General West shortly after statehood, liquor enforcement in Oklahoma City remained a local matter.

The state also investigated the enforcement of prohibition elsewhere in Oklahoma, responding to complaints about the inability or unwillingness of local authorities to enforce the ban. Governor Haskell appointed Fred S. Caldwell of Guthrie as special prohibition enforcement attorney in 1908. Caldwell, a trustee of the Oklahoma Anti-Saloon League from 1907 through 1916, was quite earnest in his new job. He held official inquiries in Beckham, Creek, Ellis, Kay, Nowata, and Seminole counties during his brief tenure as enforcement attorney (1908-1910). In January 1909 Caldwell traveled to Beckham County in extreme western Oklahoma and formally charged County Attorney O.O. Smith and Sheriff James R. Richardson with failing to act against open hootlegging in Sayre and Elk City. Smith resigned in July of that year and Caldwell dropped the charges against him. A Beckham County jury found Sheriff Richardson not guilty in October 1909. After beginning the action in Beckham County, Caldwell traveled to Seminole County in March 1909 to investigate charges by the county sheriff that the Seminole County Attorney was not prosecuting liquor violations. Caldwell eventually dropped the charges for lack of evidence, but stated that conditions there "...were very much improved, and, on the whole, have been about as good as could be expected in view of certain local conditions which prevail in Seminole county."⁴⁴

In April 1909 local residents of the neighboring community of Shawnee asked Caldwell to join an investigation of charges that County Attorney Virgil R. Biggers and District Judge W.N. Maben had accepted bribes from a bootlegging organization. Rival joint keepers who felt this organization had cheated them, provided information regarding these bribes to a local

minister. Caldwell, joined by Attorney General West, called for the removal of Biggers, Maben, and Shawnee Police Chief W.F. Sims. Biggers confessed to accepting \$125,000 from bootleggers in the previous year alone, resigned, and testified against the others. Judge Stillwell H. Russell quashed the indictments against Maben and Sims. West's appeal of this order was pending when he and Caldwell left their offices at the end of 1910.

Caldwell next turned to Creek County. In July 1909 he filed charges against County Attorney L.B. Jackson and Sheriff Henry Clay King for failing to enforce prohibition in Creek County and sought to have them removed from office on this basis. King left office when Caldwell announced his inquiry, but Jackson remained to await the outcome of the investigation. In August Caldwell called a grand jury to hear the Jackson case as he had been told that the local presiding judge was known to oppose prohibition. Jackson was formally charged with failing to prosecute approximately 190 indictments for liquor violations between 15 September 1908 and 1 July 1909. The majority of these violations had occurred in Sapulpa, the county seat located in the Glenn Pool oil field, and in Kiefer, a rough and tumble boom town also in the oil patch. The grand jury found Jackson guilty of the alleged misconduct, and Caldwell applied to the Oklahoma Supreme Court to have Jackson removed as county attorney. Jackson challenged this application, arguing that Caldwell had influenced the grand jury during its deliberations. The removal process ground to a halt while a trial court determined the validity of Jackson's challenge. As of Caldwell's dismissal from his enforcement post in December 1910, the trial court had not ruled on the challenge, and Jackson remained in office. Caldwell indicted ex-sheriff King for liquor violations such as accepting bribes from bootleggers, but that trial ended in a hung jury.

Caldwell conducted similar inquiries in other regions of the state. In February 1910 he went to Newkirk in the north central county of Kay to aid a grand jury investigation that brought approximately sixty indictments for unlawful possession of liquor. In June 1910 he scheduled a hearing and recommended the removal of Ellis County Attorney C.B. Leedy for failing to act against bootleggers in that northwest Oklahoma county. Leedy promptly applied to the Oklahoma Supreme Court for a writ of prohibition to stop the hearing and the investigation ground to a halt. In November 1910 the Supreme Court denied Leedy's application and he filed for a rehearing. At this rehearing his application again was denied. As Leedy was nearing

the end of his term in office (as was Caldwell), Caldwell chose not to pursue his investigation, counting on Ellis county voters to turn Leedy out of office the following spring. Caldwell aided a grand jury investigation of liquor violations in Nowata County in September 1910. He established that liquor joints had been operating openly in South Coffeeville, Lenapah, and Delaware for more than a year, and he presented overwhelming evidence that the county attorney, sheriff, and county judge knew of these activities and failed to act. Despite Caldwell's strong case, four members of the grand jury voted to exonerate the county officials and Caldwell left in disgust.⁴⁵

By the end of his term as special prohibition enforcement attorney, Fred Caldwell had traversed much of the state and had seen considerable variation in the devotion to prohibition enforcement. His efforts do not seem to have seriously hindered the liquor industry in some regions of the state. Creek County, dominated by the Glenn Pool and later the Cushing oil fields, would remain a problem area for state enforcement officials through 1920. A district judge removed Creek County Attorney Vic S. Docker and Sheriff John Berry in 1912 for allowing saloons to operate in Sapulpa, and similar investigations were undertaken in Nowata and Muskogee counties in that year.⁴⁶ Attorney General S.P. Freehling attempted to remove the Creek County sheriff in 1915, and subsequently conducted investigations of liquor enforcement in Tulsa, Nowata, Ottawa, and Sequoyah counties.⁴⁷ These state investigations lacked the support of the local populace who continued to return to elected office men found derelict in the enforcement of liquor laws.

In some instances, this lack of support for prohibition could be attributed to the political influence of bootleggers. William J. Creekmore was one of the most powerful of the illegal liquor dealers. He had sold liquor in Sapulpa before 1907, but after statewide prohibition began, Creekmore expanded to become the largest liquor dealer in Oklahoma through a distribution agreement with a Kansas City wholesaler. In Tulsa, Sapulpa, Oklahoma City, Muskogee, Miami, Claremore, Oilton, and other communities, he bought immunity from the police for his saloons and paid officials to enforce the liquor ban against his competitors, allowing him to increase his operations. The Creek County sheriff, whom the attorney general investigated in 1915, was reputed to be working with Creekmore by that time. Federal authorities arrested him in 1912 and charged him with introducing liquor to Indians. He allegedly paid James E. Watson, a member of the United States House of Representatives from Indiana, \$20,000 to have

his sentence reduced to thirty days in jail. In 1916 federal authorities arrested him again and convicted him of violating federal liquor statutes. Creckmore, reportedly worth a million dollars at the time of his conviction, was sentenced to three years in the federal penitentiary the following year.⁴⁸

Significantly, his ultimate arrest and conviction came at the hands of federal officers rather than state or local authorities. Because Congress, in its 1905 Enabling Act, had prohibited the sale of liquor in Indian Territory and the Osage Reservation for twenty-one years following Oklahoma statehood, the issue of jurisdiction (federal versus state and local) remained uncertain after 1907. Oklahoma Attorney General Charles West, mindful of the growing backlog of liquor cases in the Oklahoma court system, filed suit in federal court in 1910, arguing that Congress retained authority over and responsibility for the prosecution of liquor cases in the former Indian Territory and Osage Reservation. In May 1912 federal judge John Campbell, mindful of the growing backlog of liquor cases in the region's federal courts, ruled that the former Indian Territory and Osage Reservation no longer were under federal law, and that state and local courts should handle the prosecution of liquor offenses. The United States Supreme Court, in June 1912, accepted West's argument that American Indians remained wards of the federal government, even if they resided in a state.⁴⁹

This ruling assigned to federal officers and courts primary responsibility for liquor enforcement in the former Indian Territory and Osage Reservation, and thus clarified the eluded issue of jurisdiction, which had hindered enforcement efforts. In continuing Congress' jurisdiction in the eastern part of the state, the court effectively defined shipment of liquor into these regions as the introduction of liquor to Indians—a violation of federal statute. Thus, a double standard arose in Oklahoma, as interstate shipments into former Oklahoma Territory remained legal under federal law. Further, as a form of interstate commerce—governed by Congress rather than the states, liquor shipments into the western portion of Oklahoma were exempt from seizure by state and local authorities. Oklahoma officials turned to the federal courts to prosecute shipments of liquor from the region of the former Oklahoma Territory to that of the former Indian Territory or Osage Reservation. This strategy fell apart in November 1912 when the federal court in Muskogee ruled that such shipments did not violate federal law unless prosecutors could prove that the liquor had originated from outside the current state of Oklahoma. This ruling invalidated over three hundred

indictments against Oklahoma bootleggers. Congress corrected this double standard and struck a blow for prohibition supporters across the nation in 1913 when it passed the Webb-Kenyon bill, making interstate shipments of liquor subject to seizure in dry states such as Oklahoma. State and local liquor enforcement agents in Oklahoma City and Lawton began seizing interstate liquor shipments from the railroad yards almost immediately.⁵⁰

The thorny issue of jurisdiction, corruption among local officials, and the reticence of the state legislature to devote sufficient money to liquor enforcement combined with the lack of support from some local populations and the continued profitability of the illegal liquor industry to hinder effective enforcement of prohibition in Oklahoma. Many dry Oklahomans took matters into their own hands. Governor Lee Cruce encouraged this when he began commissioning—without pay—local enforcement officers in 1911. The Oklahoma Anti-Saloon League often recommended individuals to the governor for these posts. Reverend C.C. Brannon, a Methodist Episcopal minister who later would become a trustee of the League, served as an enforcement officer in the communities of Okeene, Jennings, Quay, Guthrie, Cushing, and Blackwell both before and after statehood. The “Fighting Parson,” as he became known, often carried two pistols with him and shot a man in Tulsa while raiding a roadhouse there. Bootleggers, in turn, shot at and physically assaulted him numerous times. In each of the communities that he called home, Brannon spent six days of each week hunting bootleggers, making arrests, and confiscating liquor before taking the pulpit on Sunday.⁵¹

Brannon was not the only minister to involve himself personally in the enforcement of Oklahoma’s prohibition laws. Reverend H.H. Friar, a Baptist missionary, served as a state enforcement officer for the Muskogee region. In 1911 Friar, who had been active in forming civic groups in the small community of Boynton to combat the liquor traffic there, shot and killed Bill Alcorn, a black man who allegedly sold liquor in the town. According to newspaper accounts, the minister hounded the reputed joint keeper and instigated the violent altercation that turned fatal. Other ministers in the region, while professing their continued support for liquor enforcement, drew back from these extreme measures.⁵² In 1914 residents of Hennessey wrote to Governor Lee Cruce complaining of the antics of Reverend Robert Lee Payne, a Baptist minister in that community and duly commissioned state enforcement officer, who brandished a revolver during religious

services. Cruce's chief enforcement officer subsequently revoked Payne's commission. W.B. Simmons, minister to the Congregational Church of Muskogee, often accompanied liquor enforcement officials to observe first-hand bootlegging conditions in that community, and several other Muskogee ministers offered to supply potential witnesses who would attempt to purchase liquor in the suspected joints.⁵³

Local citizens also formed Law and Order Leagues to aid officials in identifying, arresting, and convicting liquor distributors. By 1914 at least ten of these leagues had formed in Oklahoma communities, including Oklahoma City, Muskogee, and Tulsa.⁵⁴ Typically, each local league formed an executive committee, a law enforcement committee to aid efforts by local officers, a finance committee to raise money for lobbying trips to the state capital and to employ detectives against bootleggers, and a membership committee to attract new members. Some local leagues also formed legislative committees to suggest laws to government officials. The Anadarko Law and Order League contacted Governor Haskell, urging him not to parole two convicted bootleggers, and a Law and Order League organized in the Osage community of Bigheart in 1915 convinced local authorities to dismiss a deputy sheriff for chronic drunkenness while on duty. The Eufala Law and Order League accompanied enforcement officials on raids of liquor joints in that eastern Oklahoma community. The Law and Order League of Apache, in 1913, petitioned Governor Cruce to sign a bill strengthening the enforcement provisions of prohibition.⁵⁵

Clergymen were active in these Law and Order Leagues and in the Oklahoma Anti-Saloon League that helped form the local bodies. The governor leaned heavily on the Anti-Saloon League to provide detectives. The League became of greater value when the state legislature ended the dispensary system in 1911 and provided money for one state enforcement officer only. The governor, at no expense to the state, received conscientious advice and services from a well-organized group that became quite experienced at battling Oklahoma's illegal liquor industry. In turning to the League, Haskell, Cruce, and Williams could preempt most criticism from this leading prohibition proponent.⁵⁶ The Anti-Saloon League, through the creation of these local law and order leagues, involved a broader portion of the population in the campaign against the saloon and the liquor industry generally.

Drys in Oklahoma faced stiff opposition as some bootleggers, already

operating outside the law in a very lucrative trade, did not back away from violent measures to protect their business. In 1906 a whiskey peddler near Muskogee shot and wounded a member of the posse sent to arrest him. The following year, bootleggers killed two of the federal deputies assigned to clean up liquor violations in Indian Territory, and liquor dealers offered a \$3,000 reward for the assassination of Special Enforcement Agent William E. Johnson.⁵⁷ In 1911, following the Bixby town council's decision to close a local pool hall and liquor joint as a nuisance, a cotton gin and the local Baptist church were set afire, and the barns of several council members were threatened with fire. Bootleggers beat so severely a Delaware man that he was bedridden for several weeks, and a Kiefer man opposed to the local liquor traffic in that wide-open oil town was beaten to death by bootleggers. In 1912, a federal enforcement officer and a deputy sheriff for Rogers County were killed in a gun battle with bootleggers near Caney, Kansas, just north of the Oklahoma border.⁵⁸ People from several communities expressed fear of retribution by local joint operators if they made public their opposition to the liquor traffic.⁵⁹

Given the determination of the wet forces in Oklahoma, supporters of prohibition faced a significant challenge. Liquor laws were enforced unevenly, depending on the disposition of local officials and on the "character" of the offending establishment or individual. Oklahomans sought to close the crime-ridden saloons in order to shed the Wild West image that the region had earned earlier and out of fear of liquor's effects on African Americans and Indians. The process was a slow one as districts within the cities and some rural communities remained unaffected by the liquor ban. Oklahoma City, Tulsa, and other communities developed a cyclical pattern of strict liquor enforcement followed by a relaxation of enforcement and the corresponding return of readily accessible liquor. Further, liquor remained available through the mail and, in limited quantities, through druggists. The governors repeatedly called for greater enforcement funding from a recalcitrant legislature. Citizens of the Sooner State, then, successfully achieved both the legal prohibition of liquor and conditions by which it was available to anyone who desired it. This situation satisfied few. Prohibition supporters bemoaned the continuing flow of liquor into Oklahoma. The liquor men disliked prohibition because, while it increased the price of liquor in some areas, it also made them vulnerable to arrest. Liquor men in some locales suffered the added expense of purchased

protection in the form of bribes to local officials. Some communities, dominated by prohibitionists, strictly adhered to the liquor ban. They sought to end liquor activity in neighboring regions which served as liquor sources for those living in dry communities. They found themselves opposed by an entrenched liquor industry motivated by profit and supported by a large population which saw little wrong with the consumption of alcohol. The problems in enforcing Oklahoma prohibition before 1920 foreshadowed similar difficulties local, state, and federal officials would encounter in attempting to enforce national prohibition in the following decade. Those aware of these warning signs, including staunch supporters of prohibition, ignored them and the nation plunged into an enforcement debacle similar to that experienced earlier in dry states such as Oklahoma.

NOTES

1. The terms blind pig and blind tiger commonly were used in reference to an establishment that sold liquor illegally. *The Dictionary of American Regional English* indicates that the earliest printed reference to a blind pig was in 1870 and that its use was most common in states west of Ohio that bordered Canada and those bordering the Pacific Ocean. A synonymous term, blind tiger, came into common usage in the states of the old Confederacy at least as early as 1857. Both terms originally referred to an establishment that avoided legal restriction on liquor sales by charging patrons to see a fictitious blind pig or blind tiger and providing gratuitous liquor with each viewing. The term fell out of use during national prohibition, possibly because several states had defined blind tiger and or blind pig in their legal codes as illegal establishments.
2. *Muskogee Democrat*, 6 November 1905, 27 November 1905.
3. Richard Erdoes, *Saloons of the Old West* (New York: Alfred A. Knopf, 1979), 230, 227.
4. *Muskogee Democrat*, 1 December 1905. *Muskogee Times-Democrat* 13 September 1906. The owner of the *Muskogee Democrat* renamed his newspaper the *Muskogee Times-Democrat* as of 20 February 1906.
5. Kenny A. Franks, *The Rush Begins: A History of the Red Fork, Cleveland and Glenn Pool Oil Fields*, (Oklahoma City, OK: Western Heritage Books, Inc., 1984), 102, 111.
6. Frederick A. McKenzie, "Pussyfoot" Johnson: Crusader Reformer—A Man Among Men, (New York: Fleming H. Revell Company, 1920), 67.
7. *Ibid.*, 73.
8. *Muskogee Times-Democrat*, 2 August 1906, 27 February 1906. These articles referred only to the "content" of the beverage in question. The editor did not indicate whether authorities measured the alcohol content by weight or volume.
9. *West's Oklahoma Digest*, 2nd, Vol. 23 (St. Paul, MN: West Publishing Co., 1988).

266, 270.

10. *Muskogee Democrat*, 22 December 1905, 17 August 1906, 26 December 1906, 3 April 1907, 13 April 1907.

11. Office of the Governor, Lee Cruce: General Correspondence (11 January 1911 to 11 January 1915), Box 7, File 2, Oklahoma Department of Libraries.

12. *Muskogee Times-Democrat*, 9 October 1907.

13. *Ibid.*, 4 February 1907.

14. *Muskogee Times-Democrat*, 17 August 1906, 20 August 1906, 8 July 1907.

15. *Guthrie Daily Leader*, 23 November 1893, 1 August 1893, 29 December 1893, *Cherokee Advocate*, 25 August 1900, 29 March 1902.

16. Dorothy Milligan, ed., *The Indian Way, Choctaws*. (Quanah, TX: Nortex Press, n.d.), 73. This book and those by Milligan on other tribes are collections of interviews with Indians in Oklahoma conducted in the late 1960s and early 1970s. The comments on uneven liquor enforcement came from Dave Kauiatebe of Idabel, Oklahoma.

17. *Muskogee Democrat*, 28 January 1905, 30 January 1905.

18. *Muskogee Times-Democrat*, September 1906 to March 1906.

19. *Oklahoma City Times*, 26 March 1907, 29 March 1909, 8 April 1909.

20. *Ponca City Courier*, 19 September 1912.

21. *Boley Progress*, 4 January 1912, 12 January 1911, 19 January 1911.

22. *Ibid.*, 22 December 1910, 26 January 1911.

23. Jimmie Lewis Franklin, *Born Sober: Prohibition in Oklahoma, 1907-1939*. (Norman, OK: University of Oklahoma Press, 1971), 28-30.

24. *Ibid.*, 32-34. *State of Oklahoma Sessions Laws*, (Guthrie, OK: The Leader Printing Co., 1911), 166.

25. Cruce Papers: General Correspondence, Box 5, File 1; Box 5, File 6.

26. *Ibid.*, Box 1, File 8.

27. *Ibid.*, Box 1, File 8; Box 5, File 1, Box 5, File 3; Box 5, File 7.

28. Governor's Papers, Governor Robert L. Williams: Administrative File, 1917-1919, Box 1, File 4, Oklahoma Department of Libraries Archives and Records.

29. *Ibid.*, Box 1, File 9.

30. Cruce Papers: General Correspondence, Box 12, File 1.

31. *Ibid.*, Box 7, File 7; Box 16, File 1; Box 20, File 6.

32. Albert McRill, *And Satan Came Also. An Inside Story of a City's Social and Political History*. (Oklahoma City, OK: Britton Publishing Company, 1955), 140-141.

33. *United States Supreme Court Reports, Lawyers' Edition*, 55 (Rochester, NY: The Lawyers' Co-operative Publishing Company, 1911), 431-437. The state of Oklahoma attempted to block these legal challenges to state enforcement. The United States Supreme Court ruled in April 1911 that the state could not issue such a writ of prohibition against the circuit courts.

34. *West's Oklahoma Digest*, 2nd, 267, 343, 336.

35. *Ibid.*, 270.

36. Cruce Papers: General Correspondence, Box 11, File 3; Box 9, File 1.

37. McKenzie, "Pussyfoot" Johnson, 66-67. *Lehigh Leader*, 10 October 1907.

- Muskogee Democrat*, 22 December 1905. *The Wilburton Gazette*, 11 October 1907. The *Lehigh Leader* of 17 October 1907 noted that Muskogee's liquor joint operators had buried their booze in the ground waiting for Johnson to finish his business and leave the city.
38. *Muskogee Times-Democrat*, 29 September 1907. *Lehigh Leader*, 19 September 1907. *Wilburton Gazette*, 4 October 1907. *Muskogee Times-Democrat*, 6 February 1908. *American Issue*, Oklahoma Edition, 22 September 1908.
39. *American Issue*, Oklahoma Edition, May 1912. *Muskogee Times-Democrat*, 25 November 1915.
40. McRill, *And Satan Came Also*, 140-141.
41. *Tupelo Times*, 28 November 1907. *Coufgate Courier*, 21 November 1907. *Muskogee Times-Democrat*, 31 December 1907; 5 June 1908. McRill, *And Satan Came Also*, 119.
42. *American Issue*, Oklahoma Edition, October 1909. McRill, *And Satan Came Also*, 109, 110.
43. *American Issue*, Oklahoma Edition, August 1915. McRill, *And Satan Came Also*, 115, 166-176, 191.
44. Fred S. Caldwell, Counsel to the Governor, "Report on Prohibition Investigation and Prosecution Covering the Period December 1, 1908 to December 31, 1910." Governor's Papers, Governor Charles N. Haskell, 16 November 1907 to 9 January 1911; Administrative File, Box 11, File 13.
45. *Ibid.*, *Muskogee Times-Democrat*, 22 May 1909.
46. *Muskogee Times-Democrat*, 17 February 1912, 18 April 1912, 19 December 1912.
47. Williams Papers: Administrative File, 1914-1916, Box 1, File 4, General Correspondence, 1916, Box 5, File 8.
48. *Muskogee Times-Democrat*, 7 July 1913. McRill, *And Satan Came Also*, 175-178.
49. *Baptist Informer*, 26 May 1910. *Muskogee Times-Democrat*, 3 May 1912. *United States Supreme Court Reports, Lawyers' Edition*, 56, 1248-1261. *Muskogee Times-Democrat*, 10 June 1912.
50. *Blackwell Times Record*, 7 November 1912. *Eufala Republican*, 15 November 1912. Cruce Papers: General Correspondence, Box 48, File 5.
51. Cruce Papers: General Correspondence, Box 19, File 6; Box 18, File 1. *Muskogee Times-Democrat*, 26 June 1907. Reverend C C Brannon file, Vertical Files, Oklahoma Territorial Museum, Guthrie, Oklahoma.
52. *Muskogee Times-Democrat*, 21 November 1911, 25 November 1911.
53. Cruce Papers: General Correspondence, Box 57, File 5. *Muskogee Times-Democrat*, 30 January 1912; 18 November 1911.
54. *Muskogee Times-Democrat*, 5 June 1907. Cruce Papers: General Correspondence, Box 8, File 1; Box 9, File 4; Box 14, File 6; Box 16, File 5; Box 17, File 4.
55. *Muskogee Times-Democrat*, 22 December 1908. Williams Papers: Administrative File, 1914-1916, Box 1, File 4. Cruce Papers: General Correspondence, Box 8, File 1; Box 48, File 6. Haskell Papers: Administrative File, Box 11, File 3. Williams Papers: General Correspondence, 1915, Box 13, File 1.

56. Cruee Papers: General Correspondence, Box 35, file 3; Box 36, File 1. *Daily Oklahoman*, 24 April 1916.
57. *Muskogee Times-Democrat*, 8 September 1906. McKenzie, "Pussyfoot" Johnson, 88, 100.
58. *Muskogee Times Democrat*, 21 September 1912, 16 November 1912.
59. Cruee Papers: General Correspondence, Box 16, File 3; Box 17, File 5; Box 17, File 6.