



A CITY'S DICHOTOMOUS RESPONSE TO POSTWAR CHANGE:
CHARLESTON, WEST VIRGINIA,
1919-1923

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Dwayne L. Ledsome

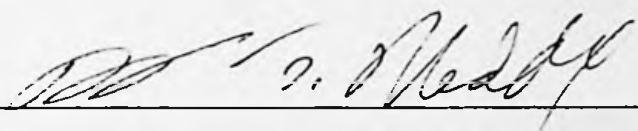
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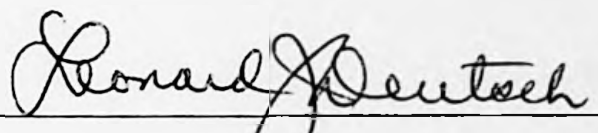

Dean of the Graduate College

Table of Contents

Chapter One

Coming Out of War.....page 1

Chapter Two

Fostering Urban Growth.....page 19

Chapter Three

Countering Social Change.....page 62

Chapter Four

The Significance of this Dual Response.....page 121

Attachments.....page 142

Works Cited.....page 148

Bibliography.....page 167

Chapter One

Coming Out of War

In the spring of 1919, Americans awaited the final resolution of World War I. This war, which had begun in the summer of 1914 and had involved direct American military intervention since April, 1917, had been effectively won by the Allies in November, 1918. However, the official resolution of the war required the completion of the Versailles Treaty, which the world leaders signed in June, 1919. Although most Americans sought a return to "normalcy," a term used by Warren G. Harding in the presidential election of 1920, such an outcome proved unobtainable in most American communities because of the dramatic technological, demographic and social changes that began to emerge. Cities, whose municipal governments worked in conjunction with civic organizations and religious leaders, ultimately had to determine how to promote and to discourage many of these changes.

Charleston, West Virginia, also experienced these changes. Charleston served as the capitol city of the state and the county seat of Kanawha County, the largest and most populous county in the state. At the close of the war, the city stood as a growing industrial center and began a municipal campaign.

From a city of 11,099 inhabitants in 1900 and 22,996 in 1910, Charleston had continued to grow substantially.¹ The federal census of 1920 showed the population within the corporate limits of the city to be 39,608. This represented a percentage increase for each decade of 107.2 and 70.2 respectively. The 1920 census showed the population to

consist of 85.2 percent native white, 3.4 percent foreign born white, and 11.4 percent Negro.² A postal census of September 1, 1922, showed a population of 43,667.³ Additionally, neither of these sources accounted for the fast growing suburbs of the city. These included to the west: South Charleston, Dunbar, Spring Hill, Institute, High Lawn, St. Albans, and Nitro; and to the east: Kanawha City, Malden, Marmet, Belle, Chelyan, and Cabin Creek Junction. All of these were within easy reach of the capitol city via trolley cars, steam railways, paved highways, or the navigable Kanawha River. Charleston's industrial district included a population of about 120,000 and its trade area an estimated 360,000.⁴

The corporate limits of Charleston had an area of 10.5 square miles and included the area from the low water mark of the Kanawha River to the crest of the hills on both sides of the river. On the northern side of the river, the city's western limit started at Patrick Street and its eastern limit extended to Wilson Branch. Across the river on the south side, the limits were between Ferry Branch and Porter's Hollow.⁵

By 1920, a modern infrastructure had developed. Charleston had eighty miles of streets (fifty-three of which were paved), sixty miles of paved sidewalks, sixty-seven miles of public sewers, and twenty miles of private sewers. Electric street railways with interurban lines extended to Dunbar, St. Albans, Kanawha City, and Cabin Creek Junction. Up-to-date telephone, gas, electric, and water services were available at reasonable rates. The city had four first-class hotels, including the Kanawha, Ruffner, Holley, and Fleetwood, and ten smaller ones. There were fifty-four churches representing all denominations and twenty-four public schools with a total enrollment of 9,050 pupils.⁶

The development of Charleston and its surrounding areas resulted primarily from the presence of three advantages necessary to attract industrial and manufacturing businesses.

These included transportation facilities, low fuel costs, and raw materials accessibility.

Charleston possessed an extensive transportation network that included water, rail, and road options. The Kanawha River, a year-round navigable stream locked and dammed by the federal government, provided water transportation throughout the Ohio, Missouri, and Mississippi Rivers from Pittsburgh, Pennsylvania to New Orleans, Louisiana. Four railway systems also provided transportation options. The Chesapeake and Ohio Railway provided an outlet on the east to the seaboard at Newport News, Virginia and on the west to the Mississippi River at St. Louis, Missouri, and the Great Lakes at Chicago, Illinois, and Toledo, Ohio. The New York Central line via the Kanawha and Michigan Division gave an outlet to the west to the Great Lakes and the Mississippi River through Columbus, Ohio. Also, the Kanawha and West Virginia Division went directly into the mineral and timber districts of the state. The Baltimore and Ohio Railway's Charleston Division directly connected the city with the northern part of the state and with Pennsylvania and Maryland. Finally, the Virginian Railway originated at Norfolk, Virginia, and ran thirty-six miles east of Charleston to Deepwater, West Virginia. From this point its trackage rights over the lines of the Chesapeake and Ohio Railway enabled it to pass through Charleston. These four systems, combined with the Charleston Interurban Railroad and the Charleston-Dunbar Traction lines, provided important facilities for transportation and travel. By 1921, fifty-six miles of urban and interurban line, including double track, existed.⁷ In 1920, seventy miles of permanent road, radiating from Charleston in all directions, had been constructed in Kanawha County during the previous five years. In addition, the Midland Trail, a national highway from Washington, DC, to the Mississippi River, passed through Charleston.⁸

Charleston became known as the "COG city" because of its

proximity to natural deposits of coal, oil, and gas. The city resided at the heart of the Great Kanawha Coal Fields, and surrounded by more than six hundred thousand acres of coal reserves. Within a radius of fifty miles of Charleston, more than twenty million tons of coal, one hundred billion cubic feet of natural gas and two million five hundred thousand barrels of oil were being generated annually.⁹

In addition to these fuel sources, Charleston had access to a variety of other raw materials. Some of these included clay for brick making, kaolin, salt brine, a fine grade of sand for both window and bottle glass, iron ore, and both hard and soft lumber.¹⁰

Even before the economic impetus of the First World War, several industries had developed in the area. The Kelly Axe and Tool Company stood at the industrial apex. In 1904, W. C. Kelly moved his axe factory from Alexander, Indiana, to a site just outside of the city limits on Patrick Street. This manufacturer of axes, scythes, hatchets, and hammers became attracted to the area by the abundance of natural gas, transportation facilities, and the proximity of raw materials. The Kelly Axe and Tool Company absorbed the seventeen plants of its greatest competitor, the American Axe and Tool Company, in 1912 and consolidated all manufacturing at the Charleston plant. The factory ran twenty-four hours daily by operating three shifts. By the end of the war, this facility had become the world's largest axe plant, employing more than 700 persons in 1920.¹¹

Several steel and metal working plants blossomed in the area. The Ward Engineering Works resided along the city's south side on the riverbank just west of the Chesapeake and Ohio depot. Established by Charles Ward, a young Englishman who emigrated to Charleston in 1871, this facility started building a new boiler for river steamboats. This led to the production of boilers for both river and ocean steamers, including the United States Navy. In 1893, the plant's first boat, the Mascot, became one of the first to use a

propeller drive and served as an inspection boat for the United States Engineering Corps after its launch. Over the next three decades the facility would launch towboats, tugboats, and even oceangoing vessels. After Charles's death in 1915, his son, Ed, took over the business. Two other metal working plants were also prominent. The South Side Foundry and Machine Works was founded at Malden in 1867 and moved to a site near the Chesapeake and Ohio station in the 1870's. The Foundry produced equipment for coal mines, coke ovens, and other industries in the area. The Kanawha Mine Car Company was incorporated in 1902 and became one of the world's largest producers of coal mining cars in the world.

The Kanawha Valley became a glass manufacturing center. White silica, sand, salt, and natural gas were the essential raw materials necessary for glass production and were obtainable within a seventy-five mile radius of Charleston. In the early 1900's, several glass companies were in the area. The Banner Window Glass Company and the Dunkirk Glass Company were in South Charleston, and the Dunbar Flint Glass Company and the Whittemore Glass Company were in Dunbar. The Libby-Owens Sheet Glass Company built the first six units of its Kanawha City plant in 1916 and 1917. It added six more units in 1918 and 1923 to become the largest sheet glass plant in the world. By the early 1920's this facility controlled around seventy-five percent of the total output of window glass in America. The Owens Bottle Company located its factory at the same site in 1917.¹²

Charleston had also become the banking and financial center of the region. In 1904, the city had four banks with resources of \$5,045,841. These were the Kanawha Valley Bank, Charleston National Bank, Citizens National Bank, and Kanawha National Bank. By the end of 1921, thirteen banks existed with total deposits of \$39,132,032.55 and total resources of \$49,083,190.88.¹³

As a result of World War I, the United States

government invested in facilities that would improve the area's economic significance. The Naval Ordnance Plant of the United States Government included the armor plate, projectile, and gun forging plants. All of these were located at South Charleston by a technical board after an exhaustive survey of the advantages and claims of more than 300 other localities in the country. The deciding factors in the location of these plants were the fuel and transportation advantages of the Kanawha Valley. Despite the \$20 million spent to build a plant on the 210 acre site, the plant's completion occurred after the end of the war and it closed in 1922.¹⁴

The federal government also selected a flat site along the Kanawha River to construct the largest explosives factory in the world. The government chose the site because the valley location provided security from coastal attacks and offered the availability of rail and water transportation, as well as raw materials. Ground was broken in December, 1917 and the plant was finished in eleven months. Over 100,000 people worked on the plant's construction and, when the Explosives Plant "C" shut down at the end of the war, this new town of Nitro housed over 23,000 people. On November 3, 1919, the Charleston Industrial Corporation (C.I.C.) formed to redevelop the industrial complex.¹⁵

The chemical industry grew from the beginning of the war when shipments of chlorine and certain alkaloid products from Germany were cut off. In 1914 and 1915, the Rollins Chemical Company and the Warner-Klipstein Company built small plants in the South Charleston area to produce these two important chemicals. The Carbide and Carbon Chemical Company moved from Buffalo, New York, to Clendenin in 1920. The first factory east of Charleston, the Charleston Steel Company, was built in Belle in 1917. The government took over the factory during the war and started construction of a mustard gas plant. After the war, this became the Belle Alkali Company, which began producing chlorine and caustic

soda in 1921.

The primary industries in the Charleston area by 1921 can be summarized as follows: three steel plants with capital investments of \$36.8 million; ten chemical plants with capital investments of \$175.05 million; eight metal working plants with capital investments of \$6.585 million; seven electrical plants with capital investments of \$10.55 million; ten glass plants with capital investments of \$18.175 million; seven mills with capital investments of \$1.7 million; four brick and clay plants with capital investments of \$.475 million; seven oil and gas plants with capital investments of \$33.3 million; and seven woodworking plants with capital investments of \$1.575 million. The steel working plants included the Naval Ordnance plant representing an investment of \$35 million.¹⁶

The attraction of manufacturing and industrial firms stimulated the economic activity of the area. Manufacturing concerns produced output valuing \$2,100,000 in 1904 and \$13,872,624 in 1919. Retail business increased from \$11,000,000 in 1904 to \$23,767,000 in 1921, while wholesale and jobbing business increased from \$13,243,000 to \$49,236,144 during the same period.¹⁷

The unprecedented growth of the city brought about an economic and social transformation with dual results. On the one hand, the process of making the city more "modern" proved exciting and challenging. The residents displayed pride over the development of the city into a major commercial and industrial center, and the city's political leaders sought to accommodate and foster this growth. On the other hand, the transfiguration of generally accepted norms and mores prompted anxieties among many people. These concerns spurred civic leaders to address issues related to technological and social changes.

The first mayor after World War I would become the preeminent leader in dealing with both of these situations. Grant P. Hall had been born on a farm in Roane County on

December 21, 1865. At the age of one he moved with his parents to Big Sandy in Kanawha County. After finishing public school, he attended Marshall College in Huntington and Ohio Wesleyan University at Delaware, Ohio. For six years he taught school both in Kanawha and Clay Counties. In 1894, while still teaching, he was elected as superintendent of Kanawha County schools and served for two years. Meanwhile, he studied law and was admitted to the Kanawha County bar in 1895. He never practiced law, however, as he was elected clerk of the Circuit Court the same year and served in this capacity for six years. He also served as a member of the Kanawha County Court filling out the unexpired term of John S. McDonald. Engaged extensively in the real estate business, he did much toward developing St. Albans and West Charleston properties. The citizens of Charleston elected him mayor in 1919. He emerged as a leader in Republican politics in the county and the state after becoming the campaign director for Ephraim F. Morgan in the primary and general gubernatorial elections of 1920.

Charleston's new charter allowed both political parties to nominate candidates for municipal offices through either a primary election or a convention. The Democrats decided to hold conventions to nominate candidates. Each ward would hold a convention on Friday night, March 14, in order to nominate one candidate to represent that ward. The following day a general convention would be held for all Democratic voters to nominate candidates for mayor, police judge, treasurer, and five councilmen-at-large. Each ward sent five delegates to the convention except for the fifteenth ward, which had been allowed ten. The Democratic committee allowed this concession since this ward included all of the south side, which covered a considerable amount of territory and had an unusually large number of prominent and active party workers.

The Republicans were uncertain as to which method of nomination to follow. However, a Republican committee of

Charleston meeting on February 28, 1919, determined that the primary method served the best interests of the party. On March 3, Grant P. Hall formally announced his candidacy for mayor as a Republican. This attorney and businessman promised to devote all of his time to the duties of the office and to conduct the city's affairs with the care and the consideration of his own private business. He also promised to turn over his business affairs to others if elected.¹⁸

At the beginning of March, a petition circulated to induce General James A. Holley to run as the Democratic nominee for mayor. Holley had first been elected mayor of the city in 1907 and had served three terms of two years each. Before leaving for his winter home in Lakeland, Florida, Holley made a public statement of his probable acceptance of the nomination if a substantial call came from the business and professional elements of the city. The petition, which reportedly had over 1,000 signatures representing every social class, included signatures of Republicans and Democrats, who were practically unanimous in calling their "war horse" back. After receiving the petition of voters, Holley announced his candidacy as the Democratic nominee for mayor on March 8 in an open letter to the residents of Charleston. The current Democratic mayor, R. Logan Walker, had been selected by council in November, 1918, after the elected mayor, George A. MacQueen, resigned to enter military service during World War I. However, he had indicated no intention to enter the mayoral race, deciding instead to run for city treasurer.

Holley's letter expressed his willingness to devote all of his time to the office of mayor. The letter also announced his goals of municipal ownership of water and light systems, extension of gas and water mains, erection of a new municipal building, city jail, and comfort stations, and for better care of children. He announced opposition to increased gas and water rates and to monopolies granted to

public utilities, saying, "The first thing and of the greatest importance is the Water and Light situation. I am a firm believer in municipal ownership of such a public utility as water and light. Almost if not quite as important as air, is water, and modern social and business life without a perfect light system is unthinkable."¹⁹

Holley arrived in the city on the evening of March 29 at seven o'clock on a Pullman attached to a Chesapeake and Ohio train. A "large number of fellow townsmen" had gathered to greet him at the station. A welcoming committee, consisting of former mayor MacQueen, J. Shirley Ross, and Claude A. Sullivan, headed a crowd comprised of other prominent city leaders, including mayor Walker, city manager M. J. McChesney, and city clerk E. M. Surber. After the brief reception, the party entered the city in "gaily decorated automobiles," followed by a parade through the city's principal streets. The parade ended at the Ruffner Hotel, where Holley had made reservations for the next two weeks. Declaring his health to be excellent, Holley said he had returned home for a "vigorous campaign." However, shortly after the beginning of the campaign, an attack of influenza forced Holley to remain home with a temperature and he missed the remainder of the campaign.²⁰

After the city executive committee of the Democratic party met on March 31, they announced an intensive speaking campaign for the following week. At Holley's first public appearance in Charleston on April 1, he reiterated previously declared positions, although he admitted the difficulty of obtaining ownership of water and light plants under the new city charter.²¹

The city's new charter became a primary target of the Democrats. At an April 2 meeting of the Young Men's Democratic Club, attorney Clyde B. Johnson stated that the "ripper charter" had passed the previous regular session of the state legislature under the leadership of delegate George W. McClintic, who Johnson called the chief counsel for the

West Virginia Water and Electric Company. Since no provisions were included by which the city could condemn and buy utility facilities, Johnson said the charter created "the Bolsheviki element" because it stood against the policy of government by the people. In addition, he said that the redistricting of wards had included every effort to make as many of them as possible absolutely Republican in an effort to control city council election results. Johnson warned that electing Republicans would bring a return to the "old hog combine" system of previous administrations when "the stench of administrations not only reached the nostrils of the people on the outlying sections of the city and county, but to the far reaches of the state."²²

By the beginning of April, Hall predicted a "clean sweep" of the Republicans in the upcoming election because of the united party support behind the candidates. He proclaimed that the support for former mayor Holley had lost its enthusiasm because it had been based on "false hopes." The Democrats, Hall stipulated, tried to confuse the minds of the voters with false issues. He called their focus on gas and water rates "vote fodder." He remarked that the Democrats had been setting the utility rates in Charleston for years and that they were angry because their power had been taken away from them when the legislature created the Public Service Commission. Hall made an issue of Holley's vacation home, remarking that even though Holley claimed to love Charleston, Hall loved the city "to such an extent that I stay here." He promised that he would personally perform the duties of the office and there would be no government by proxy. "I will be the mayor," he stated, "and I will be at the helm at all times."²³

Before a large audience at Tiskelwah School on Charleston's west side, Hall challenged his opponent to a debate. This stemmed from newspaper accounts in the Charleston Gazette, which was owned by the Chilton family, who were Holley supporters. The newspaper claimed Hall had

refused to take a position on the issue of utility rates and that the United Fuel Company and the Water and Light Company were supporters of Hall's candidacy. Hall proclaimed, even though the mayor had nothing to do with these utility rates, he would do everything in his power to ensure good service and prevent unjust rate increases before the Public Service Commission. Further, he promised that he and his city solicitor would personally represent cases before the commission rather than, he claimed, having others do the solicitor's job at a \$2,500 expense. Instead of the question of utility rates, Hall believed that good government versus bad government represented the key election issue. "I charge," he said, "that every bootlegger and gambler in the city of Charleston is supporting the candidacy of General Holley."²⁴

A week before the election, the Republicans were saying the majority vote for Hall could reach 1,500. They claimed a large Democratic defection would occur because Holley had been so ruthless in his treatment of many local party members during his previous administrations. The Republicans stated that Hall's supporters had paralyzed the political machine of Holley-Chilton-Ross. The issue of utility rates proved unsuccessful because Holley had served as mayor when Chilton passed the water franchise and, therefore, could not taken seriously.

Despite Holley's illness, other Democratic leaders quickly took on the battle. At a party gathering at the county courthouse on April 10, Major Joseph E. Chilton defended Holley and flayed the Republican "hog-combine." Responding to the "mudslinging," Chilton said that the Republicans had not declared what they were for. Referring to Hall, Chilton said, "He has been busy attacking the Democratic principles, but he has never told us what he expects to do." While continuing to stress the issue of rates and municipal ownership of utilities, Chilton attacked Hall's stance on moral issues by asking three open questions

to "the candidate for mayor on the almost rejuvenated Hog Combine slate." First, "What are you going to do with the bad women of Charleston? Kill them, run them out of the city, or what?" Second, "Why are the water and gas companies supporting your candidacy for mayor and what are you going to do to help hold the natural gas supply here at the present rate?" Third, "Are you in favor of Charleston owning its water and electric light dispensaries, or plants?"²⁵

At a west side meeting that focused on the "decency issue," Hall answered Chilton's first question saying, "I'll enforce the law and the law prohibits the operation of a house of ill-fame in the city limits." Holding up a copy of the water franchise signed by J. Shirley Ross, the city clerk during the Holley administration, and written by Chilton, Hall said that an exclusive franchise had been granted that prevented the city from buying the company for twenty years. "The issues is clear. [sic] It is a contrast between decency and indecency, between law enforcement and crime stalking everywhere, between good government and bad government. If you want a clean city, clean streets, clean government, vote for me. If you want to engage in the bootlegging business or to become a gambler, vote for my opponent. I have no hope to hold out. That is why the bootleggers and gamblers are opposed to me and are supporting my opponent."²⁶

Hall supporters questioned the accumulation of a large amount of liquor by Chief of Police William A. Sparks. The Republicans believed that this liquor, which had been seized by the police department, had been held for distribution to voters in an effort to support the Holley campaign. Sparks challenged the Republicans to prove their allegations and offered to post a \$1,000 forfeit if the claim of his sanctioning bootlegging could be proven. In separate letters to Chief Sparks, Mayor Walker, and Prosecuting Attorney Kemp Littlepage, State Tax Commissioner Walter S. Hallanan, who also served as the Prohibition Commissioner of the state,

called for the destruction of the liquor on hand as the law required. In a responding letter, Chief Sparks stated he had records to prove the disposition of all confiscated liquor, most of which had been turned over to county officers through the county prosecuting attorney.

The Democrats sought to discredit Hall on the decency issue. Joseph Chilton attempted to tie Hall to previous Republican administrations. During the 1905-1907 administration of John A. Jarrett, when Hall served as police judge, Chilton alleged that the women of Charleston's then flourishing underworld were brought to City Hall at the beginning of each month to be fined, or "licensed." They could then continue their nefarious way for another month. "It was nothing more than taking blood money from these poor unfortunates, and the records do not show where that 'license' money went to."²⁷ Attorney William G. Barnhart posed three allegations against Hall at a meeting at the Fernbank School on the south side. First, he alleged that Hall had been given \$3,500 by a prominent politician to bribe a member of the Kanawha County Court to induce the appointment of certain election officers. Second, he said Hall had used whiskey in a previous election while running for the state senate as a prohibition candidate. He referred to an article in the Charleston Gazette showing a bill totaling \$165.65 for whiskey purchased by Hall in October 1908. Finally, he said Hall, while serving as a member of the Kanawha County Court, had been the attorney for Ginn and Company, a schoolbook concern, and had appointed political friends to the schoolbook board. "How can Mr. Hall," Barnhart asked, "have the cheek to pose as the only moral candidate and appeal to the church people?"²⁸

Hall had also been attacked over his "Republicanism." He had supported Theodore Roosevelt after the split of the Republican party over the candidacy of William H. Taft in 1912. Hall said he had no regrets since Roosevelt stood as the leader of the national Republican party at the time of

his death.

In the final days of the campaign, Hall focused his attacks on the Chiltons, whose paper had refused to allow Hall to advertise his refutation of charges that utility companies had contributed to his campaign. If elected, Hall said, he would ensure that the Chiltons could not "filch" or control the county courts by machine for four years. He claimed that Holley had never wanted to run for mayor, but did so after the Chiltons wrote his platform while he vacationed in Florida. He argued that the Chiltons had sponsored the attacks against the utility companies because they had lost their influence over them. Hall noted that the Chiltons had not come out against toll bridges or street cars because these were represented by the Chiltons. He also associated the Chiltons with gambling and remarked, "My first order will be to close up the gambling dives, not for a day but for four years. In one month there won't be a bootlegger in Charleston."²⁹

As the campaign entered its last week, Republican campaign managers were increasingly confident of winning the largest majority vote within recent years. Their personal contact with Democrats showed that these voters were forgetting party lines. The Republicans believed that the bulk of their supporters came from business and professional circles, which feared Holley would operate to the detriment of business now that Charleston had reached a position of commercial importance. Church people were also figured to support the Republican "forces that stand for honesty and civic and political decency." They admitted, however, that the elections for treasurer, police judge, and council would be close.³⁰

On April 17, both parties held meetings to persuade the colored voters. A Democratic gathering met at the courthouse. C. H. James, a prominent colored wholesale merchant, chaired the meeting. The speakers told the crowd, reported to be about twenty persons by the Charleston

Daily Mail, that in the past whenever the colored people wanted something they had to go to the Democrats. Speakers declared that they had not received any money for speaking and warned that "unless General Holley is elected, the colored race will take a long step backward."³¹ John Noel noted that hundreds of Negroes had to go to the Democrats for their every want, but were told every election day that the Republicans had set them free.

The Republicans held a gathering at the corner of Court and Donnalley Streets. Despite the rain, a crowd of 600 had reportedly gathered. Hall promised to accord the colored citizens the fair treatment they were entitled. "I know the colored people of Charleston," Hall said. "They cannot be bought or bulldozed as a class, and when General Holley and Shirley Ross say that they will buy you on the day of the election I know they are out of hope." Hall continued, saying, "The colored people of this city are for good government, the same as the white people." Former Attorney General Abe Lilly remarked that the number and enthusiasm displayed at this meeting proved that the colored vote could not be bought, despite Holley's boast that he could buy the Triangle, which was a residential area largely populated by colored residents. This "city within a city" included the area between Capitol Street, Slack Street, Washington Street, and the Elk River.³²

On the Thursday before the Monday election, Hall presented a "merciless excoriation" of the Chiltons at meetings held at the courthouse. While only one meeting had been planned, the turnout required that two meetings take place. Hall told those gathered that the main issue of the campaign was not only the "rotteness" of the former Holley administration, "but it is in the fact that I intend to wean the Chiltons from the continued control of this city." He said the Chiltons had no political principles except for "Chiltonism," and "they stand only for exploitation and they use their newspaper to praise those who fall for their game

and to blackjack those who don't." Likewise, Hall accused the Chiltons of trying to convince Governor John J. Cornwell, a Democrat, to join them in exploiting the state and to make their suggested appointments. When they were refused, Hall said, the Chiltons were "not even honest Democrats." Moreover, he noted that when the Chiltons were attorneys for the water and gas companies the Charleston Gazette had expressed no disapproval. Not until they lost their attorneyship did these corporations become public offenders. He also pointed out that no assault had occurred on toll bridges, the telephone company, and some railroads, which were still represented by the Chiltons. Claiming that the Chiltons were behind the candidacy of Holley, Hall said, "The Chiltons brought Holley out as a candidate for mayor. They knew he was sick, that he would be unable to remain in Charleston more than two months in the year. They knew he would continue to spend his time in Florida and Canada. They knew that they would be left in charge." He added Joseph Chilton wanted the "gambling privilege" and, that by electing a mayor with the aid of his newspaper, former United States Senator William E. Chilton would "blackjack" the water and gas companies into giving the retainers that they had formerly given to his firm. Next, Hall attempted to connect the Chiltons with Holley. He noted that the Chiltons were the attorneys for the bitulothic trust that paved the streets during the Holley administration. "When you see a hole in the street paving you can figure that the Chiltons goldbricked you taxpayers instead of putting bricks in your streets."³³ In addition, he continued his assertion that the Chiltons received \$25,000 from the water company when it received its franchise during the Holley administration. Over the weekend, the Republicans claimed that the Holley-Chilton record would elect Hall, saying that the water and gas question "proved a boomerang."³⁴

The election, held on Monday, April 21, gave the Republicans a "clean sweep" in every part of the city. Hall

carried the mayoral race with a margin of 689 votes. Republicans won the treasurer's race with H. P. Brightwell and the magistrate of police court with William W. Wertz. The new city charter provided for one representative from each of the fifteen wards and for five members-at-large. The Republicans won all five of the councilmen-at-large races and thirteen of the ward races.³⁵

The new charter required the newly elected city council to elect a city clerk. It also required the mayor to nominate for confirmation his selection for city manager at the first council meeting. However, the mayor's selections for city solicitor, chief of police, fire chief, health officer, city auditor, and other minor offices did not require council's approval.

During the next four years, these elected and appointed city leaders played a significant role in coping with the ensuing technological, demographic, and social changes. In conjunction with civic and religious leaders, the administration fostered urban growth while countering societal transfiguration.

Chapter Two

Fostering Urban Growth

During the postwar period, city officials and civic leaders sought to promote the growth of the city of Charleston. They particularly focused attention on the building of a new city hall, the improvement of the fire department, the rebuilding of the state capitol, the altering of downtown streets, and the disposal of garbage.

Charleston built its first city hall in an eclectic Victorian style in 1884 at Virginia and Court Streets. It housed city offices and the fire department. Both mayoral candidates during the municipal election of 1919 recognized the need for a new municipal building. From the beginning of his administration, Mayor Hall took measures to secure a new building.

At a July 7, 1919, meeting of city council, the mayor proposed a \$1 million dollar special bond issue. The proposed ordinance provided \$500,000 for the construction of a new city hall, \$50,000 for a new central fire station, \$100,000 for a new city jail, \$50,000 for street improvements and curbing, and \$300,000 for new sewers. While referring this proposal to the ordinance committee, the mayor emphasized that a statute passed in the preceding state legislature compelled the city to build a new jail, even if by a special levy.¹

On August 20, the voters of Charleston authorized the million dollar bond issue. With only a small turnout of 1,902, a large majority of 1,623 favored the ordinance and approved the necessary levy. This outcome exceeded the three-fifths majority required for passage by nearly 500 votes.²

However, when a seven-member special committee of city council failed to reach an unanimous decision on the site selection for the proposed new city hall on October 20, Mayor Hall, its chairman, called upon the council as a whole to make this decision. After considerable discussion, council approved a location on the north side of Virginia Street between Goshorn and Truslow Streets. Council unanimously selected this site, which the Charleston Chamber of Commerce favored because of its spaciousness, over three other sites: the present location, a site on the downtown levee, and the building and grounds of the Masonic temple on Virginia Street, which had been offered for approximately \$350,000. However, the members generally believed this latter choice to be invalid because the provision of the city's charter specified that ground should be obtained and a building erected.³

This decision still did not quell debate over the new building's location. By December 1, Mayor Hall acknowledged, "It is an absolute impossibility, with ground at present prices, to construct the building which has been promised the people of Charleston with the amount of money that has been set aside for this purpose." He thought a new building on the site of the present structure could be built within the appropriated amount and could adequately house the police department, fire department headquarters, and city jail.⁴ Two weeks later, council organized a new committee that consisted of the mayor, city manager, one member of council, and two representatives of the Chamber of Commerce. Council authorized the committee to engage the services of an engineer, architect, or other experts to examine and report on the various sites. The city secured the efforts H. Rus Warne, architect, and M. W. Venable, engineer, on December 22. Their subsequent report on two locations estimated that the cost for preparing the lot, including the basement floor above curb elevation, for the Virginia Street location amounted to \$149,283.20 and for the levee location,

\$97,363.20.⁵

Noting the necessity of "prompt and speedy action" for construction to begin by spring, Mayor Hall called advocates of pro and con views of the new city hall to a regular session of the Chamber of Commerce on January 8, 1920.⁶ A week later, the Chamber of Commerce planned a referendum vote of its more than 800 members concerning the location of the municipal building. This action followed a three-hour discussion of the subject at the January 15 meeting. While those present generally expressed the sentiment that the city hall project should not be slighted, the issue of increasing taxes or voting more bonds became divisive. Both Mayor Hall and Edwin M. Keatley, former president of the Chamber of Commerce and member of the special committee on the building's location, opposed any new taxes. Hall believed that the current bond issue would be enough "if we don't spend it all on the ground."⁷

At a January 20, 1920, session of city council, Councilman Harry V. Pierson introduced a resolution that any site be at least 65 x 125 feet and provide for a fire department, police station, and, when sufficient money became available later, an auditorium with a 3,000 seat capacity. He specified these requirements so the special committee could expedite their work of selecting a site.⁸

The special committee issued its report to council on January 27. The report recounted the advantages and disadvantages of the different proposed sites, recommended that council rescind its former resolution choosing the Virginia Street site, and suggested that the present site of the city building, with the addition of adjacent pieces of property, be selected. After rejecting four possible sites, including Virginia Street, Capital Street, the downtown levee, and the Masonic Temple, the committee announced five main factors in recommending the existing site at Virginia and Court Streets. First, the building had easy access since Virginia Street acted as a main artery running both

east and west. Second, this site's location, near the center of the business district and adjacent to the county courthouse, made it "convenient for the dispatch of public and private business." Third, combining this lot with the surrounding properties provided a large enough site for the city building to include the jail and fire station. Also, the streets could be widened and alleys opened so that the building could be accessible from all sides. Finally, with \$650,000 available for these public improvements, the committee's estimate of the net amount available after providing \$25,000 for the three sub-fire stations, \$125,000 for a jail and central fire station, and \$75,000 for the additional land necessary, amounted to \$425,000. A comparison of the other proposed sites' net amount for city hall revealed that the Virginia Street site totaled \$235,000, the Capitol Street site \$350,000, and the levee site \$400,000. The committee rejected the Masonic Temple because of the many difficulties surrounding the choice. The committee concluded that the present site would provide "the best possible results within the limits of the funds now available."⁹

Following this recommendation, criticisms erupted from members of the Chamber of Commerce over the cost and location of the building. Fifteen members began an effort to defer construction for two years. They argued that the delay would result in a better price and would save two years of interest on the bonds, which had not yet been sold and would remain in the treasury until needed. With the "great uncertainty" of the site among citizens and officials, a mistake would be "irretrievable."¹⁰ These challengers mailed postal cards to the over 800 members of the Chamber of Commerce as a referendum vote. They asked voters to choose a first and second choice site out of the five previously considered site propositions. In addition, the petitioners made their argument for postponing the project saying, "The friends of Proposition No. VI believe that the present cost of building

makes it almost impossible to construct a city building that will be a credit to Charleston and meet its needs for the present and the near future."¹¹ After tabulating the returns, the results showed 176 of 282 votes favoring the present site. However, 191 of 292 votes favored postponing the project.¹²

On February 16, council approved a committee, consisting of five council members appointed by the mayor, the city manager, and the mayor as chairman, to supervise the construction. Their responsibilities included employing an architect, negotiating with contractors, and settling with the owners of adjoining properties. However, because strong opposition developed for fear of too much power, the committee periodically reported its actions to the full council for ratification. The following week Mayor Hall named seven members to the committee, assuming that the council would ratify his change from the resolution. The committee consisted of Mayor Hall, City Manager Bonner H. Hill, Councilmen John S. Dana, Harold S. Mathews, E. L. Whitney, O. J. Wise, Lon H. Barringer, W. F. Shirkey, and W. D. Lewis.¹³

In an effort to start condemnation proceedings, the building committee ordered the city engineer, Ernest A. Bruce, to begin a survey of the ground at Virginia and Courts Streets and to give the exact number of feet of ground the city currently owned and that would be necessary for the city to purchase. The committee instructed that a copy of this report be given to the city solicitor, Donald O. Blagg, to begin condemnation proceedings. The committee also invited all interested architects to a meeting on the following week.¹⁴

On May 3, H. Rus Warne of Charleston received the contract for drawing the building's plans upon the recommendation of the majority report of the building committee. They argued that the local architect had experience in drawing plans for public buildings and could be

quickly found if any questions arose. The minority report recommended the selection of an architect through limited competition. They argued that by allowing other local firms to compete and by having several plans from which to choose, the advantages would outweigh the additional \$5,000 to \$6,000 in additional costs.¹⁵

By the end of October, the first steps to condemn adjacent property began. On October 25, the court served notice to people owning these properties that a hearing on the matter of condemnation would be held as soon as the court would permit. Although city officials believed most of the owners would settle amicably, they feared that a large amount of resistance would push the actual building process well into the following year. The condemnation suits came up with the opening of Circuit Court on November 22, 1920. By February 1921 the condemnation commission had reached a decision on the adjoining properties. The cost for the land totaled \$83,492.¹⁶

On November 10, 1920, the architect and the building committee met and decided to eliminate the proposed auditorium from the plans of the new municipal building. On the following day, Mayor Hall said the city could not afford this addition because of a money shortfall from the bond levy. The auditorium had been estimated to cost \$123,000. Since the building allotment for the municipal building and the fire stations totaled \$650,000, the addition of the auditorium greatly overran the amount appropriated. He also believed that the addition would prove unsatisfactory after the novelty of having it wore off. Hall described the auditorium as an "afterthought" that had been absent from the bond issue of the previous year. He stated, "There is no argument of the question that Charleston needs a public auditorium, and needs it badly, but when the city acquires it, it should be done legally and with the people given the opportunity of expressing their sentiments in that behalf in an authoritative manner." Since the mayor believed the city

needed an auditorium and hoped that this would be the next step undertaken by the city, he suggested that a building be erected on the levee with the first floor used as an automobile parking station and the second floor as an auditorium. The city asked the same architect, Mr. Warne, to sketch such a building.¹⁷

With the plans for the new city building expected to be ready by January 1, 1921, and with construction scheduled to begin in early spring, city officials originally projected the entire project to take about two years to complete. With demolition plans scheduled to begin in January, 1921, city officials began searching for temporary quarters for the five city departments, which included police court and jail, police headquarters, the fire department, council chamber, and the city clerk. Since each required a different sort of location, securing temporary quarters became difficult. The central fire department parceled out its apparatus among the substations after moving to the old Goff barn on Virginia Street, which had been remodeled at minimal expense for its new use. By February, demolition of the old city building had begun, although not in earnest since many of the offices still had not found temporary quarters.

At an April 4, 1921 meeting, city council rejected the four bids offered for constructing the building upon the recommendation of the special building committee. Instead, the council accepted the offer by A. Grace Higginbotham of Higginbotham and Knapp. This agreement required the company to erect the building and supervise the work under the direction of the architect and city manager for \$29,166.66. In addition to his services, Higginbotham furnished all tools and equipment for this work. The city agreed to pay construction costs.¹⁸

By mid-April the necessary contracts had been closed for the erection of the new building. Designed in a classic style of architecture after the manner of the renaissance

with an exterior of Indiana limestone, the completed building would be the "finest in the state." The building of the edifice began in May 1921.¹⁹

The city held an elaborate cornerstone ceremony June 25. More than 2,000 people witnessed the laying of cornerstone by the Grand Lodge of Masons. The Masons had been requested by Mayor J. D. Baines to lay the cornerstone for the previous city hall's cornerstone ceremony on June 24, 1884. Following an invitation speech from Mayor Hall to the Masons, participants raised the stone and placed a box behind the stone. The box contained an old tablet taken from the previous city hall, several old coins, the city charter, all papers relating to the erection of the present building, Masonic records, Rotary club roster, copies of the two daily papers, and a booklet on Charleston published by the Chamber of Commerce. After the stone's replacement, former Governor William A. MacCorkle gave an address reciting Charleston's history and speculating after its future.²⁰

Since the new building housed the entire city government, its arrangement allowed for the diversity of each department. The front of the four-story building on Virginia Street spanned 104 feet and its length extended 780 feet. The main entrance on Virginia Street opened into a large public lobby, which led into the offices of the city manager with four rooms to the right and into the offices of the auditor and treasurer on the opposite side. From the lobby, two elevators and a wide stairway led to the upper floors.²¹

Just above the city manager's offices, the mayor had a suite of three rooms. The city collector's office stood across the hall. Three other rooms resided on this floor with one housing the building inspector. The engineering department occupied four rooms on the west side of the third floor and the city clerk's office stood directly across the hall. Behind these rooms, a spacious room with the height of both the third and fourth floors housed council chambers,

which had an adjoining committee room.²²

The police headquarters occupied the first and second floors to the rear of the manager's offices. The courtroom and the sergeant's desk resided on the first floor, while the chief of police, city detective, the captain and other officers stayed on the floor above. The patrolmen's room and the police locker rooms occupied the basement. From the Court Street entrance, other departments, entirely separated from the others, could be accessed. One entrance led to the police department and its various offices. A stairway corridor adjoining these offices led to the jail, as well as the detention and matron's rooms. The third and fourth floors in the southeast wing housed the jail, jail kitchen, matron's office, and jailor's office. Women prisoners stayed in separate quarters with no connection to other parts of the jail. The men's prison rooms adjoined but had no connection with any other part except the jailor's office. The large rooms with high ceilings allowed for the installation of two tiers of cells if needed. The doubly barred windows could resist the work of a hacksaw because of its construction of tool proof steel. The fourth floor over the jail contained the women and children's detention quarters. The new jail could easily house 150 persons without being overcrowded.²³

On the south end of the building the fire department took the ground floor for a frontage of 60 feet extending through the breadth of the structure and about the same space on the second floor. The central offices of the department consisted of three rooms located on a mezzanine floor between the ground and the second story. A glass frontage covered this floor. The electrical repeating fire alarm and battery system were installed here. One of the rooms quartered the chief's office and he kept someone on watch here at all hours to receive various alarms coming in from different sections of the city. The first floor housed fire fighting apparatus, which consisted of three machines, a steamer held in

reserve, and minor equipment. This floor also included an automobile repair shop. The second story, equipped as the firemen's dormitory and divided into recreation, laboratories, and living rooms, provided abundant space for the present force so that growth in the department could be accommodated. A hose tower reaching the entire height of the building allowed for the drying out of hoses after their use. The basement also had a washroom.²⁴

The entire fourth floor, with the exception of the women's and children's detention rooms in the rear, encompassed the health department. A large reception room provided access to all branches of the department. A door opened to the private consulting room of the health commissioner. An operating room fitted with modern appliances for taking care of any surgical emergency stood at the Court Street front adjoining this room. The department had a sterilization room next door and a three-room emergency hospital and the chemistry department across the hall. The chemistry department consisted of two rooms on the north end. Fitted with modern chemical instruments, this section conducted water and milk analysis, as well as any other tests expected from the city's health department. A suite of two rooms for meat and food inspections and a filing room with desks for various department members, adjoined the chemical laboratory.²⁵

Novel features existed in the new building. Two rest rooms, located on the west side of the basement, provided facilities for men in the front corner and for women in the rear. Each included the necessary furniture. Also, a boiler room occupied the northeast corner of the basement.²⁶

Work on the building progressed rapidly. In October, the city let contracts for hardware and bronze fittings. With the stonework complete, the plastering of walls and the erecting of interior stairways commenced. Although contractors had promised to have the roof ready by this time, there had been a delay in the shipment of the needed

materials. Still, the city hoped to have all departments occupy the building by early spring. By November, the roof had been finished. The mayor expected the police and fire departments to move into the building by mid-January or early February and the other departments to move upon the expected completion of the whole building in April or May. By mid-December, the plastering neared completion and the installation of the heating equipment awaited the complete enclosure of the building. At the end of the year, Court Street, which had been closed since the excavation for the building had begun, reopened after the tearing down of construction sheds and the clearing of building materials and refuse from the street.

The police motor corps, consisting of motorcycle officers and patrol wagon drivers, occupied the new municipal building first. This move occurred on January 12, 1922, to prevent the radiators from freezing because of the cold weather. The women's detention quarters and the police matron occupied the building in February and the fire department moved in early March. When the police department and city clerk moved in May, 1922, Mayor Hall hoped that the other departments could be moved in by June 1. He remarked that finishing materials, such as doors and tables, had not been delivered as scheduled. Many city officials saw July 11 as moving day. The mayor, city manager, collector, and building inspector began the move, although the chemist, engineer, and auditor awaited their move.

On June 23, 1922, the various business, social, and professional clubs and associations held a joint committee meeting at the Kanawha Hotel to plan a celebration for the opening of the new municipal building. Each civic organization originally planned to decorate an assigned department in the building and to have as many residents as possible view the building between certain hours. Although the opening had originally been planned for July 1, a delay in the arrival of rugs, caused by strikes in the factories,

indefinitely postponed the opening.

Later, the opening officially occurred on August 31. Ceremonies occurred from 2:00 to 5:00 and from 7:30 to 9:30. The Virginia Street entrance receiving line for guests included Mayor Grant P. Hall, architect H. Russ Warne, superintendent of construction A. Grace Higginbotham, former city manager Bonner H. Hill, and their wives. City employees acted as ushers showing visitors through the building and explaining the work of various departments. A band played in the lobby and flowers were distributed to the women. Several thousand visitors, representing one-third of the city's population, attended both ceremonies. This formal opening assumed the aspect of a social affair, largely due to the new interest in municipal affairs displayed by the women's clubs of the city since their enfranchisement.²⁷

Problems arose with the building's elevators, which had the capacity of twenty people each and a velocity of 250 feet per minute. Since their installation, each had broken down occasionally. However, in December both broke down at the same time. The city contacted the Drape Supply Company, which had installed the elevators, to make repairs. The electric safety door lock, which had been installed by another firm, failed to work. The lock prevented the elevator from moving without the door being closed and locked. The city manager announced that a new contract had been let to Drape Supply Company to remove the present device and to replace it with one of their own manufacture.²⁸

At the time of the formal opening, the jail cells in the back of the building remained incomplete. Because of a delay in the arrival of cell equipment, all of the male and female prisoners stayed in separate rooms on the third floor. When the equipment finally arrived in November, the Kanawha county jail housed the prisoners during the installation of the cells, which took about a week.²⁹

This new city building represented the growth of the

city. However, during the same period, city officials also sought the improvement of the fire department.

At a January 20, 1920 session of city council, Dr. H. H. Smallridge introduced a resolution instructing the city manager to begin efforts to secure lots on both the west and east sides of Charleston for the construction of two fire stations. Josiah Hughes called for an amendment to also include the south side. City manager Bonner H. Hill noted that sufficient money did not exist for lots, stations, and alarms, all of which had been authorized by council. The council agreed that provisions should be made for these by a bond issue or special levy. However, the council recognized that material prices would likely increase. Finally, the council adopted a resolution to employ an architect to draw the plans and estimates for the three fire stations.³⁰

At the end of March, council rejected three bids for the construction of the fire stations and instructed the city manager to employ a superintendent. The city built the stations under the direction of the city manager and the architect, H. Rus Warne. After discussing the style and material, Hill and Warne found the bids too high. While Hill noted that the bond allowed \$22,000 for all three buildings, Warne warned against further cutbacks since the presented plans only met minimal requirements and did not meet fire Chief W. W. Graham's suggestions. Hill and Warne chose three sites. The east end fire station would be on Washington Street and the west side fire station would be on Florida Street. Each of these would be two stories with pressed brick fronts and would each house three machines and provide a second floor sleeping quarters. In addition, the Florida Street station would provide quarters for a team of horses. The south side fire station would be a two-story frame bungalow building and would house one machine. Because it would be built on a steep hill, the expenditures for the foundation would be extra costly. While Chief Graham called attention to the objections of insurance underwriters to

housing fire apparatus in inflammable buildings, the extra cost meant brick would not be used.³¹

By mid-May, the construction on the west and east sides of Charleston had begun, although a delay in the delivery of steel had detained progress. Since the Florida Street station had reached the square of the second story, the bricklayers moved to the Washington Street site to bring it up to the second story while waiting for the shipment of steel. A horse drawn crew temporarily occupied the Number Three substation on Florida Street while awaiting the completion of the building. The new stations measured 55 by 36 1/2 feet. City Manager Hill, who supervised the construction, expected the work to be completed by June, but Hill remained uncertain about the costs. While no statements had been made as to the equipping of the new stations, Graham declared that the department already possessed enough reserve apparatus to fill the three substations. In all stations, the department became completely motorized, except for the Florida Street station, where the use of horse-drawn equipment continued.³²

Along with the erection of the new substations, the city planned a new system of fire alarms to be installed by the time the new buildings opened for permanent occupancy. The new Gamewell fire alarm system provided for a pedestal of fire boxes in the business districts of the city. Each of the new alarms cost around \$200. A red lantern on the top emphasized the purpose for the box. By connecting these new alarms and adapting some of the older ones to the new system, the entire city would be covered. However, in April, 1921, Chief Graham issued a warning against using the boxes. He stated that some did not function because the workers had been delayed. Those boxes not connected with headquarters had a metal shield, instead of glass, over the opening. By June, sixty-nine boxes had been installed and plans for thirteen more would be connected upon their arrival from the factory, where they had been sent for adaptation. The

following month, J. G. Wingfield, who managed the new fire alarm system, completed the installation of the system. To enable traffic policemen to clear the streets in the congested sections of the city, he installed siren whistles at Capitol and Virginia Streets on the east side of the Elk River and at Charleston Street and Tennessee Avenue on the west side. During the construction of the city building, the basement of the county courthouse housed the fire department's alarm headquarters. By the beginning of 1922, the installation of the batteries, switchboard, and other accessories began in city hall. Dead circuits existed in all parts of the city to care for the placing of additional alarm boxes with the future growth of Charleston. The fire alarm headquarters had machines designated to care for four more circuits in addition to those being installed.³³

Despite these measures to protect the city from fire, Chief Graham claimed the fire department had not kept up with the growth of the city. The population had increased nearly 72 percent in the preceding ten years and the area of the city had also increased proportionally. However, the fire department had only increased by two men during this time, although the department's apparatus had been greatly increased. He described the present system of alarms as being appropriate for a town of 10,000.³⁴

By early June, work on the Florida Street station again progressed rapidly and the department expected to have the building ready for use in the near future. An old barn on Bream Street, equipped with a wagon pulled by horses, constituted the present west side structure. The department expected to augment the number of men at this station to provide a full company on hand.³⁵

H. Rus Warne and others at a session of city council expressed a concern that the central fire department building could be in danger of collapsing. The architect feared that a collapse could result from one of the machines coming into violent contact with a pillar. With the firemen in danger of

their lives and the machinery in danger of destruction, Charles A. Midleburg declared that keeping the station open and letting the men stay represented a "crime." He introduced a resolution to obtain new quarters if a full examination deemed this necessary.³⁶

The east end fire station above Elizabeth Street on Washington Street opened on October 15. Six men would be in charge of a triple combination hose wagon, a chemical and junior pump, and a motor driven truck. The fire chief advised east end residents to memorize the station's phone number, rather than relaying through the central station, since many valuable minutes could be saved.³⁷

A four-man field party working under the direction of the National Board of Underwriters arrived in Charleston at the end of October. These men inspected everything in the city pertaining to fires or fire hazards and made a report to the National Board. While the board endeavored to make surveys every five years, the last Charleston visit had occurred in August, 1914. The last survey reported adverse conditions in the city and made numerous recommendations for improving conditions. After the first ten days, A. F. Ballou said, "As far as we have gone it appears there has been considerable improvement." A comparison of maps of the city showed an improvement in water distribution, with more mains and more pumps. The survey took several weeks.³⁸

At the end of January, 1922, Major J. H. Howland of the board met with city officials and a committee from council to discuss the recommendations of the fire underwriters. He suggested that the city purchase a thousand gallon pumper and add twelve men to the department, distributing them among the ladder, engine, and hose companies. Howland noted that the dangers had been greatly reduced in the last few years and remarked that Charleston would rank favorably with other cities of its size after implementing the board's recommendations for improvement. The mayor and officials expressed a willingness to try to

bring about these changes, but withheld consideration until the preparation of the next city budget.³⁹

At a special session on August 8, the city council approved the city's budget and provided six additional firemen and a new thousand gallon automobile fire pump, which cost \$12,000. Chief Graham had asked for twelve firemen to bring his force to fifty-six. The council budgeted the administrative salaries of the fire department for \$107,685 with the fire chief receiving a salary of \$3,000.⁴⁰

The importance of modern fire department became obvious as the city also had to fight to retain the status of being the state capitol. The capitol city status of Charleston became threatened on Monday, January 3, 1921 when fire completely destroyed the Victorian style capitol building. The building had been completely occupied since 1887 and formally received by the Board of Public Works on July 7, 1888 after a cost of \$389,923.58. The front of the building, which faced Capitol Street, spanned 230 feet in length and surmounted by a 194 feet tower encompassing a large clock. The central hall spanned 180 feet back from the main entrance with each of the east and west wings being 130 feet.⁴¹

The blaze began around 3:15 p.m. in a room above the Senate president's office in the southern corner of the loft. People passing on the street first noticed smoke coming out of the top floor windows and the flames rapidly ran through this floor to the north side of the building. The city fire department, which began arriving on the scene within three minutes, dispatched its entire force to answer the alarm and utilized all of its motor and steam apparatus. The water company utilized all of their emergency pumps at the plant to ensure the highest possible pressure. However, these efforts proved futile because the fire had made such a headway. The tinder condition of supplies in the building and the roof, which consisted of the original timber, carried the flames faster than the firefighters could reach

the engulfed areas. The efforts to fight the fire resulted in the death of one volunteer fireman and the injury of four others.⁴²

The room in which the blaze started had been devoted to storing paraphernalia of the old national guard, which had been the forerunner of the state police department. Articles included old tents, clothing, bedding, lumber, and other tinder items. The fourth floor also stored ammunition, which had been purchased two years before when strikes in the coal fields threatened to erupt into civil war. The fierce heat set off this ammunition and sent onlookers, which reportedly totaled as many as 25,000 at different times, scurrying.⁴³

The fire, which the Charleston Gazette labeled as the "most destructive fire in history of state," had reportedly caused \$1 million in damages. With many of the state's records destroyed, Governor John J. Cornwell called the situation "little short of a calamity." However, Cornwell noted that the state carried \$6 million worth of insurance in a blanket policy on all state buildings. Although the capitol annex, located across Lee Street from the capitol building, remained unharmed, the departments formerly housed in the eighty-five rooms of the old capitol had to find new quarters and the state legislature had to find a place to meet for the upcoming session.⁴⁴

The city of Charleston expressed its support for building a new capitol by passing a resolution, reading:

WHEREAS, the Capitol of the State of West Virginia has been totally destroyed by fire, and

Whereas, the City Council realizes the necessity of the prompt rebuilding of the said Capitol and that the co-operation of the representative bodies of the City of Charleston can greatly facilitate its prompt reconstruction; Be it therefore,

RESOLVED by the Council of the City of Charleston that it will do all in its power to assist in the prompt rebuilding of a suitable structure befitting the official home of the

representatives of the State of West Virginia as its Capitol; and

Be it further resolved, that this Council pledges the efforts of itself and its individual members to that end and directs the co-operation and assistance of all the officials of the City of Charleston.⁴⁵

State officials expressed the opinion that the destruction of the state house would not cause a reopening of the old question of the location of the capitol city. State Auditor J. S. Darst thought the capitol fight would be "puny," saying, "The capitol is as permanently fixed, almost, as the hills that surround the city." However, many of Charleston's leading citizens entertained such a fear. They believed that other leading cities in the state still coveted the capitol and that this fire would simply renew a fresh contest for the capitol city. The Chamber of Commerce immediately appointed a committee to determine a workable plan for acquiring the site for and the early construction of a new state house.⁴⁶

Such fears had some basis. While Huntington expressed its desire to have the honor, its leaders acknowledged that the government would likely be retained in Charleston. Senator Floyd S. Chapman, of Huntington, said, "Huntington is my first choice, of course, but I am very firm for Charleston if Huntington is not to be in the race."⁴⁷ Even though Parkersburg also made a bid, Clarksburg organized the most vigorous campaign. The day of the fire, the Kiwanis club of Clarksburg began planning a campaign to procure a fund for the purchase of a suitable site in that city for the capitol building in the event the legislature could be induced. One day after the fire, the Clarksburg Chamber of Commerce and city leaders organized a political assault on Charleston. While Clarksburg argued that its city approximated the center of the state, both geographically and demographically, Charleston noted that the state already owned property worth about \$2.5 to \$3 million in the city,

including the Capitol Annex, and many state officials owned homes in the city. Additionally, Charleston's supporters relied upon the clauses in the Act of 1877, which authorized a public referendum to determine the permanent location of the capitol city, stating the capitol should not be removed after being settled by a vote of the people, "except by another vote of the people," or a change in the constitution, which required a similar vote.⁴⁸

Some reports acknowledged rumors of a conspiracy. Wheeling, Parkersburg, and Clarksburg had reportedly organized a movement and had reached a secret understanding that the most likely contender would have the support of the others. The head of the Parkersburg Chamber of Commerce contacted his Clarksburg counterpart to suggest that whichever city showed the strongest following should receive the support of the other city. For several weeks the Clarksburg Exponent led the battle. The first open indication that there would be a movement to remove the capitol from Charleston came from the House of Delegates on January 19. Harrison County delegate, Dr. Luther Haymond, introduced a bill providing for the capitol's relocation to Clarksburg and "the erection thereat of a capitol and other necessary public buildings for the use of the state, and to repeal all acts inconsistent therewith."⁴⁹ On the same day, the senate saw the introduction of two capitol bills for locating the capitol in Clarksburg and Parkersburg. Prominent citizens from both of these cities came to Charleston to support the movement. Delegate J. W. Miller of Wood County presented a bill to relocate the capitol at or near Parkersburg on the following day. Although he did not present a bill, Delegate H. T. Lyttleton of Fayette County said his county could offer unlimited ground and other inducements to have the new capitol relocated there. Buckhannon and Elkins both introduced their removal proposals on January 25.⁵⁰

On January 27, the House of Delegates, by a vote of

55 to 30, concurred with Senate Joint Resolution Number Thirteen, which provided that the seat of government remain in Charleston. In March, Senator Floyd S. Chapman, chairman of the Senate committee on public buildings and humane institutions, began meetings to consider the bills pending for the location of the capitol. Once the legislature disposed of these bills, the plans for rebuilding the capitol could progress. The pending bills provided for relocating the capitol at Parkersburg, Clarksburg, Belington, Buckhannon, and Elkins. The committee reported them out of the committee either without recommendation or with the recommendation that they not pass.⁵¹

On March 30, the senate dealt with four major capitol relocation bills, which had received an unfavorable committee report. Although the Clarksburg bill showed the most support, the senate rejected the Parkersburg, Elkins, and Buckhannon bills by a nearly unanimous voice vote. The Belington bill, introduced by Delegate Fred E. Thompson, remained pending.⁵²

With only the capitol annex intact, most of the state's offices had to be scattered throughout Charleston. One week after the fire, state officials authorized the construction of a temporary capitol to house most of the offices. A building committee composed of Governor Cornwell, State Treasurer W. S. Johnson, and Secretary of State Houston G. Young selected a site adjoining the executive mansion at the end of Washington Street on Capitol Street. This building of frame construction had a main entrance on Capitol Street, stood two stories tall, and cost around \$225,000. A Charleston contractor, David Dick, constructed the building in forty-two working days. The new temporary capitol building became known as the "pasteboard capitol" because of its clapboard and wallboard type of construction. However, the 166 room building met the same fate as its predecessor six years later. A fire originating on the second floor from

an unknown cause completely destroyed this building on March 2, 1927. By this time the west wing of the permanent capital building on Charleston's east end had already been occupied.⁵³

The initial steps towards building a permanent capital came in 1921 when the legislature created the State Capitol Commission. The senate, meeting temporarily at the Charleston Y.M.C.A., and the house of delegates, convening at the city's Baptist Temple, adopted Senate Joint Resolution Number Three creating a commission composed of the Board of Public Works, five members each from the House and the Senate, the Senate president and House speaker, and the governor. Ultimately, the legislature empowered the governor and his successors to appoint the members of the Capitol Building Commission. The seven members selected had to choose an architect and to find a "suitable location for a complex of buildings of impressive structure which would serve the needs of state government in a practical sense for a long time to come."⁵⁴

In selecting an architect, the commission scrutinized the credentials and accomplishments of Cass Gilbert, who had his offices in New York City, and it selected him on July 23, 1921. Gilbert's previous work included the Woolworth Building in New York City, the Arkansas state capitol in Little Rock, and the Minnesota state capitol in St. Paul.

The selection of a suitable site for the capitol complex considered several locations. While many of Charleston's residents believed that the capitol should be rebuilt in the downtown district, Governor Ephraim F. Morgan favored a site in the less congested east end. The commission determining the site of the new capitol narrowed their choices down to two by the beginning of December. The search centered on the east end Duffy Street site, located on the north side of the Kanawha River, and the South Ruffner site, located almost directly opposite on the south side of the river. Opposition

grew around both choices. Opponents of the Duffy Street site argued that it would destroy a block of fine residences and opponents of the South Ruffner site claimed that it would require the expenditure of an estimated million dollar bridge.⁵⁵

Mayor Hall openly advocated the latter choice at a luncheon of the city's business leaders on December 5. Declaring that he had the interests of the people of the city and state at heart, he stated his vision of a "Greater Charleston," when the city would grow to twice its present size in twenty years. He claimed the Duffy Street site would be a "calamity" because of the destruction of many residential houses, newly paved streets, and recently laid sewers. He predicted that the adjacent properties would be cheapened and that the housing rents would be boosted. In choosing the South Ruffner site, which consisted of a virtually clear tract of 248 acres divided almost equally between bottom and hill, he gave the following reasons: the city would get two free bridges, no improved property would be destroyed, nearly 4,000 valuable lots would be developed on the adjacent property, the city limits would be expanded, and the site would provide a fine park for the city. His plan proposed to give the state the 248 acres of land, make the Kanawha City bridge free of toll, and build a new bridge across the Kanwaha River near Duffy Street. In exchange, the state would grant the city the less than five acres of land at the old capitol site, which included all of the state's downtown holdings except the capitol annex. The city council, despite the introduction of several resolutions, failed to voice its opinion.⁵⁶

An overflowing mass meeting to oppose the South Ruffner site met at the Kanawha county courthouse the following week. They primarily argued that Senate Joint Resolution Number Thirteen stated that the seat of government should "remain in Charleston" and, therefore, this site constituted a direct violation of the law.⁵⁷

With this bickering over the location of the capitol building, Delegate Everett F. Moore of Marshall County said, "It is not too late to remove the capitol from Charleston." He claimed that the actions of the capitol commission were "giving speed to the crystallization of sentiment in favor of removal of the capitol to some other city." He added, "The people of the state have become tired of a few people in Charleston believing and acting as if the capitol were to be built for them and in their interest only."⁵⁸

On December 20, the capitol site commission selected the Duffy Street site for the state house. The property fronted 1,000 feet along the Kanawha River, had a depth of 900 feet, and contained approximately sixteen acres.⁵⁹ After the adoption of Gilbert's plans, sixty-five pieces of property between Duffy Street and California Avenue had to be purchased to clear way for construction. Planners later moved some of the houses and floated twelve on barges to the other side of the Kanawha River to be relocated in the area of South Ruffner in May, 1923. They razed or temporarily used others to house state offices during the construction of the capitol building.⁶⁰

The financing of the capitol project included the sale of the old capitol grounds for approximately \$1.5 million, the sale of the Capitol Annex for nearly \$500,000, and the sale of the old governor's mansion and the "Pasteboard Capitol" grounds for more than \$350,000. In addition, the state received over \$500,000 in insurance from the capitol fire and sold several of the houses at the new capitol site for more than \$100,000. The 1921 Legislature also enacted a gross sales tax to raise additional revenue. The state held an official dedication for the capitol on June 20, 1932, West Virginia's 69th birthday. Total costs amounted to \$9,491,180.03.⁶¹

In addition to the construction of government buildings, the growth of the city required officials to concentrate their efforts to accommodate the automobile and to handle the

disposal of garbage. Each of these would continue to be a challenge to civic leaders throughout the period.

The growth of Charleston became complicated by the growth of automobile ownership. The city sought measures to transform its narrow streets into thoroughfares so as to enable this means of transportation to operate efficiently. The rise in automobile use caused a congestion problem, particularly in the downtown district. As early as July, 1919, Charleston businessmen recognized the need for more streets to alleviate this problem. The extension of some streets could provide straight east-west thoroughfares and eliminate the necessity to constantly turn to go from one end of the city to the other.⁶²

At a regular session of council on July 5, 1921, Mayor Hall introduced an ordinance providing for a \$1 million bond issue to alter downtown streets, build a bridge over the Elk River, and erect an incinerator.⁶³ After being referred to and approved by the ordinance committee, council approved the plan on July 18 and passed an ordinance providing for an August 17 special election for its ratification.⁶⁴

In the ordinance, city council approved \$700,000 to acquire and provide land for public streets, avenues, and alleys. The proposed land acquisitions needed in order for streets to be opened, widened, and straightened included: lands to be acquired from the state for widening Lee Street and connecting it with State Street, and for widening and extending Washington Street to Summers Street; lands to be acquired for extending Washington Street to Lovell Street at its intersection with Truslow Street; lands to be acquired for extending Wyoming Street from Pennsylvania Avenue across Elk River to connect with State Street; lands to be acquired for opening Lee Street below Morris Street; lands to be acquired for extending and straightening Monongalia Street and connecting it with Main Street at Delaware Avenue; and lands to be acquired for extending Brown Street from Truslow to Summers Street. Additionally, \$200,000 would be used to

build the bridge over the Elk River and \$100,000 would go towards building an incinerator and establishing a system of free garbage disposal.⁶⁵

After printing the ballots, city officials noticed the absence of the customary squares opposite the proposition. City Solicitor Donald O. Blagg announced that instructions would be issued at the polls for voters to mark out the phrase, either "For Ratification" or "For Rejection," opposing their vote. On the eve of the election, Mayor Hall issued a statement criticizing the opponents of the bond, saying, "These persons evidently have not read the City Charter, neither have they read the ordinance passed." He addressed three primary arguments against the bond issue. First, in answering the critics who said the bond would sell for less than par value, he noted that this would be illegal according to the ordinance and the city charter. Second, those saying that the proposed improvements could not be made with the amount asked for, he remarked that other real estate men had been asked to report on the estimated cost of the ground necessary for these street improvements and agreed with the stated amount. Finally, he declared the rumors that the previous bond issue had been spent on other purposes than those specified to be "not true."⁶⁶

Petitioners seeking an injunction against the bond issue had to drop their case on the day of the election. Judges A. S. Alexander of the Common Pleas Court and A. P. Hudson of the Circuit Court, whose courts had jurisdiction, remained absent from the city. The petition alleged that the election would constitute a fraud since the money would prove insufficient for the purposes set forth. The lands necessary for the widening of these streets had to be purchased from the state, over which the city had no eminent domain. The petitioners also claimed that the prevailing market conditions would prevent the selling of the bonds at par. Finally, they declared the ballots to be illegal because of the omission of the customary squares, which they claimed

had been done deliberately to confuse the voters.⁶⁷

On the eve of the election, city officials and other supporters of the bond issue expressed confidence. While they viewed the failure of their opponents to gain an injunction favorably, they believed the women's vote would support the measure, since the sale of the bonds would primarily be used in cleansing and beautifying the city. They claimed that women inherently desire things of beauty and cited the support of the bonds by women's groups as proof. However, some uncertainty existed concerning the west side vote, since prominent west Charleston men constituted some of the primary figures in the attempt to gain an injunction. They noted that while approximately 45 percent of city's voters resided on the west side, this section of the city paid less than one-sixth of the city's total tax collections. Leaders in the fight to obtain passage remarked that the bridge over the Elk River would be greatly beneficial to west side residents.⁶⁸

After the announcement of the unofficial results on the day following the election, the bond issue had suffered a decisive defeat. The law required a bond election to receive sixty percent of the total vote in order for the bonds to carry. The voters had defeated this bond issue by a majority of 609 votes out of 4,233 cast, which represented approximately one-fourth of the voting strength of the city. Leaders in the fight for the passage of the bonds attributed their defeat to the women voters, although they could not explain why. The vote returns showed the vote went by sections with the west side solidly against the bonds, the south side precinct voting in favor, and the triangle district showing the strongest support.⁶⁹

Following the decision to rebuild the state house on the Duffy Street site, the capitol commission began steps for the disposal of the grounds of the old capitol and offered the city an opportunity to broaden and straighten the streets in the immediate vicinity. The appraised state property

included the old capitol site, the governor's mansion, the temporary capitol, the board of control, and the capitol annex. The commission indicated that the sale of the annex to the city for use as a library would be "left open for future discussion."⁷⁰ On January 11, 1922 the commission made an offer of 10 feet on the corner of Capitol and Washington Streets, 86 feet on the corner of Lee and Capitol Streets, and 60 feet extending from Capitol to Summers Streets to the city of Charleston for the sum of \$250,000. The state made the offer on the condition that the city extend Washington Street through to Lovell Street and open up Lee Street, cutting out the obstruction at Washington Street. This would provide two new thoroughfares. Washington Street would extend from the Kanawha City bridge to Kanawha Two Mile and the east end would be connected to Capitol Street, thence by State to Truslow Streets.⁷¹

Council formed a committee to provide estimates of property values of the land needed to extend Washington and Lee Streets. The plan proposed the extension of Washington Street from Capitol Street to Truslow Street, crossing over Summers, Laidley, and Court Streets. The state owned the first block from Capitol to Summers, including the grounds between the executive mansion and the temporary state house. The extension of Lee Street required a triangular part of the old capitol site at Lee and Capitol Streets. The state asked \$250,000 for these two pieces of property. The mayor regarded this amount to be cheap. Extending Washington Street from Summers through Truslow required the removal of several cheap structures and two houses needed to be removed to connect Lee Street with Morris Street.⁷²

The introduction of a resolution to have a February 15 election to approve a \$500,000 bond issue appeared at a January 3, 1922 session of council. The rules, however, required the matter to lay on the table for two weeks before a vote could be taken.⁷³ By the time the issue could be taken up, city officials found \$10,000 in savings in the

purchase price of the required property. Individuals owned the balance of these properties, which could be purchased by the city at a total cost of \$160,000. The expenditures on state and individual property owners, totaling \$410,000, combined with the \$80,000 needed to erect an incinerator, constituted the \$490,000 bond proposal. Council adopted an amendment cutting the bond issue to this lesser amount on January 16.⁷⁴

In the following weeks as the bond debate ensued, many questions arose. At a public meeting of the Chamber of Commerce, Houston G. Young, secretary of the capitol building commission, remarked that the property to extend Washington Street from Capitol to Summers Street would be unavailable for use until the completion of the new capitol. Mayor Hall said that all other improvements would be started immediately if the bond passed. Proponents issued warnings against delay and emphasized the danger of not purchasing the state land offered to the city. If postponed, the land could fall into the hands of real estate dealers who would charge the city many times the price asked by the state, supposing the city could even purchase the land. These supporters stressed the importance of uniting the east and west sides by extending Washington Street. No speaker at this meeting expressed any opposition.⁷⁵

Opponents of the bond issue called a west side meeting. Former Mayor John B. Floyd opposed the measure and called for the money to be used to hire more policemen to regulate traffic. He also thought business would be hurt, saying, "This is not the time for increased taxes when so many are out of jobs, and in some cases people are starving."⁷⁶

City and state officials, real estate men, and many of the business men worked together to secure passage for the bond proposal on the basis of civic pride. Some claimed that if the bond issue failed the capitol would be moved away from the city. While many observers viewed the east side and business men as favoring its passage and saw the west side

and working men as opposing the measure, they could not predict the women's vote because of the results of the similar previous bond election. Leaders of both the Republican and Democratic parties temporarily buried the "political hatchet" and joined to support this bond issuance. With no attempt made to make this election a political issue, Mayor Hall, the chief sponsor of the bond issue, expressed optimism on the eve of the election despite the needed three-fifths majority. The city had approximately 15,000 registered voters. The Lions club, with the assistance of the city's various women's clubs, had fifteen automobiles teams, composed of two members each, to work for and transport voters to the bond election.⁷⁷

By a vote of more than five to one, the bond issue carried. The voting results showed 6,781 in favor and 1,205 opposed. Out of the 29 precincts, only three voted dissenting majorities. Early in the afternoon on election day, Mayor Hall issued a statement claiming passage of the bond. Some described the election as being the most perfectly organized in the city's history with only scant opposition, led by Councilman H. M. Bowles. Prominent citizens claimed that the results put to rest forever any question of the removal of the capitol to any other city.⁷⁸

City council passed a resolution to begin condemnation proceedings for street improvements on June 5. The city solicitor began the process of acquiring the necessary properties so that work could begin as soon as the money from the sale of the bonds became realized on July 1. Five property owners along the extension of Washington Street between Summers and Truslow Streets settled with the city in August rather than be made parties to the condemnation suits underway. The owners of these five properties settled for \$49,000. Officials set the estimated value of the several pieces of property for the entire extension at \$160,000.⁷⁹

Solicitor Blagg applied to the Circuit Court on September 11 for the appointment of a condemnation commission

to set values on property which the city sought to acquire for connecting Washington and Lovell Streets. Nineteen tracts in the right of way, many containing buildings or portions of buildings, had to be condemned. A few had agreed to sell at prices satisfactory to the city.⁸⁰

Mayor Hall planned to have a private sale in his office on October 4 to sell the seven houses on Washington Street condemned by the city for the extension of Washington and Lee Streets. He saw this approach as necessary because the city had rejected all bids previously received. Since the number of bidders attending exceeded expectations, Hall moved the event to the council chamber. The sale raised \$3,860, which surpassed by \$1,435 the total bids previously received. The removal of houses began in the following month.⁸¹

Plans for street improvements began and construction commenced after concluding these necessary arrangements. While some of the work, such as the extension of Washington Street between Summers and Lovell Streets, opened in early fall, the land acquisitions running through the grounds of the governor's mansion could not proceed until the completion of the new house of the state's chief executive at the site of the new state house.

On January 25, 1923, a 100 foot section of Lee Street opened for traffic. The two houses located on this portion near Morris Street had previously disconnected Lee Street. By March, the widening of Lee Street from Capitol to Dickinson Streets had started and was expected to be completed in about thirty days. This new paving, which occupied the grounds of the old state house, extended 136 feet in length and 50 feet in width, including sidewalks. The cost of this work would cost nearly \$15,000.⁸²

Along with the rise of the automobile, the growing population also brought about the vexing problem of disposing garbage. In June, 1920, Dr. R. A. Ireland, the city's health commissioner, addressed issue. In cooperation with the Charleston Chamber of Commerce, Dr. Ireland devised a

plan for a free collection and disposal system that would not involve any further expenditures of public money. Households would be required to make proper separation of garbage and rubbish. He recommended hog feeding as the most economical method for the reclamation of garbage and he suggested a plant to reclaim all valuable products from rubbish. Ireland conservatively figured that 3,000 families, stores, hotels, and lunch wagons in the city each paid 25 cents a week for the present service, which totaled \$39,000 a year. He had not yet worked out the details of the plan, but, by giving a franchise to one company, the city could save the salaries of two crematory workers at \$2,400 per year, utility charges for water, electricity, and gas at about \$1,500 per year, and the costs associated with the annual "cleanup week" at \$3,000. The existing crematory property fronting 140 feet on Estill Street could be sold for more than \$6,000. Since new businesses rarely pay dividends in their first two years, he proposed giving a three year franchise that would not pay the bidding company any profit for the first year, would about break even in the second year, and would pay a profit in the third year. Afterwards, the company would be offered a three year extension at a set percentage. The city could pay the company for the first year out of the \$6,900 in savings. This could be augmented by the amount realized from the sale of the Estill Street property. Additional money would not be needed from the city treasury until the second year, if at all. By this time, Ireland said, the people would readily vote for an extra levy if needed. He stressed that his plan would require no new payroll positions and one sanitary officer could be spared to inspect the wagons at the point of disposal. This proposal would be more efficient and less expensive than the present lack of system. Within days a special committee of the Chamber of Commerce approved the essence of Ireland's plan.⁸³

However, after speaking with Dr. R. S. Copeland, the health commissioner of New York City, Dr. Ireland offered a

suggestion for the disposal of garbage that differed from his previous plan of sorting. Instead, Ireland suggested incineration as the proper method of handling refuse. By incinerating all waste while attempting to reclaim only steam, ash, and clinker, he believed this plan to be almost as remunerative as the old sorting system and much more sanitary. With an enclosed unloading place, which would be fitted with fans and funnels to collect and carry away odors to a pipe leading to a sewer, a modern plant would not be a nuisance. He suggested that a private company could be contracted to erect such an incinerator near the site of the new city building. Power could be derived from the incinerator to heat and light the municipal building and to run its elevators. This would eliminate the proposed installation of a power plant in the basement of the new building. The ash and clinker could be used to fill in the swampy or low ground. He said that using the available funds on the present disposal plant would be a mistake because "there is no economical way to dispose of the ash and there is no convenient market for the power available." While continuing to spend the \$15,000 in the current city budget for garbage collection, Ireland said that an additional \$30,000 would be needed for the plant. This amount could be handled by popular subscription since a large percentage of the population would gladly pay the amount to avoid the problem of hauling away garbage. "It has previously been indicated that the people spend much more than this amount privately for irregular service," Ireland said. An immediate increase in the value of real estate would follow this lasting "cleaning up." Dr. Ireland summed up the problem by saying, "The city has grown in population without providing for hauling of more city refuse. It is a serious matter when refuse is thrown into vacant lots and into alleys, or buried in shallow trenches in yards where the children play."⁸⁴

Once again, the Chamber of Commerce quickly accepted

the essence of his proposal. On September 3, a gathering of that body debated the garbage issue. Speakers stressed the seriousness of the issue by noting the urgent need to protect the health of city residents and to guard against any difficulties with the federal government. Dr. Ireland asked that a general plan of action be adopted with the details being worked out after the money became available. Citizens of the city would be requested to underwrite the amount of money necessary to erect the modern incinerating plant and, when the time came, the money that these citizens had guaranteed would be returned to them. He expressed certainty in the possibility of securing enough volunteer contributions to build the plant from the people who had been spending their money to have their garbage hauled. "We've got to get action at once," he stated. "Within 30 or 60 days we must show the war department that we mean business by having on foot a definite plan of construction to eradicate the nuisance of the present garbage disposal plant." He added, "Somebody is going to get arrested and the city will have a law suit on its hands if we don't stop putting garbage on that river bank." Ireland again proposed selling the old plant and using the money on the new one. He also recognized that by eliminating the proposed power generating plant from the plans the costs would be reduced by about \$10,000. Mayor Hall, who represented the city at the meeting, said that he had little to add to the discussion, saying, "The citizens do not realize the conditions and I'll do anything I can to help and believe the city council will also." At the close of the meeting, council formed two subcommittees. A financial committee would confer with city officials in regard to the method of handling finances so that the money could be repaid to the guarantors. The technical committee would scour plans and cost estimates.⁸⁵

On February 7, 1921, three incinerator bids came before city council. The initial debate favored the J. W. Stokes incinerator plus the Hygienic Disposal company's fixtures

over the Decarie plant because the former could be ready by June, whereas the latter would take at least until August. In addition, Philip L. Goodman, the representative of the Hygienic Disposal Company of Chicago, agreed to put up sufficient bond to guarantee his proposition. His plan offered to install a plant in connection with the Stokes' plant for \$40,000 and operate the plant for ten years. During this time his company would pay back the city's investment at the rate of ten percent per year and at the end of the period turn the plant over to the city. He stated that the only expense to the city would be the collection of the garbage. His company expected to derive its profits from the fertilizer and other chemicals manufactured. Dr. Ireland did not take a definite stand for any of the companies, but did stress the need for quick action in order to protect people from the danger of disease in the early spring and summer and to prevent the war department from again taking up the question. After an hour and a half discussion, Councilman Harold S. Mathews temporarily disposed of the matter by making a motion to have the city manager and city solicitor meet with representatives of the Hygienic Disposal Company and draw up the contracts and bonds guarantees.⁸⁶

At a meeting on the following Monday, the parties took no final action. The contract drawn for the Hygienic Disposal Company provided that the company would build the plant for the city for \$40,000, reimburse the city \$4,000 each year for ten years, and at the end of this time turn the plant over to the city. The company agreed to bear the expense of running the plant for this time and would be required to put up a bond to guarantee this amount. In return, the company would receive all chemicals derived from the plant. Less serious contract talks occurred with the Decarie plant since its plan cost nearly twice as much and the company failed to give a sufficient guarantee. However, the city had no available funds and could not act because the city charter forbade the entering into a contract that calls

for the expenditure of money to be raised by a bond issue. "We can not contract a debt for an incinerator. To do so would make the members of council criminally liable as well as personally liable," said Mayor Hall.⁸⁷

On the following Tuesday at a regular session of city council on February 21, the mayor explained the city's predicament. On the one side, the federal government threatened prosecution for polluting a navigable stream unless the city took steps at once to divert the city's filth from the Elk and Kanawha Rivers. The mayor suggested that someone could go to jail unless a speedy remedy could be found to prevent the existing plant from discharging a constant flow of waste into the Elk River. Hall stressed that pressure from the federal authorities for the city to provide itself with a way to dispose of its garbage had grown and he had been forced to state a definite time for the remedy to be effective. Therefore, he had informed the United States engineer that by July 1, no more filth would flow into the rivers. "So you see," said the mayor, "we will have to act quickly." However, the city had no funds with which to build the incinerator. Philip L. Goodman of the Hygienic Disposal Company offered a solution from this predicament. He proposed that his company would build any kind of incinerator desired absolutely free and would operate it without cost to the city. In return, the city would allow free rent on the land occupied and guarantee the delivery of all the garbage over which the city had control to the plant. Goodman said he could start building at once and could have his plant ready in ninety days. After a prolonged discussion of Goodman's offer, council adopted a resolution that favored its acceptance and that empowered a special committee to arrange all details, withholding, however, the power to contract or spend money.⁸⁸

After two weeks, the discussions deadlocked because the company refused to offer a bond for the faithful performance of the contract, which had been virtually agreed upon except

for this single issue. The company refused to offer a bond in this proposal because it had assumed all of the risk and the city had assumed none. On March 8, a meeting between the special committee of council, the Chamber of Commerce, and the Hygienic Disposal Company reached agreement on a contract. The contract required work on the new plant to begin within thirty days and to be completed within 120 days. The company hired John Meadows, a local builder, to superintend the construction at the old plant's site on Estill Street.⁸⁹

By June, questions arose over the completion of the incinerator plant. With only one month remaining for the specified completion date, the foundation for only one small room had been completed. City Manager Bonner H. Hill noted the impossibility of finishing the construction by the July 7 deadline, even though the contractors said they intended to continue the work as soon as delays in the arrival of materials due to a strike could be resolved.⁹⁰

A month later, the city considered the contract let to the Hygienic Disposal Company to be forfeited. City officials began efforts to include funds for the construction of an incinerator in the \$1 million bond issue for street improvements. The bond issuance provided one hundred thousand dollars for the purchase of land for the plant, for the erection of the plant and any other related buildings, and for the implementation of a free garbage collection system. The voters defeated this bond issuance on August 17.⁹¹

Since the federal government stopped the city from burning and dumping the "wet garbage" in the Elk River at the dilapidated fifteen year old Estill Street dump, the city tried to burn all of the trash. By September 1921, the city's dump immediately east of the Kanawha City bridge had aroused public anger. Residents of the east end held a protest meeting at the J. F. Adkins business building near the corner of East Avenue and Washington Street. At the

meeting, city Manager Hill said that the smell could not be helped. As long as private wagons collected the trash, the city workers could not keep garbage from getting mixed. The same morning, a fire at the dump made the conditions worse. Hill and the mayor visited the site the previous day on September 8. A committee of east end residents also signed a petition to protest the dump, calling for "immediate legal action to abate the same as a common nuisance which affects not only the comfort, but the very health of our community." The citizens employed Gordon Matthews, a local attorney. He sought an injunction to restrain Hill, Ireland, and Dr. and Mrs. John E. Cannaday, the owners of the property, from continuing to dump there. Although the representative for the citizens recognized the city's difficulties and said he had no intention to discredit city officials or to injure their official capacity, he had to make them parties to the lawsuit from a technical standpoint. Since the site resided within the high-water mark of the Kanawha River, the case would appear in federal court.⁹²

Sixty-three residents signed an injunction bill claiming the dump represented a menace to the lives of the public. Although the smoldering fire had been extinguished, the odors continued. Ireland said the site could be dangerous to the health of the community and would likely cause sickness, particularly in children. While he had no idea that the site would develop into such a nuisance, the city, hard pressed for a place, could continue to be used. Later, Ireland corrected his previous statement concerning the dangers, saying that under certain conditions the smoke would be dangerous, but he did not know if these conditions presently existed.⁹³

Dr. Cannaday made a public statement explaining his part in the use of his property as a dump. Several months previous, Hill had mentioned the city's need for a dump site, so Cannaday gave him permission to use his land with the understanding that "no wet or offensive materials should

be dumped there." Brush, trees, boxes, paper, and tin cans made up the bulk of the waste material. The dumping started in April and had been under daily supervision of city officials, who had made a "honest and sustained effort to keep out refuse that would be offensive." A recent windstorm had caused the materials to catch fire, creating an excessive amount of smoke that lasted several days.⁹⁴

Braxton Miller, who assisted Matthews, said that city officials and the owners had been unaware of the seriousness of the conditions. While admitting that dry rubbish would not be a problem, he "appealed in vain" to all parties and hoped that they would voluntarily discontinue the dumping.⁹⁵

By the end of September, Dr. Ireland announced that the poor garbage system had contributed to a diphtheria epidemic in the city. While attempting to put the old incinerator on Estill Street into working order as a temporary means of disposing garbage until a bond issue for a modern plant could be held, the city burned trash on the open ground around the old plant. In October, since the council had taken no action on a new incinerator, Hill repaired the old site to be "temporarily serviceable up to its limited capacity."⁹⁶

Legal aspects complicated the bond issue. Hall pointed out that the time for laying a levy had passed until the following August. However, some arrangements could be made. A bond issue could be cared for and interest provided for before it came due a year from the time of the election.⁹⁷

On January 16, 1922, city council authorized a bond issue of \$490,000 for proposed street extensions and the building of the incinerator. Council approved a special election, scheduled for February 16, by a vote of 17 for and 3 against the ordinance. They estimated the purchase of ground and the erection of an incinerator to cost \$80,000.⁹⁸

Dr. Ireland favored the bond issue, particularly because the provisions for a new incinerator would provide "a cleaner city." "From a purely selfish business standpoint," he said, "the voting of these improvements will pay big

dividends." Since the city's residents currently paid \$75,000 per year for "the disgraceful cleaning system in vogue" and the total yearly tax for all the improvements in the bond ordinance amounted to \$45,000, \$30,000 could be saved annually.⁹⁹

After the bond passed, city officials hoped to have the incinerator completed before the end of summer. Also, a new garbage collection scheme would replace the current system of burning papers in backyards and paying to have garbage hauled away. The bond included money to purchase the necessary equipment for collecting and hauling garbage.

Property belonging to Judge A. S. Alexander also came into controversy. A number of west side residents complained of people using the site as a dump because of the inadequacy of the existing incinerator. While the dumping of dry trash here originally met with no objections, garbage had recently been disposed of here and had been set on fire, causing the residents to be subjected to unbearable odors.¹⁰⁰

When asked whether the new incinerator would be located on the west side, Hill said he had no idea and that the city council controlled the decision. However, he did say the new incinerator would probably be away from the present site, which he considered too small. Since cinders, tins cans, and other matter that would not burn had to be hauled away at a cost of about \$10 a day under the present system, the new plant would have to be large enough to eliminate this necessity.¹⁰¹

As the council delayed in securing a new incinerator, Dr. Ireland issued a sharp warning in April 1922. Addressing council, he said, "If you don't order a cleanup of the city, I'm going to do it myself." He declared some of the sanitary conditions in certain parts of the city to be "filthy and degrading." The city dumped several tons of garbage into the Elk River nightly and "many good citizens" carried on the practice. He declared that without immediate action "some of you within the sound of my voice may be planted away before

the summer is over." Because of the unavailability of funds for a new incinerator until July 1, he suggested a dumping ground be secured for burning deleterious waste.¹⁰²

No council member wanted the incinerator in his ward, so Mayor Hall authorized a motion introduced by Councilman John F. Morgan to name a committee for selecting an incinerator site. Members named to the committee included Morgan, O. J. Wise, W. D. Lewis, Lon H. Barringer, and Dr. W. F. Shirkey. The committee reviewed several sites and presented its findings in August. The committee recommended a west side site on Willow Street between Pennsylvania Avenue and the Elk River. The land could be obtained at a reasonable price and, while removed from the residential section, required only a short hauling distance. The other sites included the old stone quarry at the foot of Capitol Street, the existing site on Estill Street, Brown Street near the Elk River, Water Street, lower Kanawha Street in the rear of the Charleston utility company, Magazine Run near Crescent Street on the west side, and Patrick Street. The committee immediately rejected the last two options.¹⁰³

Council formed a new committee, consisting of the mayor, manager, engineer, and Councilmen Hill and Shirkey, to report on prices. Within two weeks the committee announced to council that the present site on Estill Street would be the best location since the other sites involved excessive costs. Councilman Morgan, who represented this ward, became incensed and offered to resign. He intimated that he had been ignored and that the old utility company at the end of Kanawha Street had not been selected because "powerful interests" ultimately planned to extend Kanawha Street across the Elk River. After council refused his resignation offer, Morgan left the meeting.¹⁰⁴

With the selection of a site finally resolved, the incinerator committee, which had been empowered by the council to make investigations and let a contract, awarded a

contract for the construction of a new incinerator on October 27. Members of the committee investigated plants constructed by the Charles F. Walthers Company of Clarksburg, which offered the lowest bid of approximately \$24,000. Markman Engineering Company of Chicago bid \$55,550. Samuel A. Greely of Chicago, who had been employed by the city as an expert in an advisory capacity, told the committee he had found that the Walther's proposal did not meet the city's specifications in several instances and that these adjustments would bring the cost of the plant up to around \$40,000. He recommended the Markman bid as long as the city paid no money until the plant's completion and after a determination showed that the operating plant met the city's specifications. Of the \$80,000 provided for the incinerator in the bond issue, the city paid \$1,000 to Greely and covered the expenses of committee members who had investigated plants in other cities.¹⁰⁵

The city needed the ground adjoining the Estill Street site to allow ample room for the dozen wagons required to provide free refuse collection for the city. The land above the site ran along 49 feet the width of Estill Street and 98 feet on the bank of the Elk River.¹⁰⁶ On January 24, 1923, construction began on the new city incinerator. The Markman Engineering Company, which had been awarded the contract, sublet the job to the Rust Engineering Company at the same price.¹⁰⁷ By the beginning of March, the excavation had been completed and materials for the actual construction surrounded the grounds. Buildings for storing tools and use as offices had also been erected by the construction company. However, inclement weather delayed the work and heavy rains had caused a cave-in. Although the administration hoped to have the plant completed in ninety days, its completion occurred after Mayor Hall's term had ended. Additionally, the plans for the installation of a free garbage collection system had not yet been worked out.¹⁰⁸

Through the enactment of these measures, Charleston

hoped to grow into an urban center. To better support the growth in population, government offices and services were expanded and modernized. However, the leading citizens also took measures to deter the social problems that resulted from growth.

Chapter Three

Countering Social Change

City officials, civic organizations, and religious leaders worked together to counter the social changes confronting the city. They primarily focused their attention on enforcing the laws, coping with the automobile, and promoting morality through enforcing the Sabbath closing laws and sponsoring a visit from Billy Sunday.

During the Hall administration, two different police chiefs headed the department. Their approach to law enforcement varied with the latter being more proactive in his campaign against lawlessness. During the period, both gave attention to prostitution, vagrancy, gambling, and juvenile delinquency.

In October, 1919, Chief John H. Charnock issued an edict saying women who frequented the streets would not be permitted out after 9 p.m. Charnock said women "known to be in this business" would not be permitted on the streets. On a Saturday night, police arrested nine, all of whom put up a \$10 bond for their appearance the following morning on the charge of loitering on the streets after the designated hour. On the same night, police charged nine other women with morals delinquent and had to put up a like bond, although none would appear. A large number of women branded as belonging to this class had been picked up by the police and a number had received ten day sentences in the city jail.¹

Police Chief Charnock and Police Judge William W. Wertz summoned the proprietors of a number of hotels located on lower Kanawha, Summers, Virginia, and State Streets on

February 26, 1920. The two spoke for about an hour about a "growing evil" in this section of the city and charged these hotels with "the harboring of a certain class of women and girls." In the preceding week, members of the police department had inspected several hotels and had arrested girls and men on several occasions. The city officials stated that, unless these hotels barred women of known lewd character, the owners or managers of these hotels would be in danger of having charges brought against them for conducting disorderly houses. Police officials had been instructed to keep a close watch on these hotels and other places and, if they obtained sufficient evidence, warrants would be issued for the proprietors and they would be compelled to answer in court. The consequences of conviction would be fines and imprisonment for infractions of the city ordinances. While the city representatives recognized the impossibility of excluding all women of that character, they asked the proprietors to use due diligence. Likewise, Mayor Grant P. Hall voiced his sentiments approving the actions of the chief and judge.²

The police department led a determined effort against girls of lewd character in the city, who had been loitering on the streets, around taxi stands, and in other places. By the end of March, 1920, a large number of this class had been arrested and sentenced to city prison. During these hearings, Judge Wertz stated that the imposition of fines did not deter such activities and then he sentenced the girls to ten days in jail. Moreover, Judge Wertz offered to assist in getting the girls entered into any institution or in any other way to help them reform.³

In August, the police waged war on "wild women." They rounded up a "bevy of 'street cooties'" on charges ranging from loitering on the streets to more serious offenses. The police announced that all those who had a practice of loitering on the street for immoral purposes would be arrested and dealt with severely. The women had to put up a

\$10 bond for their appearance, but most forfeited their bonds. However, the court did not assess the forfeited bonds as fines and considered the women liable to arrested for their failure to appear. Officials believed the number of women in this class had increased alarmingly during the past couple of months.⁴

On July 4, the Gazette acknowledged the success the city had had in the "tenderloin" section along lower Kanawha Street from Court to Goshorn Streets. For the last two years, city officials had been waging a war to rid this section of "houses of ill-fame, whiskey stations, and hop joints." The women of questionable character had largely been driven out by repeated arrests and a final effort to cleanup this section had been taken by refusing to grant hotel licenses to those with the most notorious reputation. City officials placed other establishments on probation. Some of the houses operated under new management and conducted legitimate business. City patrolmen visited all the Kanawha Street "dives" on the preceding Saturday night and "what was once the bowery of Charleston was quiet."⁵

Vagrancy also troubled the city. In November, 1919, the police chief announced that lunch wagon loafers would be rounded up. Chief Charnock said, "So much complaint has come to the police department lately about young men loafing about lunch wagons after midnight and some times until late in the morning, singing, laughing and talking loud, that we have decided to stop the practice." While police officials initially only issued a warning, he stated that, if the practice continued, a patrol wagon would be sent out to round up all who could give no good reason for being out after 1 in the morning. He noted that the police department had no intention to disturb persons having a legitimate business after the prescribed hour.⁶

The following month, the police department took cognizance of complaints concerning crowds of men, who loitered on Summers Street between the end of the Dunbar

Street car line and Virginia Street, taking up the sidewalk and using bad language. Acting Mayor Charles A. Middelburg, who occupied the position while Mayor Hall chaired the gubernatorial campaign of E. F. Morgan, and Chief Charnock assigned two police on that beat instead of the usual one. The police required all of the crowds congregating there during the day or evening to be broken up and forced to move on or to enter one of the poolrooms in that section. Those failing to obey would be arrested. On a visit there, Middelburg found the sidewalks congested with "loafers and bootleggers." Chief Charnock described a large number of those spending their time in that section as "dealers in liquor who were there for the purpose of receiving orders."

Middelburg introduced a vagrancy ordinance with "sharp teeth" at a September 20 meeting of city council. This ordinance provided penalties even more drastic than the special act passed by the state legislature during the war. The ordinance provided that any person who failed to prove their employment at a regular occupation to be in violation of the city ordinance if found in the streets or other place of the city. The measure provided that any person convicted be fined not less than \$50 or be imprisoned in the city jail not to exceed 30 days or both.⁸

He also introduced an ordinance giving council the right to revoke the licenses of pool rooms and other such places when these establishments became a nuisance. This included pool and billiard rooms, soft drink establishments of all kinds, and places of like nature. The proposal provided that a license had to first be obtained from the city with the city council having the right to assess a fee. Provided sufficient cause could be established, the ordinance empowered the council to revoke the license. The ordinance also provided that no gambling should be allowed, no beggars or vagrants permitted in these places, no cigarettes sales to minors allowed, and no vulgar pictures permitted. In case of complaint, the proprietor would be notified and a trial

would be held. "It shall not be necessary to show upon such hearing the violations of this ordinance charged against such licensee were committed with his personal knowledge, or that he knowingly permitted the same." The ordinance gave the mayor power to revoke such license after a hearing, but granted council the right of appeal to council. It also provided a penalty of 10 percent of the annual license tax in case a license had not been taken out and a violation of any provision of the ordinance carried a fine not to exceed \$100 and imprisonment not to exceed 30 days in the city prison or both.⁹

At the end of 1920, the police department started a campaign against vagrants in the city. This resulted from the new ordinance covering idleness and vagrancy. In addition to a large number of arrests and convictions, the force had others under surveillance and threatened them with arrest unless they went to work.¹⁰ In conjunction with these efforts, the city council passed an ordinance prohibiting any traveling fair or carnival from exhibiting in the city on May 16, 1921. The city hoped "to avoid and eliminate the class of people the carnivals bring to the city, leaves when it departs and attracts while here." The ordinance accomplished by barring the licensing of all future operations.¹¹

In January, 1920, officials stressed the enforcement of juvenile laws. Addressing students of the city's high school and two junior high schools, Mayor Grant P. Hall and Judge A. S. Alexander of the Intermediate Court called attention to the laws prohibiting boys under eighteen from frequenting pool rooms and under twenty-one from smoking cigarettes. Although the proprietors of such establishments often claimed to be unable to tell the ages, the state attorney general had previously decided that the proprietor had the burden of proof. George S. Laidley, the superintendent of schools, declared the faculty to be "heartily in sympathy" and would cooperate with the sheriff, police chief, and parents.

Hall also stated his belief that more boys smoked than ever.¹²

In March, 1920, Councilman Harry V. Pierson of the fourth ward presented a curfew and roller skating ordinance. His initial draft of the curfew ordinance prohibited children under the age of fifteen from being out after 8 p.m. unless accompanied by a parent, guardian, or other responsible adult. The penalty for violation would be a \$5 to \$10 fine. Before referring this to the ordinance committee, Pierson attempted to show the necessity of the law by pointing out that boys committed half of all robberies and that young girls comprised the most frequent "joy riders."¹³

He also introduced an ordinance proposal to prevent roller skating on sidewalks or streets. Council referred the proposal to the ordinance committee with one dissenting vote. He hoped to protect both skater and pedestrian on the sidewalk and to prevent any collision between skater and automobiles, street cars, or wagons on the streets.¹⁴

In the following days, Pierson showed a willingness to modify both pieces of legislation. On the curfew question, he adjusted the curfew time to 8:30 p.m. in winter and 9:00 p.m. in summer, as well as some provision to allow youths to go to church unattended, although not the moving pictures theaters. He again stressed the importance by estimating that 25 to 33% of parents paid no attention to their children's whereabouts at night. He claimed that this would cause the next generation to be "a race of degenerates." Believing skating to be an excellent exercise, he offered to accept an amendment to allow roller skating on sidewalks.¹⁵

When the ordinance committee failed to properly draft the curfew proposal after a month, Pierson offered his own draft and called for an immediate vote by the council. His new draft allowed a curfew time of 9:00 p.m. and, in addition to the original fines, would allow imprisonment not to exceed ten days at the discretion of the court. He also allowed exemptions for church and school meetings.¹⁶

As the debate intensified in the following days, Pierson investigated conditions in Charleston to demonstrate the absolute necessity of the ordinance provisions "to check the wave of vice and crime that is sweeping over the younger generation in the city." He stressed several recent cases of criminal activity by youths and checked the records of Magistrate Court, which indicated a large number of crime by youths, particularly at night.¹⁷

On April 19, 1920, the matter appeared before council for a vote. Mayor Hall and Councilman Mathews offered strong opposition. Hall believed that the 90% who were good would be punished because of the 10% who were bad. He also believed the ordinance to be unenforceable, calling attention to the fact that the city had not increased the number of police and failed to enforce too many existing laws. Mathews noted the failure of such ordinances in other cities, describing efforts to legislate children into goodness as useless. An amendment that excluded boy or girl scout organizational meetings passed and Mathew's point of order noted that an amended ordinance proposal could not be passed at the same meeting, but must be held for two weeks. However, upon Pierson's motion to suspended the rule, council apoted the curfew by a fourteen to six vote.¹⁸

Since the city charter required five days before an ordinance's enactment, the curfew came into effect on April 24. Hall announced that police had been instructed and that he expected the cooperation of parents and guardians. Chief of Police Charnock said the police would escort violators home and explain the provisions to the parents. He noted that he did not intend for the curfew to put children in jail, except as a last resort. However, he called for strict accountability and stated that repeated violations would result in the parents being summoned to Police Court. Also, no leniency would be shown towards parents whose children already had a bad reputation. Charnock did not expect any trouble because the city had few troublemakers and

uncaring parents. He favored the ordinance because it would give the police greater control over children. In the past parents would laugh when the police brought their kids home after midnight.¹⁹

On August 23, Mayor Hall appointed John Britton as the new chief of police to succeed Chief Charnock, who had been selected by Governor Morgan to head the National Guard. Britton, 38 years old, served as captain on the Charleston force under Mayor George E. Breece, 1915-1917. Afterwards, he served as the chief of police at the Rollin chemical plant, captain of the guards at the Virginia power plant, and chief of Nitro under the authority of the Charleston Industrial Corporation. Upon assuming his duties, Chief Britton promised rigid enforcement of the law.²⁰

Judge Wertz addressed the "question of conduct" from his bench in August. "A man ought not to be on the streets after 12 o'clock at night," he instructed, "especially when there is so much robbery going on." This lecture addressed a Negro, who had been arrested for loitering. Judge Wertz released him with this warning.²¹

In October, the police department launched a war on gambling in the city. Police arrested nine men, most being colored, for this offense in two raids. This resulted in each being assessed a \$5 fine in Police Court. Despite the men's claim that "it was a little social game," Chief Britton declared that gambling had to stop in the city. The following March, Mayor Hall reiterated the order to Chief Britton. The mayor gave the police chief specific instructions to inform billiard hall proprietors and cigar store operators that their licenses would be revoked if they permitted gambling. The mayor also stressed that any patrolman failing to enforce this new order would be subject to summary dismissal from the police force.²²

Addressing a meeting of a branch of the Law and Order League for Kanawha county, Mayor Hall emphasized the importance of community effort in law enforcement. "It's up

to you to see that law is enforced, and if we want laws enforced, we must first obey the laws ourselves, in our homes and in our communities." He claimed that some of the city's most respectable citizens wanted the law enforced against everybody except themselves. He declared, "Bootleggers would starve to death were it not for the patronage of so-called 'good citizens.'" The newly installed state commissioner of prohibition, W. G. Brown, also spoke. He focused on the "decay and breakdown" of civilization when his men captured moonshine liquor on its way to some prominent citizen of Charleston, who would "blush with shame if his name were made public."²³

Police Chief Britton announced a campaign, effective April 1, 1922, to counter modern spooning, also called "necking parties." He referred to this as a practice of the "flapper." He gave orders for his men to watch for these parties by inspecting parked automobiles. If officers found couples therein, an investigation had to be conducted and, if circumstances warranted, arrests made. He notified the public that streets and public highways in the city could not be used for this practice. Britton detailed motorcycle officers to patrol the thoroughfares leading into the city, including the South side and Edgewood district, in order to carry out his "anti-flapper orders."²⁴

The following month Britton reiterated his order, saying, "They have got to stop." He declared this to be the last chance for violators to avoid the law and that, beginning on May 1, the order would be drastically enforced. He claimed that this proclamation resulted from complaints by residents of the city's suburbs on the South side and in the Edgewood area. He added that some days he would get as many as ten complaints from a single district and, after he had taken trips to see if the complaints had any foundation, found the complaints to be truthful. He reaffirmed that his motorcycle men had been ordered to patrol the roads of these suburbs and to keep a sharp eye out for offenders on city

streets. Any automobile found parked by the curb or on the side of the road with its lights out would be subjected to an investigation. Any persons found in the automobiles under these circumstances would be arrested and taken to police headquarters where their correct names would be entered on the police blotter, and where they may be released under bond. "And there will be no skipping bond, either," the chief said. "The persons will have to stand trial and serve the sentence that the court imposes. This practice will have to be broken up." The chief recommended fines of \$10 for the first offense and ten days in jail for the second offense. Britton added that he could not believe that this practice to be of "innocent intent," adding, "No decent girl will allow herself to be found in an auto, parked by a curb at 10 or 11 o'clock at night."²⁵

The long square on Summers Street between State and Donnally Streets became the most extensively used parking place for "petting parties." Chief Britton, who said "they've just naturally got to behave," had received a number of complaints, largely because the automobiles' lights annoyed residents. After city council took no action on a similar complaint three weeks earlier, Chief Britton made extra efforts to abate the nuisance in July. "Now everything is all right," he said, "A warning from an officer makes the loving ones act as if they were handcuffed and the assessment of a small fine for using lights without dimmers has brought the automobile owners to a sense of the rights of others."²⁶

Chief Britton declared that many hotels of a questionable nature would not get their licenses renewed after July 1. He announced that every hotel that had given the police trouble would be closed if sufficient reason for taking such action existed. These places acted as "a rendezvous for women of the streets and illicit dealers in whiskey" and had been the scene of several shooting arrays. He said nearly a dozen of these hostelries would be shut down

when the police department presented their record to the mayor.²⁷

At the end of October, 1922, Mayor Hall began his attempt to clean up the hotels along Kanawha Street. He warned the proprietors of three of the hotels allegedly conducting unlawful establishments that their licenses would be revoked unless they stopped housing "women of questionable character." On the same day, city officials closed down another hotel after revoking its license a week earlier. Also on this day, health authorities for the city examined eight women arrested the previous day in a raid of Kanawha Street hotels. Officials conducted this second raid as part of a determined effort to clean up the "tenderloin" district of Charleston.²⁸

A majority of the police force conducted its first raid on several hotels and rooming houses on lower Kanawha Street. They arrested thirty-six women and twenty men. While holding all of them for inspection, Dr. R. A. Ireland classified each offender into two categories. The first category included old offenders or those already undergoing treatment by the city health commission. The second included first-time offenders. The city detained them until an examination could be completed, which took approximately four days for test results. Ireland cataloged a "brief history of every person of ill repute in the city for our card index files." He noted the inaccessibility of these records to anyone except officials directly concerned with the vice campaign.²⁹

Following Friday orders from the mayor to the police department to bring in all men and women found in questionable places, a January, 1923, weekend raid on cheap hotels and questionable houses resulted in thirty-eight arrests. This number included nineteen males, consisting of three coloreds, and nineteen females, all white. While holding those arrested in jail to await their examination results to determine whether or not they had any venereal diseases, Mayor Hall lectured them. Assembling the group in

council chamber on Monday morning, City officials served them with notices of arrest under a law passed in the previous session of the state legislature. The law authorizing the health commissioner to cause the arrest of any person suspected of being infected with a venereal disease. After finding the city's ordinances to be ineffective in ridding Charleston of its red light districts, Hall resorted to state law. Hall emphasized that he did not accuse them of being venereal infected and that the state law allowed the city to hold them under arrest since reasonable grounds existed to suspect that they might have diseases.³⁰

During this meeting, the mayor admitted some previous mistakes. After previous raids, health officials had only examined women and, if infected, the law required them to promise to report periodically for free treatment given by the city health department. Mayor Hall admitted the mistake of not initially holding men for examination. He noted that in the past the police court judge had found a large percentage of these women guilty and had fined them under the provisions of the city ordinance. Then the men with whom they had been associated appeared and paid their fines. He also noted the failure of those found to be infected to report for treatment and announced that those found infected from this point would be held in jail until cured. "If you are diseased you can't walk the streets any more until you are cured while I am mayor," he said. "You can't go home and take your treatments any more while I am mayor. And I'll say for your information that I shall be mayor until May 7."³¹

Mayor Hall said that some of the women arrested probably came to the city to remain during the session of the legislature. He allowed those from other cities to leave. "I shall let you go back, but you must sign a bond to insure that you will get out of Charleston and stay out." Hall said lewd women had been leaving Charleston on an average of twenty on each train since the raids began. The mayor

stressed the seriousness of the situation. "Some little girls 13 or 14 years old, little high school girls, have been found infected," the mayor continued. "High school boys have been found in the same condition, I noticed some of you smiling as you came in here, but this is a serious situation and you will realize it if you are found guilty."³²

Hall believed the women who ran houses of ill fame and the men who patronized them to be worse than the girls maintained in the houses. He emphasized that these thirty-eight arrests would not be the last. "The police have instructions to keep on bringing in both men and women who are found in questionable places or questionable company." Police made ten more arrests on the same night and continued their efforts in the following days.³³ Speaking at a Kiwanis club luncheon, the mayor explained his intentions to lock up all men caught in raids of "questionable houses." Mayor Hall, who was greeted with a hearty applause and a vote offering support for his efforts, said, "I'm going to get the men from now on."³⁴

F. H. Harless, the attorney for Grace Hassel Warner, one of the women arrested in the raid, gave notice of a test of the state law the following day. He filed an application for a writ of habeas corpus with the court. He considered the law unconstitutional because it denied the right of trial by jury and because it allowed no bond to be given. Despite this challenge, the mayor did not change his plans. He ordered the police to continue the arrests and announced that he would continue to detain those arrested until the completion of their tests or, if necessary, until cured if they shown to be infected. He did, however, announce that he would let Warner go home and allow her to have her own physician, but he would handle her situation like one of smallpox. A guard would be placed at her house to ensure that she did not leave and a sign naming the disease placed on her door. Hall had told the others that they could go home under these conditions, but all preferred to stay in

jail. A husband and wife under arrest, Earl and Annie Cavender of South Charleston, joined the suit. However, officials released them before the court announced a decision because their tests showed them not to be infected. The state Supreme Court of Appeals granted the writ of habeas corpus, directed against Chief Britton, Dr. Ireland, and Silas Spradling, the keeper of the city jail, to Warner and the Cavenders. However, the court found the venereal disease provision of the state law to be constitutional insofar as it authorized the health commissioner to detain infected persons.³⁵

On January 20, Mayor Hall filed a report with Dr. W. T. Henshaw, the state Health Commissioner. Hall reported that 87 men and women had been detained in the city's campaign against vice. Examinations showed 68 had a venereal disease and 16 of those had more than one form. The laboratory tests showed nineteen to be disease-free, although some of these had previously taken treatment. More than half of the persons detained resided outside of the city and under the provisions of the state law they signed statements admitting their infection and promised to take treatment elsewhere. Hall informed the health commissioner that he had conducted his campaign with information furnished in a confidential report prepared by an investigator of the United States Public Health Service working in cooperation with the state Department of Health. The police department investigated the places named in the report, although they had arrested quite a number of the persons detained for examination at other places. "I have found by three and one-half years experience that our city ordinances covering the question of prostitution and venereal disease are ineffective," the mayor's report said. "Being thoroughly convinced that arresting prostitutes, fining them, and permitting them to go back into the community to pursue the same business, is a waste of time, I, as mayor of Charleston, more than a month ago decided to proceed under the provisions of the

state venereal disease control law, with the results shown above."³⁶

The report providing the basis for Mayor Hall's vice campaign concluded that Charleston's underworld had been flourishing and vice had been flagrant. The investigator, who spent two and a half days in Charleston and visited several houses of ill-fame and nearly all of the hotels, described in detail the conditions he found. The report described the most vicious hotels as being situated near the courthouse and police headquarters and believed the police knew of these illicit operations. "The very section in which the resorts are located places Charleston's vice problem squarely upon the doorstep of the police department."³⁷

Although the report maintained that Charleston had no "red light" district, it noted the apparent concentration of prostitution activity in the Triangle district. "Commercialized prostitution is flagrantly practiced in the city. In that section of the city which is known as 'the Triangle' parlor houses of prostitution are openly conducted. The madams and inmates in this vicinity solicit trade from their windows and doorways by boldly calling to passersby, inviting them to enter and to select a prostitute." The report also claimed, "Colored and whites in this section mingle freely. Many of the white women are alleged to cater to a mixed trade. Charleston's underworld called this type of prostitution as a 'coal dealer.'" On average the houses harbored two or three girls, who typically lounged in a receiving parlor clad in street clothes. Each paid a weekly board and room rental fee in addition to a fifty percent share of earnings. Small children could be seen in many of the houses with deals being made in their presence. Clients, typically men between the ages of 17 and 40 years and largely coming from the surrounding countryside districts, patronized the resorts, particularly on Saturdays and Sundays. In addition to these open houses, the report described the Triangle district as being "literally

honeycombed with both Negro and white prostitutes who operate as individuals. Many of these women have a regular patronage that continually visit them, while others resort to street soliciting in order to secure trade."³⁸

In addition to the police department's efforts against crime, the force also had to concentrate its efforts on the growing problems associated with the automobile. City officials had to enact and enforce new laws regulating driving, parking, and jaywalking.

In June, 1919, the city began a campaign to compel automobile owners and drivers to adhere to the city's various regulations. The police department arrested all violators of the provisions of the various traffic ordinances of the city and required them to appear before Police Court. Law officials placed particular emphasis on the apprehension of those failing to have the necessary licenses on the front and back or the proper lights on their vehicles. The city ordinance required two front lights, one red light in the rear, and a white light showing the license numbers to be visible from 200 feet. The department issued orders that each person violating an ordinance be warned once and arrested for any subsequent violations. The following month, Chief of Police John H. Charnock gave notice that no more warnings would be given and arrests would follow any violations.³⁹

On July 28, the transportation committee of the Charleston Chamber of Commerce decided to ask Mayor Grant P. Hall to modify certain traffic regulations because of the "hardships to owners of automobiles, motor trucks, and horse drawn vehicles." They complained against provisions of the city ordinance requiring a parked vehicle in the business districts to always be accompanied by a competent driver and to be removed within three minutes if blocking traffic or no longer than ten minutes under all other circumstance. Several businesses, especially those used in deliveries, complained of the extra expense required to maintain two men

on delivery trucks and of the insufficient time limit for parking. Being responsible for enforcing the ordinances on the statute books when he took office, Mayor Hall acknowledged his inability to help. "I am willing to do anything that is in my power," he said, "but it is up to the city council to act." However, he stressed that the growth of the city and the narrowness of the streets inhibited parking for any length of time.⁴⁰ Council referred this measure to the ordinance committee at an August 4 meeting.⁴¹

In March, 1920, the police department began the strict enforcement of the city's ordinances. They stressed that Capitol Street could only be traveled in one direction from the Kanawha River toward the capitol building. Former administrations had relaxed the rule after 11 p.m. and allowed drivers to drive in either direction.⁴²

In May, 1920, violators of traffic laws caused an increased concern in the city. Speed limit violations created the most frequent problems. Although Chief Charnock made special efforts for enforcement, he admitted that in some cases the violators sped so fast that their license numbers could not be seen. The city's ordinances set a speed limit of 10 miles per hour (mph) in the school and business districts and 15 mph on city streets outside of these areas, except for slowing to 6 mph when crossing main thoroughfares or street car tracks and when emerging from an alley, garage, stable area, or any place of business.⁴³

Charnock's efforts caused city Police Judge William W. Wertz to be overwhelmed with violators. Wertz believed this to be a "serious question" for the city since sentences were too mild. Therefore, some other means needed to be found. "A stiff fine, even a jail sentence, has lost all its meaning in this day and time," he remarked. Wertz lectured traffic law violators and gave them suspended jail sentences since an appeal with an agreement to pay fines and costs generally exonerated them.⁴⁴ However, Judge Wertz, "weary

of temporizing," issued a statement from the bench that no leniency would be shown for future offenders and the limit prescribed by the speeding ordinance would be given. Wertz issued this statement during the arraignment of Elmer Wall, a taxicab driver charged with speeding on Washington Street. Because he had appeared before the court several times previously for speeding, Wertz assessed a fine of \$10 and sentenced him to serve thirty days in the city jail.⁴⁵

Despite these efforts, Councilman Harold S. Mathews declared that the police department paid more attention to improper parking than to speeders or others violating the city's traffic laws. He called for a committee composed of himself, Councilmen Harry V. Pierson and William T. Lively to make a special probe into the matter.⁴⁶

In August, Judge Wertz said, "What will be done with the speeders and other traffic law violators in the future, is a puzzle that will have to be worked out as time passes." He remarked that Charleston had some of the most expert drivers in the country, otherwise, a half dozen people would be killed every day because of the conditions existing in the city, particularly the narrow streets. However, he believed his new system of punishing speeders had materially decreased the number of violations. Because automobile owners could generally get bail and secure their release, Wertz had been assessing a fine and sentencing violators to ten days in city jail upon conviction. Then, he allowed a \$25 cash bond for good behavior during the next thirty days. The judge ordered those forfeiting these special bonds under this agreement to be picked up for violating their parole and sent them to jail to serve the sentence imposed. Only by applying to a higher court could the violator possibly get bail.⁴⁷

In April, 1921, the parking laws on Capitol Street began to be stringently enforced. In order to keep the street clear of traffic, the police towed more than a score of these illegally parked vehicles on April 4. The

violators, with "considerable indignation," had to appear at police court to pay a \$1 cash bond, which the judge suspended with a warning. The police began enforcing the old ordinance, which did not allow parking on the left side of the street and only allowed parking on the right side for a ten minute time limit and required someone to remain in the car so that it could be moved if needed, because violators had abused the relaxed parking policy. After April 22, Mayor Hall instructed the police department to strictly enforce the new rules and regulations for driving and parking. He had posters printed and distributed in every part of the city and said that extra police would be hired if the present force proved insufficient.⁴⁸

As a result of numerous complaints about unnecessary noise from automobiles with altered mufflers, Mayor Hall declared a week in July to be "Cut-Out Week." The mayor urged citizens to report offending automobiles so that the owners could be identified and warrants sworn out. He stated that the presence of a cut-out would be sufficient evidence to convict. Because of the large number of policemen required to enforce this widespread violation, Hall saw this as the only practical method of procedure and promised to keep the names of those reported the offense confidential.⁴⁹

Councilman Harold S. Mathews of the council's public safety committee initiated a "Too Much Speed" campaign. He hoped the eight-day campaign from September 11 to 18 would draw attention to the reciprocal duties of both drivers and pedestrians in ensuring safe conduct. He used the slogan of "not a single accident in eight days" to get the public to think of "safety first." Chief Britton believed that "if the attention of the public generally can be centered on 'safety first' for an eight day period it will be followed by continued careful driving and careful walking and thus will serve to reduce the number of accidents in the future."⁵⁰

In October, Chief John Britton began a campaign to increase the number of city policemen. He claimed that the

present force equaled that of twenty years earlier and that only one policeman existed for every 2,500 city residents. He believed the present force of twenty-five patrolmen working both twelve hour shifts to be inadequate for a city of 60,000. Sixteen men worked the day shift with six of these working traffic at congested corners and nine worked at night. He also noted the mayor's dissatisfaction with the small number of men on the force. Britton suggested that the force at least be doubled. His study of New York, Chicago, and Cincinnati revealed one patrolman for every 500 inhabitants. Britton stated, "At present, Charleston has one man to about every 2500. This is just one fifth of what it ought to be." He added that these figures came from normal times and "not during such a crime wave as is sweeping the country at present."⁵¹

In January, 1922, Britton proposed to council a system of safety zones to be laid off in the principal business streets of the city for the protection of pedestrians. Council unanimously passed the resolution on January 16. The resolution also empowered the police chief to lay off safety zones in other parts of the city as needed. These crossings, designated by painted white lines, protected pedestrians from being hit by an automobile, which had to slow down at these points.⁵²

By June, Britton declared that "jaywalking" in the business sector had to stop. He ordered white lines painted at all corners on Capitol Street to guide pedestrians across the busy thoroughfare. Those walking between the lines had the right-of-way over all other traffic, while those crossing at other than marked points did so at their own risk since other traffic would then have the right-of-way. Additionally, automobiles could not park in these safety zones or exceed the 6 mph speed limit. The police department soon incorporated other streets, including all intersections between Kanawha to Washington Streets and Broad to Court Streets in the downtown district, and Charleston to Virginia

Streets and Tennessee to Delaware Streets on the west side business district. The city also made plans to provide 100 feet safety zones in all school districts throughout the city. The police department marked off a twelve feet space in the center for children to cross and required traffic to come to a "dead stop" at the signal of the traffic officer.⁵³

When Britton and others had to go to Toledo, Ohio to bring back a fugitive from the law, they passed through several towns and cities using similar safety zones marking systems. Britton said each of the chiefs of police in the different cities told him that the system worked very satisfactorily. However, the other cities also had "blind policemen," which consisted of a sign in the center of each street intersection with instructions, such as "Keep to the right." By December, Britton erected the first "blind policeman" at the congested corners at Capitol Street and Kanawha Avenue. The following month, he placed another at Summers and State Streets. He placed a sign on a block of concrete weighing 350 pounds with a base of approximately 24 inches in diameter at the bottom and tapered to a point at about two feet high. Its position required motorists to slow down to 6 mph to make the turn safely. A driver assaulted Britton's "pet" on Summers and State Streets two months later when he admitted to colliding with the object and unknowingly carrying it to Broad Street on his bumper. Britton thought this impossible.⁵⁴

A resolution introduced at an August 16, 1920 session of council proposed some additional thoroughfares in the downtown section of Charleston to be made into one-way streets for automobile traffic. The resolution, offered by Councilman Harold S. Mathews, provided for a conference between the safety committee and Police Chief John H. Charnock to determine the advisability of including portions of Quarrier, Summers, Hale, Virginia, and Kanawha Streets in the one-way traffic limitations. Council passed the resolution, which instructed the safety committee to report

its conclusions to council at a future date.⁵⁵

Two weeks later, Judge Wertz declared, "We must make all streets in the business section of Charleston one way thoroughfares, in order to be able to handle the traffic without the congested conditions that have been so troublesome during the past two years and which are rapidly becoming more so as the city grows larger, the population increases, and the surrounding suburbs increase in size." He considered the city's streets to be too narrow for two-way traffic and remarked at the improvement seen on Capitol Street since it had been turned into a one-way thoroughfare. He considered this the best option since the widening and extension of streets would cost millions, which the city did not have.⁵⁶

A report presented to Mayor Hall in December, 1921 by a joint traffic committee of the women's club and the automobile club asked for drastic changes in the routing of traffic on the downtown streets. The report called for the establishment of twelve one-way thoroughfares and the continuance of two-way streets on sixteen other streets in the business district. It also outlined regulations governing parking and rules regarding pedestrians. However, later estimates determined the proposal to be too costly. The additional services of nineteen additional officers at a cost of \$2,660 per month would be required. Council appointed a subcommittee, consisting of E. B. Hager of the automobile club, Mrs. B. S. Morgan and J. S. Darst of the women's club, Chief Britton, and Councilman Lon H. Barringer, to make a plan for less elaborate changes. At this point, they considered Summers Street to be the only likely choice.⁵⁷

On May 1, Britton made Capitol Street a one-way thoroughfare between Kanawha and Washington Streets, and stationed additional traffic patrolmen at the Lee and Washington Street intersections, the city's main traffic artery. The new regulation resulted from increases in the

volume of traffic and the danger of accidents.⁵⁸

The police instituted new regulations concerning traffic at the Capitol Street corners of Virginia and Quarrier Streets on August 5, 1922. Traffic, governed by policemen's whistles, would not be allowed to turn either right or left at these crossings. Previously, traffic had been governed by the "frantic waving of hands and arms of the traffic officer in the center of the street." Now the whistle would be blown once to "stop" and twice to "go" with the signals determined by the position the officer faced at the time.⁵⁹

The police department also considered entirely excluding traffic from Capitol Street between Kanawha and State Streets on Saturday nights. Capitol Street merchants believed the streams of automobiles harmed business because of the crowded condition of the street at that time. On Saturdays the area remained crowded all day, but the worst congestion occurred from 5 p.m. to midnight. Shoppers had difficulty crossing the street from store to store and the crowded sidewalks could then overflow into the streets.⁶⁰

Chief Britton applied for twenty-five additional men in August. He planned further regulations governing the traffic as soon as these officers appeared for duty. The new system of governing traffic by whistle proved such a success that Britton planned to introduce it at other crossings if council approved his request for additional force. The system facilitated the handling of traffic and allowed pedestrians a safer means to cross at these intersections. Since the administration of Mayor C. E. Rudesill from 1903 to 1905, the force had actually decreased by two. The traffic officers worked a 12 hour day with two hours on and two off. The traffic problems in the business districts had increased the importance of police work in that area, while depriving outlying beats of patrolmen. The extra force would enable better protection for the rural districts, as well as allow more men for traffic duty.⁶¹

The police department initiated a new card system to aid in the recovery of stolen automobiles on September 1. The police requested each automobile owner to register the car with the department. The card, showing the name, numbers, style, color, kinds of wheels, and numerous other identification marks of the vehicle, would be filed with the police chief and the desk sergeant's office. When an owner discovered the car missing, a telephone call could be made to headquarters and within two minutes local officers would be notified and the description flashed over the wires to nearby cities, such as Huntington, Montgomery, and Point Pleasant.⁶²

A conference between Summers Street store owners and Chief Britton on whether that street should become a one-way street met on August 11. The traffic department wanted to make Summers Street one-way from State Street to Kanawha Street, with traffic moving in that direction opposite to the direction of Capitol Street. Chief Britton also hoped to make the corner of Virginia Street a straight way crossing, prohibiting turning either right or left at that point. Since council had approved fifteen additional officers, Britton planned to assign two to this corner provided the business owners of that section agreed to the arrangement. Being a wholesale district, traffic generally moved more slowly.⁶³

Britton established "traffic week" for the end of October. Afterwards, he declared the effort to be "gratifyingly successful." He credited a surprising decrease in the number of traffic violations to this offensive effort by the police department for the strict enforcement of the traffic ordinances. His department had led a big drive against those drivers in the habit of cutting left-hand corners, while "speed demons" ran a close second.⁶⁴

The police department began an effort at a November 6 meeting of council to secure an ordinance requiring all automobile accidents to be reported to the police department. Chief Britton noted that most wrecks resulted in "curbstone

settlements," whereby those involved reached a compromise between themselves at the time of the accident for the disposition of damage costs. Consequently, the police department could not investigate and fix responsibility for the occurrence of the accident. "All accidents should be investigated by the police department," said Britton, "in order that responsibility for wrecks may be fastened on whoever causes the wreck, and prosecution for carelessness ensue." Chief Britton designed new forms for reporting automobile wrecks to the police department and put them into use on December 15. The ordinance passed by city council required the owners of automobiles having accidents of any kind to report the incident to the police department within 24 hours after the occurrence or prosecution would follow. The ordinance imposed a penalty of a \$5 to \$10 fine for failure to report an accident. Responsibility for reporting accidents fell on both parties. "It matters not how little the accident may be," Britton said, "car owners must report them or they will be arrested for violation of the ordinance."⁶⁵

The police also began vigorous enforcement of the parking regulations. Officers made nearly 100 arrests on the opening day of the campaign, while tagging a large number of automobiles. This method simply required the patrolmen to place a note somewhere about the steering wheel requesting the owner of the vehicle to appear before the police judge to explain their violation. For those failing to appear in police court or register with the police sergeant at headquarters, the judge swore out a warrant and ordered their arrest for nonappearance. The court required a bond of \$1. Most of those putting up the bond failed to appear the following morning, since the fine usually amounted to \$1. Chief Britton stated his disapproval of the current parking system in the business district, but remarked that he was responsible for enforcing existing laws. However, he drew up a number of suggestions to improve conditions.⁶⁶

In an effort to relieve congestion in automobile traffic, Chief Britton designed a program to regulate traffic in the city, particularly those streets in the business section. He planned to present this proposal to the city council for approval. However, Britton decided not to ask the sanction of council to install his new traffic system after Mayor Hall informed him that as chief of police, he had "supreme power over traffic regulations." Afterwards, council could annul the acts of the police department if its members deemed the regulation of traffic as being "too radical." Sufficient opposition to the proposed changes existed among members of council, so Britton did not take the matter up with them, lest the plan go by the board. Section 421 of the code of city ordinances stated, "Whenever the chief of police shall deem it advisable for the public safety or convenience to close any street, alley or any part of any street or alley to vehicular or pedestrian traffic or to vehicles of certain description, or to divert, or direct the traffic thereon, or to divert or direct the course of pedestrian travel, said chief of police shall have power and authority to do so."⁶⁷

Britton announced new traffic rules would be effective on December 16 at midnight. One-way traffic would be established on five of the principal business district's streets of the city. This impacted Quarrier, Hale, Dickinson, Dunbar, and McFarland Streets. Automobiles would be allowed to go west on Quarrier Street from Broad to Capitol Streets; south on Hale Street from Lee Street to Kanawha Street; north on Dickinson Street from Quarrier to Lee Streets; south on Dunbar from Quarrier Street to Kanawha Street; and north on McFarland Street from Kanawha Street to Quarrier Street. With the exception of Dunbar Street, the regulations permitted parking on the left for one hour. The measure also permitted parking on Dunbar Street on the right side for a like period. With the exception of Dunbar Street, parking on all these streets changed to 45 degrees, instead

of the parallel parking that had prevailed. Chief Britton planned to implement this system after the erection of the signs. Signs had been obtained and erected by the stated date on Saturday, December 16. Britain initially planned to postpone the implementation of these changes until the spring with nearly all downtown streets being impacted. However, after a meeting with citizens, Britton decided to try this area first. For the first few days special traffic officers would be placed at all of the streets to assist in enforcing the law and instructing drivers how to follow the new system. Mayor Hall recommended that violators of the parking ordinance be fined \$10 instead of the \$1 penalty that currently prevailed. Once effective, Britton sought to have first offense violators to post bonds of \$5. Mayor Hall greatly favored this new idea. He believed it would greatly reduce traffic congestion in the business district and would be highly beneficial to traffic in general.⁶⁸

The police department also played an important role when a movement, led by the city's ministers, got underway. The ministers brought about the cooperation of the city's administration in their efforts to secure the enforcement of the Sabbath closing laws.

Police officials arrested a number of grocers and small shopkeepers, who appeared before Judge William W. Wertz on February 28, 1921, for violating the Sunday closing law. The judge, who noted that for some time these violations had been reported, lectured the violators. He remarked that the time had come to bring the practice to a halt before violations became too flagrant. He said the men should be satisfied with six days of business and should seek rest and religious recreation on Sunday. Following the lecture, Wertz dismissed the charges.⁶⁹

A movement to have retail stores in Charleston close at 6 p.m. on Saturdays began in June, 1921. The Charleston Ministerial Association unanimously adopted a resolution asking merchants to close at this hour and requesting

consumers to make all purchases earlier in the day. The organization attempted to allow employees to get rest in order to attend Sunday school and church services on Sunday morning.⁷⁰

Later during the same month, city officials warned fruit and grocery store proprietors of the necessity in obeying the "Blue Law," which required nonessential businesses to close one day each week to observe the Sabbath. Since grocery stores had been suspending business on Sundays, fruit stores, which also carried the general edibles sold in grocery stores, had been remaining open for people forgetting various items necessary for their Sunday meals. Taking advantage of the permission granted to remain open on Sundays, many fruit store proprietors had been selling all items from their stock. City officials ordered those stores having groceries in addition to fruit to keep the two sections separate, with the grocery side untouched on Sundays.⁷¹

Early the following year, the Ministerial Association laid plans for the enforcement of the Sabbath closing laws in city ordinance and state law. The Lord's Day Alliance, a countywide organization, initiated an effort to insist upon places of business being closed on the Protestant Sunday. The campaign sprang into existence from a mass meeting held at the Union Mission on January 1. The meeting had been called by Reverend Pat Withrow of the Union Mission, Reverend L. E. McEldowney, and Commandant J. A. Harvey of the Salvation Army. The association appointed a committee to notify gasoline stations, fruit and cigar stands, soft drink establishments, and all mercantile stores in the city that after January 8, 1922, they would be required to close on the Sabbath. Recognizing that they had no authority to enforce the laws, the ministers saw their primary role as gathering evidence of possible violations and presenting it to the proper authorities. Failure to observe the association's notice would result in prosecution by its

members in police court and the justice court. To accomplish this, the ministers called for the cooperation of the Christian residents. Speakers expected 75 percent of the city's residents to favor Sunday closing and believed Mayor Grant P. Hall and Prosecuting Attorney Frank C. Burdette would make every effort to enforce the law upon complaints of the association.⁷²

The city ordinance read as follows:

No person, on the Sabbath day, shall be found laboring at any calling, or employ his minor children, apprentice or servants in labor or other business, except in household or other works of necessity or charity; provided, however, that it shall not be unlawful to transport the mail, passengers and their baggage, or to run any railroad train on Sunday; and provided further, that any person who conscientiously, believes the seventh day of the week ought to be observed as a Sabbath and actually refrains from any secular business and labor on that day shall not be liable under the provisions of the section for laboring on the Sabbath day, if he does not compel an apprentice or servant not of his belief to do secular work or business on Sunday and does not on that day disturb any other person in his observance of the same.⁷³

The state law included similarly wording, except that it more explicitly stated that at least one day during the week had to be observed as the Sabbath.⁷⁴

Initially, Mayor Hall made no comment concerning the association's notices, except to inquire as to which businesses would be affected. In private discussions with the members of the association before the initiation of their notice, he remarked that he did not believe the sentiment of the people, including many church members, favored enforcing the Sunday laws. However, the association received initial responses considered to be highly complimentary. Councilman Harold S. Mathews, desiring even stricter enforcement, sent a letter to the association

calling for them to proceed against the delivery of milk and bread, elevator service, and collecting tolls at bridges.⁷⁵

After a meeting with the Ministerial Association, the city's retail druggists announced that they would close voluntarily on Sundays. Several druggists, though, announced that the prescriptions of regular customers could be filled as a matter of accommodation or necessity. However, a meeting of automobile garage owners and gasoline filling station representatives voted unanimously to remain open on Sundays. Claiming their industry to be essential to the welfare of the public, they believed their service should be available to all operators of automobiles.⁷⁶

While finalizing plans, Pat Withrow stated that the law would be enforced to the letter. Mayor Hall sympathized with the movement and had referred inquiries for information to Withrow. Police Judge Wertz had promised to issue warrants upon the proper filing of complaints and Prosecutor Burdette had given assurance to "lend every assistance in his power to secure convictions of the violators of the law."⁷⁷

The first "Blue Sunday" in Charleston passed quietly with many stores obeying the association's notice and closing. Although several stores opened in the morning, all but one business closed after representatives of the committee notified the mayor, who in turn notified the store owners that they would have to close to avoid arrest. Supporters followed this procedure in each case where stores remained open. No orders had been issued to the police to make any arrests other than those reported by the mayor or those for whom a warrant had been issued.⁷⁸

Some confusion appeared in determining the businesses affected, even though regular Sunday activities seemed to continue. Police allowed a downtown newspaper stand selling only papers to remain open the entire day. Service stations sold gasoline and taxicabs ran as usual. They allowed "hot dog" stands, which operated under licenses, to remain open and sell soft drinks. Cigars and cigarettes continued to be

available in a few restaurants, although most stands in hotels and restaurants closed. A cigar store, which had closed, reported a larger sales volume on Saturday, but had lost sales of candies and periodicals, which had accounted for the bulk of the usual Sunday sales. However, general activities appeared little disturbed except for a reported increase in church attendance and a number of spectators on the streets to observe the effectiveness of the order.⁷⁹

However, Joseph Corey, a fruit store proprietor at the entrance of the arcade on Virginia Street, faced charges for twice violating the Sunday closing law. Posting a \$25 bond for his first arrest, Corey again opened his store. After Chief of Police John Britton, a representative of the "blue" committee, and Mayor Hall, who personally telephoned Corey, issued repeated warnings to close, police arrested Corey and took him to police headquarters where he demanded that a warrant be issued and that he be formally arrested. He stated at the time that he intended to make a test case of his arrest. After being released on his personal recognizance, Corey retained B. J. Pettigrew as council. At a Monday hearing in municipal Police Court Pettigrew announced that a test case would be made and demanded a jury trial. This allowed the lower court to hold him to a grand jury for Intermediate Court.⁸⁰

On January 10, the Intermediate Court grand jury indicted Corey. This indictment automatically disposed of the case in the lower court. Following an investigation by Prosecutor Burdette, the court summoned Chief Britton and two detectives to testify in the case. The indictment returned charged Corey with the unnecessary sale of tobacco and cigarettes on the Sabbath against the peace and dignity of the state.⁸¹

Following the first "blue" Sunday, Mayor Hall expressed confidence that the enforcement would eventually be accepted by all those affected without serious protest. Speaking before the annual banquet of the Ministerial

Association, Hall did not take an emphatic stand of either side. Recognizing the many details yet to be worked out, Hall said the ministers were on the "right track," but said, "It is my opinion that the enforcement of these old laws can be carried too far."⁸²

On Charleston's second "blue" Sunday Mayor Hall ordered the enforcement of strict observance of the Sunday closing law. He made no specification of the class of stores to be closed because he had decided to have the courts determine which businesses should remain closed in the future. The arrests focused upon restaurants, "hot dog" stands, and service stations. Police took no action against the sale of newspapers and magazines from news stands, children on the streets, or cigar stands, provided that they sold nothing else. Also, Jewish proprietors, who voluntarily closed their businesses at sundown Friday and reopened at sundown Saturday, operated unmolested.⁸³

Police Court Judge Wertz spent a busy Monday sorting out the previous day's arrests. He dismissed the charges against six restaurant owners, who had been accused of conducting business other than food over their lunch counter, because no evidence had been presented to show that they had sold anything other than food. The judge continued the cases against seven gasoline station keepers until January 19 on a motion by the defendants to prepare their case for trial.⁸⁴

The court primarily focused on the charges against seven owners of "hot dog" stands on this day. Questions arose over the selling of soft drinks in connection with hot dogs even though all defendants admitted to doing this. The attorney for the defendants, Horace S. Meldahl, argued in court that this did not violate the law since "hot dog" stands operated under a restaurant license, which permitted them to open on Sunday, and a soft drink license. "The purpose of the two licenses," the lawyer argued, "is to bring revenue to the city, and not to regulate sales, and soft drinks sold in these places on Sunday could be construed as being

part of the meal." In prosecuting the case for the city, Judge D. W. Taylor argued that two types of business operated in the same establishment. While he made no argument to stop the sale of hot dogs, he declared that selling soft drinks would be a violation.⁸⁵

During their statements an argument arose between the two lawyers regarding the nationalities of the defendants. Judge Taylor stated that if they could not obey the laws of America, they had better return to their homes in Greece, Turkey, and Italy. Attorney Meldahl referred to the one American and said the statute or the licenses made no distinction between him or the others. Judge Wertz took the cases under advisement until January 19, noting that the ruling would only regard the sale of soft drinks. The defendants posted bonds of \$25 to ensure their appearance.⁸⁶

On January 19, the fourteen "blue" law violators again appeared before Judge Wertz. The judge dismissed charges against seven keepers of "hot dog" stands, stating that the evidence showed that soft drinks could only be construed as part of the meal, similar to serving coffee or tea with another meal. However, he announced that the sale of soft drinks alone would clearly constitute a violation.⁸⁷ The seven men charged with keeping their service stations open on Sunday had their cases taken under advisement until the following Saturday. Judge Wertz wanted to render his decision before another Sunday, so a determination could be made as to whether the service stations could stay open or not.⁸⁸

The station owners' attorney, E. S. Bock, pointed out the changes that had occurred in the automobile industry since the enactment of the "blue law" in 1882. Through the testimony of Clifford Fruith, a defendant, the attorney tried to point out that all gasoline did not just involve pleasure seekers on Sunday, but included doctors, milk delivery men, and taxicab drivers as well. The latter two examples, he argued, would not be able to carry out their

job duties if unable to replenish their stock of oil and gasoline. Basing his argument upon these assumptions, Bock said "children would be deprived of milk, the sick go unattended and in the event a person was to be removed to a hospital he would have to wait until Monday."⁸⁹

Bock said the law should be viewed in light of advancing civilization and, if the statute denied the privilege of driving an automobile on Sunday, lawmakers should repeal the law. Addressing the selling of gasoline to pleasure drivers, Bock took the position that the service station keeper resembled the paid musicians or choir singers hired on Sunday to entertain the congregation. Any use of an automobile by its owner, testified C. A. Midleburg, constituted a necessity after working inside all through the week and needing fresh air.⁹⁰

Judge Taylor, employed by the Ministerial Association to prosecute these cases, answered these arguments only briefly. He simply stated that the defendants had admitted to selling to pleasure seekers, so the court had to determine whether or not this should be considered a necessity. He did not even address the question of doctors, milk drivers, or taxicab drivers, so these points went to Wertz unchallenged.⁹¹

By the following Saturday, Police Judge Wertz had not yet rendered a decision on this case, saying that he needed several more days to study and make retrospective inquiries into cases of similar nature already decided by the courts. Wertz's key problems centered on defining what constituted necessary and unnecessary selling and weighing the rights of those drivers whose businesses were just as important on Sunday against those drivers who simply drove for pleasure on Sunday. He tried to determine whether a sufficient supply of gasoline, oil, and water could be purchased on Saturday by any buyer. Therefore, all Sunday sales would become unnecessary.⁹²

However, attempting to help direct the actions of the

police department, Wertz announced that any sales of gasoline on the following day would be a violation of the Sunday closing law. Based on Wertz's decision, Mayor Hall, before leaving for Washington D.C. for the weekend, ordered Chief Britton to arrest anyone selling tobacco, soft drinks without meals, and gasoline.⁹³

Charleston's third "blue Sunday" came on the following day. Although the hot dog stands reportedly carried on a "thriving business" unmolested by the police, police arrested four service station owners for defying Wertz's announcement of the previous day. In addition, a new question arose. Officials arrested James Glenn, an employee of King's Auto Wash on Kanawha Street, for washing automobiles.⁹⁴

By the following Wednesday, Wertz had decided on the question of service stations opening on Sunday. If the person purchased the gasoline out of necessity, then it could be sold. Otherwise, such as for recreational driving, then it could not be sold. Wertz warned citizens purchasing gasoline on Sunday that they would be taking the same chance as purchasing liquor from a bootlegger. He noted that these two examples matched since laws outlawed the former one day a week and the latter seven days a week. He gave the dealer the discretion to determine whether or not the purchase should be considered necessary. However, he did cite several cases of necessity, such as purchases for taxicabs, ambulances, milk delivery trucks, ice trucks, and doctors' automobiles. After dismissing the defendants, he announced that no arrests should be made in the future if a station opened on Sunday. However, persons cognizant of a violation could swear out a warrant for the arrest of the station owner and would be responsible for prosecuting the case. Chief Britton pointed out that this procedure followed any other closing law violation.⁹⁵

The following Sunday went smoothly. No closing law arrests occurred. Despite Wertz's previous decision, few

gasoline stations opened, yet many people reportedly braved the danger of running out of fuel to go "joy riding" on this beautiful day. Hot dog stands remained open and several pool rooms with attached lunch counters conducted business. The latter practice would eventually create problems.⁹⁶

Despite the apparent observance of the Sunday law, opposition within the city began to develop. At the end of January in the packed Strand theater, Reverend James E. Schultz of the First Seventh-Day Adventist Church held a meeting to protest the law. The meeting adopted a resolution calling the law "un-American, un-Christian, unconstitutional, and destructive to the first amendment to the Constitution" and requesting both the city council and the state legislature repeal their respective legislation.⁹⁷ Similarly, by the end of February, 1,000 members of the Anti-Blue Law League, Inc. signed a petition and presented it to Mayor Hall. The group asked the mayor to either rescind the law or enforce it to the letter, thereby closing down all forms of recreation in the city. They also requested a public hearing. In the same week, the group opened a permanent headquarters in a downtown office building to carry out a statewide campaign.⁹⁸

In the following weeks Judge Wertz had to clarify and expand his previous decisions. A misinterpretation on the matter of selling items other than food in a restaurant became apparent with the arrest of George Cantas, who had been charged with selling chewing gum. Although the judge dismissed the case after Cantas' attorney explained that his client had thought that anything could be sold if a patron bought a meal, Wertz warned others that this did not accord with his previous decision. Wertz further explained his previous decision by saying that ice cream and beverages could be sold in connection with food. However, any item not regarded as food or some article to be taken away from store could not be sold.⁹⁹

By the end of April, Mayor Hall's wrath at "trick

restaurants" had climaxed. Noting that fruit stands conducted a thriving business in fruits, nuts, candies, and cigarettes while having an inadequate and poor selection of pies and doughnuts at their lunch counter and that several pool halls and billiards parlors camouflaged as restaurants in order to beat the closing law, he ordered fruit stands and pool halls to be "sealed up tight as beeswax on Sunday." He issued brief and explicit instructions to Chief Britton. "Close them all up, and see they keep closed on Sunday." These businesses generally observed Hall's directive the following Sunday.¹⁰⁰

A minor controversy began at the end of May. Uriah Barnes had been secured to compile the city code. However, when the book came off the press, a reporter quickly noticed the absence of a Sunday closing ordinance. After querying Barnes, who did not remember coming across the law, the newspapers contacted Mayor Hall. Hall emphatically declared that the city ordinance existed, adding, "Why I have a copy of it in my pocket." The following day, the matter became somewhat cleared up. Even though the ordinance had been in the original copy that went to the printer and in the returned proof, it had somehow been lost in the finished book form and its index. To cover-up the disappearance, someone had sliced and renumbered sections of the code so that the page numbers would be unchanged. Since eight to nine people worked on the project, the person responsible went undiscovered.¹⁰¹

The boundaries of the Sunday law had been fairly well established until the Spring. Luna Park, an amusement park on the West side of Charleston, hoped to open its season in May. After receiving several complaints from West side residents over the prospect of the park opening on Sundays, Mayor Hall issued instructions to Chief Britton to keep the park closed on Sundays and to place its officials under arrest if the park opened. He based his decision on the Sunday law's application to unnecessary work. Since those

employed at the park would be engaged in amusement, they would be performing unnecessary work.¹⁰²

Following this announcement, Mayor Hall met with Al Leichter, the manager of Luna Park. The mayor agreed that the park could open if it did not conducted business for profit. Arguing that people could swim in the river so therefore ought to be allowed to swim at the park's pool, Leichter announced that the swimming pool would be opened on the following Sunday. Although he offered free inspection for all, he said a charge would be assessed for the pool. When asked what he thought the city's response would be, Leichter said that he supposed he would be arrested. In response, Mayor Hall agreed that he would be arrested.¹⁰³

Despite his previous statements, Leichter did not open the pool on this Sunday. Instead, he decided to open the entire park to test the Sunday ordinance. Again, he expected to be arrested.¹⁰⁴ On June 11, Luna Park opened to the public at one o'clock in the afternoon. Shortly afterwards, twenty-four people, including five women, were arrested for violating the Sunday closing law. These arrests required three trips to police headquarters, and afterwards Mayor Hall and Chief Britton arrived at the park in civilian clothes. Several hundred people remained there. "The park won't stay open on Sunday as long as I am mayor," said Hall. "I didn't make that law, but while I am in this office, it will be enforced." When asked whether he intended to revoke the park's license, he remarked that any actions would depend on the future attitude of the park's management. Should they insist on remaining open on Sunday, steps would be taken to force them to close.¹⁰⁵

Mayor Hall accompanied Chief Britton in a tour of the grounds. A curious crowd followed the two about the park. Although the ticket selling had ceased, many stayed people in the swimming pool and the skating rink, and, even though the park did not attempt to operate any equipment, the music on the merry-go-round continued to play and children still

filled many of the rides. The mayor's first ordered police to stop the music. Afterwards, the tour next went to the skating rink. Even though the ticket seller had been arrested after the sell of the first two tickets, nearly forty boys and girls continued skating. A large sign posted in front of the rink read, "We can't sell tickets. You can skate for free and give whatever you like." Following orders to "stop that noise," referring to the skating, the police ordered the skaters to remove and turn in their skates. Next came the swimming pool where police ordered swimmers to get out of the tank and to put on their clothes.¹⁰⁶

At their initial hearing, Wertz released the arrested workers of Luna Park on a \$50 cash bond each and continued the cases until an attorney could be secured. At a hearing before Judge Wertz on the following Friday, E. S. Bock appeared to represent the Luna Park defendants while Donald O. Blagg, the city Solicitor, and Lon H. Kelly, a member of the Law and Order League, represented the city of Charleston. Bock based a defense on the grounds that the city ordinance violated of the state law and that the city charter did not authorize the council to pass an ordinance in regard to Sunday closing. Wertz withheld his decision to pursue the legal questions raised by the attorneys.¹⁰⁷

The following day, the court granted a continuance to give the defendants time to employ an attorney. However, Wertz gave E. D. Hudnall, who had been charged with selling tickets at the gate of the park, a \$10 fine. Bock immediately appealed. This allowed a test case to be made to the higher court. Luna Park officials announced that no attempt would be made to open the park until after the resolution of the test case.¹⁰⁸

A month later, Leo Keil, a Luna Park defendant charged with selling soft drinks on Sunday, appeared in Circuit Court. The case, heard by Judge Arthur P. Hudson, sought a writ of prohibition, which would forbid Judge Wertz from trying the case against him. Attorney Bock argued that no

legal right existed for enforcing the ordinance since the city charter failed to give the city such broad power. Wertz's attorney, Solicitor Blagg, stated that the charter included general political powers that allowed the adoption and enforcement of the Sunday laws. He also cited previous court decisions in other states that supported his claim. On July 3, Judge Hudson refused to grant the writ of prohibition, thereby upholding the city's Sunday closing ordinance.¹⁰⁹

On July 26, a special session of the Supreme Court heard arguments over the Charleston Sunday closing ordinance as a result of the Luna Park arrests. Bock hoped to be awarded a rule against Judge Wertz and the city of Charleston that would require the judge and city to show cause why a writ of prohibition should not be awarded to the petitioners, thereby prohibiting the judge from further proceedings. The attorney believed the city ordinance to be invalid on the ground that a state law covering the same offense already existed. He believed that the city's stricter penalties constituted a burden. The state law fixed a minimum of \$5 for laboring on a Sabbath, while the city ordinance allowed a maximum fine of \$100, a jail sentence of thirty days, or both. Arguing the case for the city, Blagg pointed out that a majority of other states had found similar city ordinances valid despite the existence of a state law covering the same subject.¹¹⁰

In May, Mayor Hall stated that few exceptions would be made in enforcing the Sunday closing law. Orthodox members of the Jewish faith would be permitted to close from sundown Friday to sundown Saturday and to remain open on Sunday. He also said that members of the Seventh Day Adventist Church, who observed Saturday as the Sabbath, would also be granted an exception. However, by July, a question arose as to whether proprietors of fruit stores and soft drink stands joined the Adventist Church because of the doctrine or because they hoped to keep their stores open on Sunday by

observing the Sabbath on Saturday.¹¹¹

Both sides debated this issue in police court as Mayor Hall and Reverend James E. Schultz, a pastor of the Adventist Church, took the witness stand at the trial of George M. Skaff. Skaff, a Syrian who operated a fruit stand on the corner of Lovell and Clendenin Streets, had been charged with violating the Sunday closing law. Mayor Hall testified that there seemed to be a general movement among proprietors of fruit and soft drink establishments to join the Adventist Church in order to keep their businesses open on Sunday and reap big profits. He cited one example of a small fruit store on the East end. The defendant testified that he had not yet become a member of the Church, but he a "probationer," which represented the first step towards becoming a full-fledged member. He said that he attended church services on the previous Saturday and kept his place of business open on the following day because he thought he had a right to do so. Schultz's testimony confirmed Skaff's position in the church. He stated that he and other church members had called on Skaff and others to join the church. He also argued that businesses were losing money, rather than profiting, by opening on Sunday instead of Saturday.¹¹²

After continuing the case so that more evidence could be introduced, a hearing occurred on July 10. Schultz sought and obtained permission to defend Skaff, while Mayor Hall personally assumed the role of prosecutor. After being found guilty, Skaff initially planned to appeal Wertz's decision. However, after a discussion with the judge he decided to pay his fine and to drop the case. Being "between the devil and the deep blue sea," because he could not keep his business open on Saturday without violating his religion or remain open on Sunday without violating the Sunday closing law, Skaff sold his business and told the police that he intended to move to another city to start a new business.¹¹³

By mid-July, the controversy regarding minority observance of the Sabbath continued. In an open letter to

Mayor Hall, Alex Mansour, a native of Syria residing on State Street and a graduate of Bates College in Lewiston, Maine, defended Skaff. He wrote that "Syrian people of this city are not treated squarely." He added, "A closer and more sympathetic feeling between the various elements within our city is necessary for its progress. Antipathy makes for retrogression. Let us wipe it out."¹¹⁴

In response, Mayor Hall stated that he did not consider all Syrians insincere, but the evidence against Skaff clearly showed his insincerity. Hall added, "In my opinion 90 per cent of our people here in Charleston believe in observing Sunday as the Sabbath day. I do not think it is the intention of the law that the customs and the belief of the 90 per cent should be changed by the 10 per cent, especially if this is brought about by an evasion of the law." In addition, the mayor remarked that all stores should be opened or closed on Sunday. He intended to test the law for this purpose, and, should the current circumstances continue, such a law should be repealed.¹¹⁵

In October, Mayor Hall broadened his attempt to stop Syrians from operating businesses on Sunday. Sam Haddad, a Syrian resident of Charleston's West side, had applied for a restaurant license. On the recommendation of the mayor, the city denied this license request. Following this, Haddad applied to the city council for its consideration. In defense of his actions, Mayor Hall noted, "Within the last two or three weeks nearly every Syrian in town has been trying to get a hot dog license." He claimed Haddad, like the others, wanted to open an eating stand as a blind for the sale of soft drinks and other things on Sunday. He also pointed out that Haddad conducted a confectionery stand, located at Virginia Street and Delaware Avenue, and wanted the restaurant license for a place in the rear of his store.¹¹⁶

Mayor Hall called Councilman Charles A. Midelburg to the chair to express his opposition to the mayor's decision.

Midelburg protested against the executive's "prejudicial action against Syrians and Jews" and exclaimed, "I'll not stick with you on this." He remarked at the unfairness of allowing some places to run under the restaurant license, while closing others.¹¹⁷

An attorney representing Haddad read an opinion of the state Supreme Court in a similar Huntington case. The ruling stated that if an applicant for a license had complied with all requirements, then the city had no alternative than to grant the license. Despite this argument, the council supported the mayor's action by a vote of eleven to nine. Afterwards, the mayor, after being asked, responded that future licenses would not be refused unless he thought otherwise.¹¹⁸

Haddad appealed the city council's decision. On October 17 the state Supreme Court of Appeals granted him a peremptory writ of mandamus, which compelled the city to grant the license. In writing the court's opinion, Judge George Poffenbarger stated that specific requirements could not be imposed on any particular applicant and declared, "The council cannot, by ordinance, resolution, or otherwise, reserve to itself power to grant or refuse licenses for the conduct of an inherently harmless business, according to whim or caprice or in any arbitrary manner."¹¹⁹

Despite this setback, the state Supreme Court upheld the general validity of the Sunday closing law in the same period. On October 10 the court denied a writ of prohibition for R. M. Smith, a Charleston Realtor charged with violating the law. Smith based his case on previous arguments. He insisted that city council did not have the authority under its charter to pass the law, and, even if it did, the penalties exceeded those under state law and, therefore, made the ordinance void. Likewise, the respondent, Judge Wertz, insisted that council did have the authority based upon Section 7 of the code.¹²⁰

Judge Harold A. Ritz, who wrote the court's opinion,

said that the city charter did empower the council to pass ordinances for the "preservation and promotion of the physical, moral and mental welfare of the people." An ordinance prohibiting work and labor on the Sabbath would fit within this authorization. Regarding the conflict in penalties between the state and city codes, Ritz said, "The city council is given authority, not only to pass the ordinance, but to prescribe such reasonable penalties as the council may deem necessary to compel obedience to its terms." The court gave the council the discretion to determine a penalty which it felt necessary to enforce obedience. Ritz added that the basis for the provision allowed the city to protect and preserve good order and did not an attempt "to enforce observance of religious rites and ceremonies." He considered periodic rest necessary for moral, mental, and physical perseverance.¹²¹

When the state legislature convened in Charleston in January, 1923, some of its members criticized the city's Sunday law. Legislative members wanting tobacco products and soft drinks on Sunday could not purchase them within the city. Some even tried to convince Mayor Hall that "eating tobacco" resembled food, but to no avail. Amongst themselves, members proposed trading Mayor Floyd S. Chapman of Huntington with Hall during the legislative session. "Preachers exchange pulpits occasionally, don't they," remarked one member. "Why not mayors?"¹²²

The city of Charleston put aside its concerns as the beginning of a religious campaign neared. For months plans had been made by many of the citizens of the city for the arrival of America's best-known evangelist, William Ashley Sunday, better-known as "Billy."

Sunday had been a public figure for decades. He had been a popular professional baseball player until being "saved" by Christianity in 1890. He worked for a few years at the YMCA in Chicago before he began his religious crusades in 1896. The duration and attendance of these meetings grew

quickly. He became a prominent figure in the prohibition movement and First World War effort, but his preaching career reached its peak in 1917 after a ten-week campaign in New York City, where he converted over 98,000 people. The followers and success of the evangelist continued to grow after this achievement.¹²³

The original organization formed to promote the Sunday campaign had named former Governor William A. MacCorkle as general chairman. However, upon his resignation at a meeting of the organization on December 12, 1921, the members named W. T. Williamson of the First Methodist Church as chairman. The attendees at the meeting also decided to name a minister from each religious denomination and to designate laymen to join the elected officers to form the executive committee.¹²⁴

The organization scheduled a six-week campaign to begin in Charleston on February 26, 1922. Religious leaders expressed great optimism for the success of Sunday's visit. After months of careful planning, the Sunday campaign became the focus of Charleston's residents. However, at a December 27 meeting of the committee, questions arose over whether or not the preachers and churchgoers of the city fully supported the visit. The preachers of the various denominations, being characterized as the "key men," had failed to establish a wide interest in the campaign and divided sentiments had been expressed by churchgoers concerning the visit. Opposition developed because some churchgoers did not want to hear the "unvarnished truth" expected from the evangelist and others thought the monetary requirements for the campaign would be better spent providing for the needs of the city's poor. Organizers planned a mass meeting to specify the financial requirements of the perspective campaign. They estimated \$22,000 would be necessary to erect the tabernacle and cover other incidental expenses of the campaign.¹²⁵ Two days later, Chairman Williamson announced, "If the money can't be raised the expenses of the campaign

will be underwritten." Fred W. Rapp, the advance representative of Sunday, assisted in making arrangements to raise half of the estimated amount in advance and the remainder would be raised in the early collections of the campaign. After covering these expenses, no further collections would be asked for until the final days of the meeting when collections would be taken for Sunday.¹²⁶

The members of the committee, accompanied by Rapp, began inspecting various sites for the construction of a tabernacle. S. G. Smith, the first vice chairman of the evangelical committee, announced the selection of a lot on Dickinson and Lee Streets. The committee made plans to remove the wagons and other materials on the Nelson transfer lot to the grounds of the old state house and to move the sign boards surrounding the lot to other points of vantage. Organizers considered this the choicest location because of its location at the heart of the city, its adequate parking on Lee, Broad, and Quarrier Streets, and its excess space, which planners thought to be twenty-five feet longer than that needed for the tabernacle.¹²⁷ By the beginning of the year, progress had been made on clearing the lot when the committee encountered some trouble securing a building permit from the city council. Councilman Harold S. Mathews opposed construction because the building would violate the city's fire ordinance, which prohibited the large wooden structure from being built in the congested business district. Even after the permit issuance, the Board of Fire Underwriters of Kanawha County opposed the tabernacle's erection after numerous complaints arose from companies which it represented. The Board, which considered the opposition as merely a business matter and not an antagonism towards the Sunday campaign, resolved that because of the "inherent fire hazard to both life and property" the tabernacle would create, the building should be "promptly removed upon completion of said campaign." By the end of January, the main structure had been complete except for the laying of

sawdust and the installation of wooden benches.¹²⁸

On February 5, the city dedicated the tabernacle. Sunday enthusiasts from Bluefield, which Sunday had visited the previous year, testified to the effects which Sunday had brought to their city. As 4,000 listened, Judge Frank Maynard of Bluefield, who had opposed the visit to his city because he believed Sunday was "commercializing religion," declared that ninety-five percent of Charleston's residents would be in favor of the evangelist before he left the city.¹²⁹

As the day of the arrival neared, the city became more active. The Billy Sunday committee oversaw these preparations. Those who worked directly at the tabernacle knew that they must be ready. The chorus, comprised of members of churches throughout the city, rehearsed as secretaries trained. The chairman of the ushers' committee, Major C. R. Morgan, prepared to perform this function at the tabernacle. Reverend Dr. E. Leroy Dakin of the prayer meeting committee scheduled prayer meetings throughout the city's neighborhoods as auxiliaries to the work done at the tabernacle.¹³⁰

Sunday and his assistants remained very active. After closing a six-week campaign in Spartansburg, South Carolina, on February 19, the evangelist went to Washington D. C. the following day to confer with President Warren G. Harding. Afterwards, he went to his home at Winona Lake, Indiana, to rest until leaving for Charleston on Saturday. While Sunday rested, his team arrived in Charleston to assist in the planning. Fred W. Rapp, Sunday's business manager, arrived on February 14. He stated that "the great objective of the 'Billy' Sunday campaign is to place responsibility on the men and women who sit in the pews."¹³¹

On Saturday, February 25, the largest crowd ever assembled in Charleston to greet a visitor let out a "mighty shout" as it caught the first glimpse at 6:40 that evening of the train carrying Sunday.¹³² This crowd, estimated at over

5,000, exceeded those gathered to meet William Jennings Bryan or Theodore Roosevelt.¹³³ As a smiling Sunday exited his private car, Governor Ephraim F. Morgan, former Governors William A. MacCorkle and George W. Atkinson, Mayor Grant P. Hall, and Chief of Police John Britton greeted him. Eight policemen accompanied Britton to ensure that traffic did not get blocked. With the Shriner's band playing and representatives of the American Legion holding the national flag, the police led Sunday through the crowd to his awaiting car. Jumping on the running board of an automobile, Sunday took off his hat and shouted "Thanks, folks, thanks." The American Legion, the Shriner's band, and the chief of police car led two cars carrying the greeting delegation, Sunday, and his wife, Mrs. Helen "Ma" Sunday, and the mass of people followed. The parade, marching to "Onward Christian Soldiers," crossed the bridge to downtown and stopped at the elegant Ruffner Hotel, which stood along the Kanawha River. After reaching the hotel where Sunday would be staying, the group awaited an elevator powered by water, which prompted Governor MacCorkle to remark that there was "going to be nothing but water flying around here for the next six weeks."¹³⁴

The following day, Sunday opened up his religious campaign with three services. Each crowd filled the tabernacle with over 7,000 spectators, including many who came out of curiosity. At the first morning sermon, people filled all of the seats and many others lined the walls. A "spontaneous outburst of applause" arose as Sunday mounted the pulpit five minutes early and bowed. Former Governor MacCorkle introduced the evangelist as "just Billy Sunday."¹³⁵ This informal introduction made the congregation comfortable with Sunday at once. In a brief welcoming speech, Mayor Hall declared to Sunday, "I turn the city over to you for the next six weeks."¹³⁶

The introduction of Sunday's assistants, who became familiar faces in the city during the following weeks,

occurred at the afternoon session. Homer Rodeheaver, the director of music, became a popular figure because he displayed his trumpet playing, humor, and leadership at every meeting. Robert Mathews acted as Sunday's secretary and pianist. Albert Peterson, custodian of the tabernacle, also had musical talents. Fred Rapp, director of the men's work, Mrs. Virginia Ascher, director of women's work, and Miss Florence Kinney, director of school work, worked within the community. "Ma" Sunday also became a key figure until she returned home to be with her son on March 18.¹³⁷

The city's two newspapers gave extensive coverage to Sunday and each of these assistants. Both of Charleston's main newspapers, the Gazette and the Daily Mail, traced the group's activities, printed daily accounts of each service, and reprinted the daily sermons. The evangelist reserved a table on stage so these papers could cover each service. Sunday thanked the papers for this coverage and suggested to his audience that subscriptions should be secured for those unable to attend the meetings.¹³⁸

Because of the crowds generated by the services, Charleston's police department made efforts to ensure that the city's traffic flowed and its neighborhoods remained safe. Mayor Hall authorized Chief Britton to add thirty-four special police officers during the six weeks. Four patrolmen worked at the tabernacle during each of the services. The police department swore in twenty-four ushers, who worked without pay, as special officers with police authority to work at the tabernacle. To counter traffic problems around the building, police disallowed parking on the streets surrounding the tabernacle during services. The city made parking space available on the grounds of the old capitol building, which had burned down the previous year. Six extra policeman augmented the regular patrol of the residential sections after Britton declared that he would take personal charge of protecting the homes left unguarded while the occupants attended the meetings. However, home

burglaries increased, particularly on Charleston's west side. In the Edgewood district, which had not been troubled by thieves prior to Sunday's arrival, a wave of petty robberies took place. Burglars broke into several homes so that the refrigerators could be plundered. A city resident later admitted to numerous Edgewood refrigerator raids.¹³⁹

Despite these instances, Sunday noted the prosperity of the area as he attempted to recover the expenses of building the tabernacle and preparing the campaign. Ushers passed small tin pans through the crowds for collections. Sponsors needed over \$28,000 to cover the cost of building and maintaining the tabernacle, two-thirds of the salaries of Sunday's staff, entertainment and railroad fare for the group, and incidental expenses incurred by the campaign. Sunday stressed that his experience revealed that the congregations become more spiritual after the money had been raised. Two weeks into the campaign, Sunday even remarked at Charleston's slowness in financing the revival. After several predictions of the day when the debt would be met had passed, thirty cooperating churches dispensed of their services to gather at the tabernacle on March 19 for the declared "budget Sunday."¹⁴⁰ Halfway through the campaign, the congregation repaid the debt. Many out-of-town contributions, which amounted to \$5,000, assisted in meeting this goal.¹⁴¹

After covering the expenses, Sunday requested no more collections until the final day, when the city would gather money to pay Sunday a salary for his work. The evangelist quickly answered those who might call him a grafter. He noted that, if he sought money, he would not need to work as hard as he did because he could make enough to live in comfort in two months. He also pointed out that he had been offered millions to appear in the movies. He declined because that industry had not built his reputation, and he would not allow it to commercialize him.¹⁴²

As evidenced by the drive to pay off the campaign's

debts, most of the city's churches tried to accommodate and support Sunday's visit. The ministerial association representing the churches on the west side decided to hold no services on the first and last days of the campaign except for Sunday school, which would start early to allow time to reach the tabernacle. Midweek services could be held in the mornings, rather than in the evenings. However, criticisms arose when a church on the city's east end decided to remain open. Reverend Dr. Ernest Thompson, the pastor of the First Presbyterian Church, informed his congregation in a prepared statement that he held no antagonism towards Sunday, saying, "I love Mr. Sunday for the enemies he makes." He stated that his church had remained open after consultation with Sunday's wife, who expressed gratitude that some churches remained open to take care of the overflow of the tabernacle.¹⁴³

Indeed, several services saw many people turned away from the crowded tabernacle, due largely to the unique experience seen at each service. The evangelist's high energy came out in each of his sermons. He talked rapidly made resourceful use of slang to bring his message across to his listeners. He resorted to the use of his body to emphasize important points and his acrobatics on stage kept his audience's attention directly upon him. With his mind often working faster than he could talk, any interruptions greatly bothered Sunday. Coughing, which really got the evangelist's "goat," disrupted services throughout the campaign despite daily warnings. When such disturbances occurred, Sunday would stop and look in the direction from which it came. The opening of a nursery in the basement of a nearby church curbed crying babies.¹⁴⁴

Such disturbances did not interfere with Sunday's message. On the second Sunday of the campaign, Sunday made his first appeal for conversions, which he never even announced to his staff. After a moment of silence, hundreds gradually rose and flocked down the "sawdust trail." Six hundred ninety "hit the trail" as those sitting in the front

rows moved back to make room. Campaign workers gave cards to the converts to fill their name, address, and church preference under the statement, "I hereby accept Jesus Christ as my private savior." A small square could be crossed if the individual renewed previous beliefs. Campaign workers handed out leaflets with Sunday's picture, a facsimile of his signature, and quotations from the Bible.¹⁴⁵

Despite his successes, Sunday became the center of some controversies. Although he had converted nearly 7,500 blacks during his Spartansburg campaign, he made no effort to preach to a black audience in Charleston.¹⁴⁶ On the final Friday of the campaign, four members of the Ku Klux Klan attended in robes and made a contribution to show their support. Sunday took the opportunity to point out that the Klan resembled a sheriff because "it doesn't bother you if you obey the laws. The Klan stands for Christianity, Americanism - and the supremacy of the white race."¹⁴⁷

Sunday also differed with the labor unions throughout his visit. When he declared war on the Volstead Act, which would permit the sale of light wines and beers, and served notice to American Federation of Labor president Samuel Gompers, who had given support to the legislation, Sunday emphasized that he had not opposed organized labor, which he used to build each of his tabernacles. However, he stressed that he would not back off of his stance on prohibition.¹⁴⁸

Sunday remained busy throughout his stay in the city. Although he traditionally took Monday off as a day of rest, he continued his hectic pace. The evangelist spent several Mondays touring the area and attending many meetings. On March 13 he visited Ashland, Kentucky, and Huntington. Although he had planned to speak in the Marshall College auditorium, he had to cancel and return to Charleston because of fatigue. Upon his return he noted how prosperous Charleston and Huntington had become and remarked that Virginia had "lost a pearl out of her crown."¹⁴⁹ Two weeks later the Chesapeake and Ohio railroad system made special

arrangements for a train to take Sunday through Fayette, Greenbrier, and Summers counties to speak to six different audiences, which constituted the largest number of audiences he had addressed in one day in his twenty-six years of preaching. The large numbers that appeared at each stop created a "sea of umbrellas" because of a relentless drizzling rain.¹⁵⁰

On March 15, the officials of the city of Charleston "hit the trail." Following Sunday's sermon, he made a plea for public acknowledgment of religion. After a long delay, two rows of Charleston's "blue coats" sprang up simultaneously. Seated in the section reserved for the city's departments, these members of the police department, including Chief Britton, led members of the city's administration, including Mayor Hall, members of the city's departments, including the manager, and members of the police and justice courts, including the judges.¹⁵¹

While Sunday rested on Monday, March 20, the tabernacle housed Lieutenant-Commander John Philip Sousa and his famous band of eighty musicians. This band had not only set the record for the most continuous tour on the continent, but had also made many trips through Europe. The Women's Club of Charleston, which had been attempting to sponsor the concert since the previous October, found the Billy Sunday committee courteously willing to give use of the tabernacle on a rest day for Sunday. Sousa only required that no matter what the charge for adults, no school-aged child should be charged over fifty cents for the afternoon matinee performance. Adults primarily showed for the evening performance. With over 13,000 people attending the two concerts, the Women's Club realized over \$5,000 from the engagement.¹⁵²

Another highlight of Sunday's visit to Charleston occurred when the former baseball player agreed to play a game at the Kanawha City ballpark. On the last Saturday of his visit, Sunday agreed to preach a morning service to

allow time for the afternoon game. The largest crowd in the park's existence gathered for the game. The 3,800 spectators filled every seat in the grandstand and the bleachers, overflowing into the outer gardens. Over 150 automobiles filled with spectators parked around the fence. To handle the crowd, a detachment of state police and ten city police arrived along with a group of boy scouts, who assisted the 1,800 reserved seat ticket holders located in the grandstand. Sunday and his staff formed a team called the "Bill Sunday aggregation" to play the "Charleston trail hitters," which consisted of players from the Charleston Senators. Despite his team's loss, Sunday, who batted .500, missed a fly ball, and stole three bases, became the "whole show." Although Sunday had intended to play only a couple of innings, and then take Governor Morgan's place as umpire for the remainder of the game, he played seven innings as an outfielder. The sponsors of the game equally divided the proceeds among an old ladies home, the Y.M.C.A., and the Y.W.C.A.¹⁵³

At the close of the campaign, many successes had already become apparent. On the final day, Sunday, April 9, the evangelist preached four sermons and converted 2,000 people. This brought the total number of converts during the six-week campaign to 11,000.¹⁵⁴ Sunday's assistants had also been highly involved with the local community. Over 1,450 prayer meetings had been held in private homes throughout the area since the campaign began. Miss Kinney had conducted over a hundred meetings at schools in the valley. The influence of the visitors remained strong even after they left. In addition to the Billy Sunday club, which prominent members of the city had organized to carry on Sunday's work, residents started the "Rody" club in honor of Rodeheaver and leading women of the city began the Virginia Asher businesswomen's council.¹⁵⁵

The work around the tabernacle also proved noteworthy. The nursery had taken care of over 2,000 babies and a first-

aid hospital located underneath the platform had administered aid to scores of emergency cases. Luckily, no accidents occurred on the grounds of the tabernacle or the streets surrounding it.¹⁵⁶

To show their appreciation for the work done in the city, residents raised a freewill offering of over \$35,000 on the final day to serve as Sunday's salary. Written "Billy Sunday checks," which had a picture of Sunday on the back side and could be drawn on any bank in the desired amount, constituted much of these offerings. Once Sunday endorsed and returned the check, the donor had an autographed picture of the evangelist as a souvenir.¹⁵⁷ This contribution amounted to the largest ever paid by a city the size of Charleston. This amount was particularly notable considering that a coal strike, harming the region's basic trade, had started. Even John Laing, a coal operator, who had opposed Sunday's visit, made a considerable donation because of his shame.¹⁵⁸ Sunday pointed out that the contributions should not be considered charity and that his listeners should only give if they thought he had earned the wage. He regularly gave away one-tenth of his salary. Although this offering and the cost of preparing the campaign amounted to over \$65,000, the leading citizens of Charleston believed that "it was worth it."¹⁵⁹

The campaign had stimulated business in the city. Thousand of visitors came from nearby towns on railroads, which made special arrangements to accommodate the demand. Combining these people with those close enough to drive their automobiles to the city created an influx of visitors to the city. Hotels, restaurants, and lodging houses benefited. Merchants prospered as people shopped between services held in the tabernacle. A particular boom occurred in the local drugstores where the sales of cough remedies tripled in response to Sunday's pleas. The spiritual feeling in the city also brought many to clear old debts.¹⁶⁰

A survey by the Charleston evangelist campaign revealed

that "the spiritual life of the city of Charleston and the great Kanawha valley has greatly quickened; brotherly love kindled; the unanimity of Christian purpose in the churchmen strengthened; selfishness has given way to generosity." The group resolved that Sunday had recognized his call to preach and had surrounded himself with an "earnest, consecrated, self-sacrificing" staff. The group extended a profound thanks on behalf of the ministers, churches, and people of Charleston with a pledge to continue his work and to send him continued support.¹⁶¹

Crime in the area had also apparently lessened by the end of the campaign. Police Judge William W. Wertz said that he had "never known a community to undergo such a moral uplift" in his twenty years as lawyer and judge. Previously, he had 25-100 cases every morning, but this number had fallen to six to ten towards the end of Sunday's visit.¹⁶² The judge even tried to use the evangelist's visit to rehabilitate a man who had been arrested twenty-four times in the past few months for drunkenness. The judge released the man after he promised to attend Sunday's service that evening, but he sentenced the man to ten days in jail when he failed to go.¹⁶³

The greatest accomplishment of the religious campaign became the atmosphere which it created. Mayor Hall pointed out that there was "more joy, gladness and sunshine now than ever before in the history of Charleston." Dr. B. P. Taylor, the pastor of the First Methodist Church, praised Sunday's effort's "for all the good influences which have been brought to bear upon this community during this campaign."¹⁶⁴

The churches took advantage of this atmosphere. Following Rodeheaver's advice to "rally around your pastors and carry on the good work," many people attended the "follow-up" revivals held after Sunday's departure, which became a "phenomenal success" after the admission of many new members and securing of numerous conversions.¹⁶⁵ Although William M. Shultz, pastor of the Central Methodist Church,

hoped that Sunday's influence would continue, he realized that "eternity alone will reveal what has been accomplished."¹⁶⁶

The tabernacle symbolized the work accomplished by Sunday after his departure. However, immediate preparations for the structure's removal began. Three days after the final sermon, a dozen carpenters began tearing down the building. Many who had worshipped in the tabernacle, especially those who had been converted there, expressed regrets. Within two weeks the tabernacle had been removed. Afterwards, many people could be found "sawdust combing" in the empty lot. Searching for money and souvenirs, one man found three dollars in change and another discovered a stickpin with a small diamond.¹⁶⁷

After leaving Charleston, Sunday continued his vigorous schedule. Following his departure, he went to Washington to join with President Harding, who accompanied the evangelist to Philadelphia, where Sunday delivered a sermon to the Law and Order League. After returning to his home for a brief rest, Sunday began a six-week campaign in Richmond, Indiana, on Easter morning. Sunday initially met with disappointment in this city. For the first time in his preaching career the tabernacle went unfilled on an opening night of his visit. This led Sunday to remark to the group, "I wish you had some of the 'pep' and enthusiasm that Charleston group has."¹⁶⁸ He even read several telegrams which he had received from Charleston, including one which noted that the city had seen over 2,500 people join churches on Easter morning. Sunday even threatened to leave Richmond to go to southern West Virginia, which had been trying for weeks to get the evangelist to visit the coal mining region. After this the enthusiasm for Sunday in Richmond grew.¹⁶⁹

A Charleston delegation, headed by Mayor Hall, began efforts to visit Richmond on May 6. In the ten days preceding the trip, the mayor and his office staff had spent most of their time making arrangements and receiving

reservations from those wishing to make the trip. Although the city offices typically closed on Saturdays, officials spent April 22 in the mayor's office to receive applications on this final day for reservations. Councilman Mathews, who had opposed the building of the tabernacle because of the fire hazard, helped arrange the trip, remarking that he "was in more danger of burning than the tabernacle."¹⁷⁰ Organizers planned only a special car or two at first, but the great enthusiasm required the chartering of a train of five Pullmans and three day-coaches. Arrangements made with the Chesapeake and Ohio railroad allowed round-trip tickets to be purchased for the regular price of one-way. As over 300 followers "hit the trail," including many once antagonistic and uninterested with Sunday, a large crowd gathered to see them off. Despite the organizers' efforts, many last minute decisions to make the journey "gummed up" the details and, as a consequence, added confusion arose when assigning berths.¹⁷¹

Sunday declared the Charleston delegation to be the largest to ever travel such distance to hear the evangelist. More than 300, at a cost of about \$4,000, arrived in Richmond at 9:15 in the morning. A large crowd met the delegation and escorted them to the Wescott hotel for breakfast. Afterwards, the delegation, having been met by a four-block-long reception committee, fell into sets of four and marched to the tabernacle. Sunday opened his sermon by greeting the Charleston delegation and calling their visit the "greatest honor."¹⁷² Upon their return, a telegram from the Christian Business and Professional Men of Richmond requested that another Charleston delegation visit during the present campaign, saying, "We pledge to surpass the hospitality given you a week ago. All welcome."¹⁷³

Sunday had left Charleston, but his influence continued. Partial responsibility in the campaign's success lay with the willingness of Charleston to prepare and embrace Sunday's visit. However, the warmth and organization which

Sunday brought with him proved more important. He often expressed his gratitude for Charleston and always defended it when attacked. His staff worked throughout the community to support the efforts in the tabernacle. Because of these efforts the city of Charleston experienced a growth in religious awareness that allowed the city's churches to carry on the work which Sunday had begun. The ministers promptly met this challenge with a great deal of success. Sunday's mission of making Charleston's residents more attentive to religion had been accomplished.

On August 3, the Union Mission unveiled a picture of Billy Sunday. While turning on the spotlight and slowly withdrawing the United States flag, the ceremony revealed the smiling features of the evangelist. The large crowd, made up primarily of Sunday converts sang a song made popular during the evangelical campaign, "Brighten the Corner Where You Are." Reverend Pat Withrow led the services. The picture served as a standing reminder to those who attended the services at the tabernacle and "hit the trail."¹⁷⁴

During his administration, Hall and other city officials cooperated with civic and religious leaders to conduct these campaigns against influences which they considered destructive to urban or religious growth. Such efforts countered the social transitions encountered by the community during the postwar period.

Chapter Four

The Significance of this Dual Response

As the administration of Grant P. Hall came to a close, the consequences of the city's dual approach to change became determinable. A review of contemporary concerns and an analysis of historical significance provides a basis to accomplish this point. A review of the election of 1923 offers a view of the contemporary opinion of these efforts and a comparison with generally espoused historiography of the period gives the historical significance of the dual response.

As the election approached, city leaders began vying for position. As early as four months prior to the election, Democrats expressed optimism over the possibility of an upset. While admitting that Mayor Hall had amassed many accomplishments, they did not believe an administration could succeed itself in Charleston politics. Therefore, Mayor Hall was "out of it." They also discounted the possibility that he could name his successor, presumably city manager Lon H. Barringer, because Police Judge William W. Wertz wanted the mayoral job and seemed to have the party "machinery" behind him. The Democrats believed "any good man" could beat Wertz, because he had to have made many enemies in the course of his duties as police judge. However, he had typically given traffic violators who had not committed a flagrant offense a \$1 fine if the lawbreaker was "so unsophisticated as to actually appear at police headquarters." The lax enforcement of traffic violations was also considered to be an election issue. However, the police department, which had normally been "the mill wheel about the neck of every administration," had been under "the

most efficient, intelligent and conscientious" leadership of John Britton. In addition, while the administration received credit for paving many streets, many of the owners of abutting property were upset over the cost assessed to them for these improvements.¹

In the beginning of January, Dr. Grover C. Robertson announced his candidacy for the Democratic nomination. General C. C. Watts, who was a former state attorney general and a West side lawyer and businessman, and George C. Singleton, who had been elected to the city council in the Republican landslide of 1919, also entered the race.

Mayor Hall refused to take a stand on the Republican nomination. However, political observers generally believed that he had named Barringer as city manager with the idea of "grooming him for the nomination." When asked at a Republican conference whom he planned to support, Hall replied that he had no preference and would not take part in the proceedings.²

At the end of January, the Wertz organization made a "clean sweep" in the Republican city committee. The meeting, which was held in the mayor's office, passed two resolutions. The first, introduced by Friend Cochrane, provided that J. A. Kelley, J. Otis Summers, and Professor G. Blaine Nicholson be chosen to fill vacancies on the committee. The second organized a subcommittee, consisting of Cochrane, Kelley, and Summers, to select officers for the Republican primary election. All of those named were strong supporters of Wertz.³

On February 1, the city Democratic executive committee met to decide whether to nominate candidates by a primary or convention. Among the new members attending the thirty-member committee meeting were the first women of a city political executive committee, which included Miss Ethel Jeffers, Miss Jennie Frist, and Mrs. K. M. Sowers. The decision to select the candidates for mayor, treasurer, and police judge by a primary election passed by a unanimous

vote. The keynote of the meeting emphasized "harmony and fairness." Repeated assertions stressed that the selection of the candidates had to be without any taint of unfairness or fraud and that no action should be taken that might result in bitterness.⁴

Despite Wertz's capturing of the party machinery, many party leaders feared he could not be elected. Reportedly, Rugley P. DeVan, a local insurance man, had been approached to pursue the Republican nomination for mayor. However, one of the best organizations ever mustered by any Republican candidate supported Judge Wertz's candidacy. Wertz formally announced his candidacy at a meeting of the city Republican executive committee on February 6. He stated that he expected the contest to be a friendly one and that he would support the winning candidate should he be unsuccessful. Regarding accusations that he had captured control of the party executive committee, he said, "This is false and without foundation." To provide a "fair and square deal," Wertz asked each candidate for mayor to submit a list of election officers to the subcommittee. Each candidate would also be permitted to protest against any officer selected, and, if deemed unfit to serve, they would be removed.⁵

Each party required an assessment to be paid by each of the candidates to defray the costs of the election. The Republican party assessed each candidate the following fees: \$250 for mayor, \$250 for police judge, \$150 for treasurer, \$20 for councilmen-at-large, \$10 for councilmen, and \$2.50 for committeemen. The Democrats assessed following fees: \$250 for mayor, \$250 for treasurer, \$100 for police judge, \$20 for councilmen-at-large, \$10 for each councilman representing a ward, and \$5 for committeemen.⁶

Mayor Hall warned the Republican executive committee on February 13, that it had made a grave mistake by failing to appoint women to fill the vacancies on the committee and by delegating the power to select primary election officers to a

subcommittee. He called upon the committee to rescind these actions and stated that unless it acted in a fair manner no Republican ticket could be elected in the upcoming election. Before his arrival at the meeting, a motion by A. I. McCown calling for the undoing of all previous actions, the appointment of women to these vacancies, and the selection of election officers as a body was voted down. The mayor reiterated his autonomy during the campaign. He claimed the committee had no moral or legal right to appoint a subcommittee for the selecting of election officers. Although he had advocated such a plan in the past, the party had been defeated each time it followed this process. Thus, he had changed his mind on the wisdom of such a plan. Forecasting a close election, Hall said that party lines would not be drawn and that the Republicans had "no walkover." Noting that Democrats had filled vacancies on their committee with women, he said women voters would resent the Republicans for failing to do the same. "The Democrats will go before the people and say that you gave the women no representation and failed to recognize their rights of suffrage." Later in the meeting, Frank A. McGrew announced his resignation from the committee because he was a candidate for police judge. Being allowed to name his successor, McGrew named Mrs. G. T. Burdette from the third ward to the committee.⁷

Democrat women took a greater role in the primary campaign than ever before. They had "literally run away" with several issues they had sought. They had made a particularly hard fight for their two candidates for members of the council-at-large, who were Miss Alice J. McChesney and Mrs. T. O. Timberlake. Although expected to win a large part of the women vote, "the old prejudice against women in politics, although rapidly dying out," was expected to offset this advantage.⁸

The results of the Democratic primary held on March 12 showed that Dr. Robertson won the three-man race by a

plurality of nearly 1,900 votes. The large number of votes cast revealed the most remarkable feature of this election. Due primarily to the active part taken by women voters, the nearly 5,000 voters who went to the polls broke all records for primary elections in the history of the city. One of the two women running for the council-at-large, Miss McChesney, became the first woman in the city's history to be nominated for a seat on the city council. Following the election, Dr. Robertson, a 38 year old physician, announced that, if elected, he would discontinue his practice of medicine until the expiration of his term. He had already ceased general practice during the campaign. Following the election, he stated his support for widening and otherwise improving the city streets, extending disease prevention and health promotion measures, economy in the administration of city business, and the appointment of efficient public servants.⁹

Three days later, the Republicans held their primary. With a majority of more than three to one, Judge Wertz "romped away" with the nomination over his opponent, Lon Barringer. His majority of nearly 3,200 votes eclipsed all records in the history of the city's primary elections and the 6,600 voters established a new precedent. While holding the office of city recorder, Wertz had served as mayor pro tem several times during the absence of the regularly elected mayor. His election to the office of city recorder in 1900 became Wertz's first elective office. Soon after he gave up his position as principal of Mercer school. He served for two years in this capacity and then filled the office of city tax collector for two years. In 1904 Wertz had been elected to the city council and in 1906 as police judge. He also served two terms in the house of delegates after being elected in 1913 and 1915. For ten years he had been a member of the board of education for the Charleston independent school district. Since 1919, he had served as police judge during the Hall administration. He stated his support for paving all of the streets in the city as quickly as possible,

fairly and impartially enforcing the city laws, and safeguarding of the health of the city's citizens.¹⁰

At a meeting of the new Republican executive committee on March 21, the party began to organize for the upcoming election. Lon Barringer, who announced his intentions to support the entire party ticket in a speech, was appointed to supervise the work of a special committee on registration. The committee also sought to recognize the new role of women by unanimously passing a resolution to "at all times recognize the political rights and franchises of women voters." The resolution also directed each ward committeeman to appoint a women from his respective ward to sit as an advisory member in the committee's deliberations.¹¹

On March 26, the Democratic nominee, Dr. Robertson, formally opened his campaign with an open letter to the voters of Charleston. He declared that he would disclose to the public the names of the contributors to his campaign fund and that "not a cent" would be spent to buy votes or in any other illegal manner. "I am absolutely free from any political promise to any individual group, corporation class or association as to my course if elected." He added, "The use of money and secret power in politics is the most insidious enemy to a people's government." In this "era of awakened religious interest" fostered by Christian men and women "in order to save civilization from corruption and selfishness, good people must take a stand against this enemy of law and morals." He continued, "The disgraceful practices seen in some city elections in the past must not be repeated if Charleston's good name is to be preserved." He stated that he would enforce the laws on the statute books, including "the laws against gambling, other vices, and the Jews relating to the observance of the Christian Sabbath."¹²

On the same day, Democratic registrars reported widespread fraud on the part of Republican workers in the registration of voters for the city election. They claimed specific cases when members of the police force and other

political workers "literally ran in droves of men, women, and, at times, even children." They claimed that automobiles manned by Republican officeholders brought load after load of people to city hall, rushed them past the Democratic watchers, and forced their names on the registration lists. They alleged that many persons were not residents of the respective precincts, were registered from house numbers that did not exist, did not live at the given address, were under age, had not been residents long enough to vote, or were entirely unknown. In one instance a voter listed the address of a house occupied by Democratic committeemen. Democrat investigators continued to follow-up on these allegations in order to have the illegally registered names stricken from the lists through court action if necessary.¹³

In the coming weeks, the Democrats became better organized in their registration of voters. However, they described the Republicans as an efficient force composed almost entirely of officials and employees of the state, county, and city. After an appeal from Democratic registrars, who stated that women party workers at city hall were subjected to "ungentlemanly treatment," Mayor Hall promised that no city policemen, whether in uniform or in plain clothes, would be allowed to assist in registering voters at city hall. Despite Hall's promise to keep the police force away from the registration work, officers reportedly disobeyed this order by giving their own and the city's time to the work.¹⁴

As part of their campaign against Wertz, Democrats used remarks made by Barringer during his primary campaign against Wertz. Barringer claimed the underworld favored the election of Wertz. They also noted the generally known fact that, despite serving in the current city administration, Wertz's nomination did not have the support of the principal officials of the city. The Democrats remarked that these officials had refused to support Wertz for the Republican

nomination not as a rebuke of their own administration, but as a rebuke to Wertz as an individual and to his official record. Therefore, the Democrats argued that these Republican officials would regard a majority vote against Wertz in the general election the same way. In an effort to disassociate Wertz from the successes of the Hall administration, the Democratic committee claimed, "No matter what approval may be given to the present administration, there is still reason to elect Robertson and not Wertz."¹⁵

On April 2, the Charleston Ministerial Association heard addresses from both mayoral candidates concerning the issue of the Sabbath closing laws. Judge Wertz alluded to his activities in various religious organizations and his record on gambling in the city. He then explained his position. Since the "blue" laws prohibited many Sunday activities, he believed them to be obsolete and therefore should not be enforced. He advocated a return to enforcement measures used before the closing laws had been rejuvenated and placed into effect. Wertz noted that a strict interpretation of the word "necessity" in the ordinance would outlaw almost every activity on Sundays. Since the adoption of the ordinance, the conditions of everyday life had undergone great changes, particularly the appearance of the automobile. He said the administration of laws should be "without resentment of a large element of our people who feel that they should be entitled to pursue such recreation as they may desire without molestation from laws passed many years before there was such a pleasure as the automobile provides." He announced that he would not interfere with the opening of drug stores or the sale of soft drinks, ice cream, cigars, or tobacco. He believed garages, gasoline stations, and "hot dog" stands were works of necessity. He also claimed that the Sunday closing law should be impartially enforced and not allow a special few who claim that their religious beliefs permit them to conscientiously

sell on Sunday to boost their profits. While he favored opening Luna Park with a small or nominal charge for admission, he opposed the operation of the noisy merry-go-round, roller coaster, skating rink, dancing pavilion, or any other activity tending to annoy and disturb the community. Wertz claimed that Robertson's position was evasive, hypocritical, and dealt only in "glittering generalities."¹⁶

Dr. Robertson restated his support for the current system of enforcement. This issue continued to be a political one. The Democrats claimed to stand for law and order, while they portrayed the Republican nominee as standing for his own interpretation of the laws, which was said to approximate Bolshevism. Robertson promised to enforce the laws on the statute books and said that, if the laws were too stringent or too lax, the people should amend or strengthen them. "That man is a dangerous man to elect to office who tells beforehand that he will only enforce a part of the laws on the statute books." He described partial law enforcement as being like a hole in a dam with water running through in an ever-increasing stream. "Stop the leaks and save our city."¹⁷

The Democrat committee saw inconsistencies in Wertz's declarations concerning law enforcement. While stating to unqualifiedly uphold the laws of the city, he afterwards would give a long list of exceptions. They declared respect for the law to be the real issue of the campaign, since the single outstanding danger in the state and nation after the close of the war had been the open disregard of law. Exceptions would break down the whole system of law enforcement.¹⁸

Democrats made allegations that public employees were being assessed a percentage of their salaries for the purpose of securing a "slush fund" to support the Republicans in the upcoming election. Members of the city fire and police departments and employees of the state government allegedly

contributed to the \$50,000 fund. Wertz issued a statement calling the charges a "smoke screen" and saying, "My hands are clean now."¹⁹

On April 5, Wertz opened his speaking campaign at Kanawha school. Before a crowd of 200, one-sixth of whom were women, Wertz addressed the "Democratic lies." While addressing his opposition to bootleggers and gamblers, he proclaimed that he did not favor unrestricted Sunday selling or an "open" town. He merely favored the "fair and impartial interpretation of the law." He claimed that he had been falsely accused of intending to make the police force half colored and stressed that he would only have colored policemen in colored districts and would allow none of them to arrest white people. Referring to the alleged \$50,000 "slush fund," he described the city Republican committee as virtually broke and proclaimed that he did not need money to buy votes since the city was generally considered to be Republican. While acknowledging that much of his law practice came from the "so-called underworld," he made no apologies. He said he treated them all "on the square" and worked as hard to get them out of trouble as he would if they could pay larger fees.²⁰

The registration of voters for the city election closed on April 9 with the largest listing of voters in the city's history. Registrars estimated the list to be between 27,000 and 28,000. They also believed virtually every legal voter in the city to be registered. The special committee of the Democrats investigating illegalities in registration continued their efforts to strike the names from the lists. Seven hundred names were stricken off the registration lists from the Republican primary election.²¹

At a meeting at Mercer school, O. B. Bobbitt, the Republican candidate for police judge, lauded the present administration and stated his support for Wertz's position on the Sunday closing laws. He announced his intention to follow this liberal interpretation, which he described as

being based on sympathy and compassion, coupled with firmness and full respect for the law. At the same time as this meeting, Wertz addressed a meeting of colored voters on Hansford Street.²²

Dr. Robertson proclaimed that his first official act as mayor would be to provide the housewives of the city with adequate garbage removal facilities. He said the availability of money and the present alarming situation required immediate action, regardless of who was elected mayor. Despite his position for "scrapping the present antiquated system," city officials stated that little could be done until the completion of the new incinerator. "I feel certain," Robertson said, "that Doctor Ireland, present city health commissioner, and Mayor Hall are doing what they can under a trying situation, but I have plans for meeting the situation that I feel sure can be worked out quickly."²³

In an advertisement addressed to the women of Charleston, Robertson stated that the Wertz campaign openly claimed a majority of a thousand in the "Triangle" district, which he described as "the purchasable ward of the City." He pleaded, "Good women, go yourselves to the Triangle and see the seething mass that is moving there today." Democrat investigators completed their checking of registrations in the Triangle district on April 12. They reported two hundred violations in this district alone.²⁴

On April 12, Judge Wertz reportedly severed his connection with the Billy Sunday club. Rev. Percy G. Cross, a visiting evangelist, spoke in favor of the issues of the campaign as advocated by the Democrats in the newspapers. Wertz claimed that the whole thing had been "framed" on him and that he was "done with that outfit." At a regular luncheon of the club with Mayor Hall presiding, forty members, including Wertz, a vice-president of the club, were present. Disclaiming any intention of sensationalism or political interference, Rev. Cross said he had not been made aware of Wertz's presence and that he had merely recounted

the newspaper accounts. The reports pertained to the two parties' positions concerning the Sunday closing laws, the alleged alliance with the underworld, and the conditions existing in the Triangle district. He stated that he did not know the truthfulness of these charges, but thought all of the city's citizens had a duty to determine this for themselves.²⁵

W. J. Hightower, the president of the Billy Sunday club, issued a statement on the following day. He stated that the club had no interest in politics, but only to continue the Christian work. The officials of the club expressed regret that Rev. Cross had made a political speech and insisted that no truth existed in the suggestion of a "frame up." Hightower announced that Wertz had remained an official member of the club and said, "The incident is to be very much regretted, as it places the Billy Sunday club in the wrong light before the public in regard to its position and work other than that for which it was organized." In the future, the club promised to assign a subject to every speaker invited to address the club.²⁶

In a speech at the Elk school Wertz accused the Democrats of "whispering" that he had descended from Negro blood and "aspersing the virtue of his immediate female ancestry."²⁶ A. W. Cox, the chairman of the city Democratic committee, issued a statement accusing Wertz of injecting this allegation into the campaign for the sole purpose of martyring himself in a last hour appeal for sympathetic support. Dr. Robertson also denied making any personal attacks on Wertz, his creed, or his race. He added that anyone who said or intimated that he had said anything that could be construed or tortured as concerning the race or color of Wertz's mother was a "falsifier and unworthy of belief." In addition, Dr. Robertson replied to a series of questions posed by Wertz concerning his position on the Sunday closing law. Pertaining to the opening of drug stores on Sunday, he noted a statement by Mayor Hall

pointing out that the city had never closed the drug stores, but they had closed voluntarily. Concerning Luna Park, he said an admission fee for unnecessary activities would constitute a violation. On ice cream, soft drinks, and cigars, he agreed with the position taken by Wertz while he served as police judge.²⁸

The Democrats claimed that inmates in the county jail, who were not residents of the city, had been illegally registered to vote. Investigators first became alerted to this practice after a Democratic watcher smelled the odor of formaldehyde, or "jail smell," on the clothing of a man being conducted by a deputy sheriff to register. A Democrat investigation uncovered the illegal registration of this man and seven other men in the county jail, all of whom were colored.²⁹

Robertson claimed that the election of Wertz would usher in a period of lawlessness. "The Republican party is not committed to an 'open town,' but Wertz, with his gang surrounding him is committed to an 'open town' and in charge of the police as this gang will be, it will be an 'open town.'" He said, "No man who believes in the precepts of Billy Sunday in his great teachings here, who practically revolutionized this town, can stand by and see this town take a backward step with an open Sabbath." He added, "The Wertz organization, which is not the Republican Party, is out openly and above board for the destruction of the Sabbath."³⁰

As the campaign came to a close, representatives of each party expressed optimism. Democratic chairman Cox believed that "law and order, honesty and decency" would triumph. Democratic representatives announced an organization to prevent illegally registered voters from casting ballots. Republican chairman John Sutherland noted the successful campaign meetings, the Republican majority within the city, and the efficient organization of the party in expressing his optimism.³¹

However, at the close of the campaign the Republican party appeared to be breaking into two wings. One branch, characterized as the "Court House crowd," backed the candidacy of Wertz and consisted of T. C. Townsend, Walter S. Hallanan, Judge George W. McClintic, and others. This branch had captured the "machinery" of local politics. The second branch, termed "the Grant P. Hall wing of the party" had led an "open bolt" from the Wertz campaign. Newspaper advertisements in the local papers listing the names of the Republicans supporting the Wertz candidacy noticeably lacked the names of Mayor Hall and other prominent party leaders.³² A new combination of Republican bosses in the county emerged from the election. Unlike the "old patriarchs" of the party, the new wing included some practical politicians who did not rely on reform platforms to win. The city had undergone a "change of control from church edifices to down-town office buildings."³³

After casting their votes in the April 16 election, Charleston citizens elected Judge Wertz by a majority of more than 2,111 votes out of over 19,125 cast. Along with Wertz, the Republicans carried the offices of treasurer, police judge, all five councilmen-at-large seats, and thirteen out of fifteen ward seats on the council.³⁴

On election day, the police made two arrests on the charge of vote buying. The two men received a preliminary hearing before Judge Wertz on the following day. However, Wertz dismissed the cases on the grounds of insufficient evidence. The two men said in court that they exchanged money to purchase a pint of moonshine since neither had enough money to individually make the purchase. Similarly, W. G. Brown, the state commissioner of prohibition, answered accusations as to whether members of his department had taken part in the election by buying or influencing votes. However, he claimed that the four members present in the city on election day had been on duty in their offices by an agreement with Mayor Hall.³⁵

Members of the Ku Klux Klan oversaw each voting precinct to ensure an election "free of boodle or other illegal methods." Dr. V. T. Churchman, the head of the Charleston Klan, reported that the Republicans had bought votes in the "Triangle" district through money and moonshine. Although he notified the police and prohibition officers, he said, "The sheriffs laugh at us, and the police themselves are working. I believe some of the policemen are passing out the money."³⁶

At the final session of council, Mayor Hall thanked the members of council and the heads of the city departments, collectively and individually, for their cooperation and support of his policies during his administration. He stated that successes of the administration would not have been attained without the support of council. "In fact," the mayor said, "all of the larger movements for the betterment of the city have originated in this body and we have all worked together to put them through." He thanked the two Democratic members of council and remarked that the two had played little politics and had always acted for the good of the city. The mayor separately named and thanked the heads of each city department. While making a complimentary statement to each, he specifically praised the members of the fire department for their efficiency and declared that the police department was the best the city had ever had. Democratic councilman George C. Singleton thanked the mayor for the courteous treatment accorded him. Councilman Harry V. Pierson said that he believed many years would pass before the citizens of Charleston fully appreciated what the mayor had done for them. He said he voiced the sentiments of the majority of the city's citizens in paying the mayor tribute for honesty and efficiency in office.³⁷

On May 5, Governor E. F. Morgan announced the appointment of Grant Hall as the state tax commissioner to succeed Walter S. Hallanan. Many expected the appointment and claimed that the retiring mayor had been promised the job after acting as Morgan's campaign manager during the primary

and general elections of 1920. While a vigorous campaign to retain the retiring commissioner had been waged by prominent Republican leaders, Hallanan, who had managed the candidacy of Fred Paul Grosscup during the 1920 primary, failed to retain the office.³⁸ The appointment of Hall met with disapproval from many Republicans. Mayor-elect Wertz issued a "scathing attack" on his predecessor. He called the appointment "a direct insult to every loyal Republican in the state" and charged him with party perfidy on three occasions. He claimed that Hall had attempted to defeat Governor William M. O. Dawson in 1904, had successfully defeated the gubernatorial candidacy of Judge Ira E. Robinson in 1916, and had voted for Robertson in the recent city election. Wertz said, "His appointment puts a high premium upon party loyalty." In the coming weeks, an exchange of published letters between Hall and H. C. Ogden, the publisher of a Republican newspaper, The Wheeling Intelligencer, refuted and reiterated these allegations. On May 11, the state senate confirmed the six-year appointment.³⁹

Two days later, Charleston swore in a new administration. Former Mayor Hall made a graceful speech of welcome and congratulations to Mayor Wertz. Hall told of the city's finances and offered his services to the new administration. Wertz replied to Hall in like manner and made a statement naming the objectives that he hoped to accomplish over the ensuing four years. Afterwards, the naming of council committees and the swearing-in of city officers occurred.⁴⁰

The views of contemporaries appeared to be mixed. The final months of the Hall administration showed those campaigning to be in general agreement over previous efforts to foster urban growth. However, the two parties distinguished themselves primarily over social policy. Although the Democrats advocated continuing the steps taken by Hall and his city officials, the Republican party essentially abandoned these reforms and overwhelmingly won

the election. By analyzing the events that occurred in Charleston during this period, a comparison can be made with the generally espoused American historiography. Such a micro-study provides a basis for the broader, national generalizations.

R. Richard Wohl wrote, "It is one of the lasting ironies of American history that a people so eager and energetic in the creation and expansion of their cities - a nation which has so zestfully rushed into an urban existence - should support an elaborate network of ideologies condemning city life." This situation faced the city of Charleston.⁴¹

The government and its citizens took steps to foster urban growth. These primarily involved the role of municipal administration and the adaptation to the automobile.

The city-manager plan became one of the important changes brought about by Progressive reforms. By concentrating power in the executive branch of city government and hiring expert managers to handle the daily operation of administration, the growing role of government could more effectively be employed. Even though Mayor Hall clearly managed the government of Charleston, he worked in conjunction with each of the two city managers during his administration.

With the population growing and the city limits extending, largely due to the growth of suburbs as a result of improved transportation, the functions of municipal government expand. This resulted in the need for better and larger accommodations to house government offices. The building of a modern city hall accomplished this purpose. The expanding role of state government resulted in a monumental new capitol building, although the burning of the former building certainly hastened this development. City services were demanded to cater to this growing population base. The improvement of the fire department and the initiation of a garbage disposal system around a new

incinerator exemplified this demand.

The automobile also brought about drastic changes in the responsibilities of municipal governments. The city not only had to alter, extend, and widen the downtown streets, but also had to let contracts for the paving of roads in the neighborhoods and suburbs surrounding the downtown sector. The development of suburbs also stretched the finances of the city because new sewer lines and other public services had to be extended.

Despite the eagerness to foster such urban growth, city leaders initiated efforts to counter the social changes that accompanied urbanization. These attempts centered primarily on law enforcement (both criminal activity and traffic violations), the transformation of women's roles, the detachment from "outsiders," and the strict observance of Protestant values.

As the population became more concentrated into cities and the economy underwent a postwar adjustment, criminal activity rose. Crimes of vagrancy and vice were prevalent in the city during this period. Additionally, the advent of the automobile brought about a need for new laws. Laws governing driving, parking, and jaywalking became necessary.

The changing role of women in society and politics became a concern. Like other cities in the United States, Charleston had to cope with the rise of the "flapper" and to adapt to the increased political participation of women. "Flappers" pushed the norms of accepted decency by their dress and their actions. The automobile assisted in this transformation. "Necking parties" and "joy rides" were largely attributed to these girls. Concurrently, women became a focus of politicians seeking votes and played a greater role in civic affairs after their enfranchisement in 1919. In Charleston, the civic role of women could be seen in the opening ceremonies of the city hall and the implementation of a system of one-way streets. In addition,

candidates in the 1923 election directed efforts towards securing the votes of women. Four years earlier, such attempts remained unnecessary.

An obvious concern of "outsiders," primarily immigrants and blacks, existed in Charleston. During both of the municipal elections in 1919 and 1923, efforts were made to compare the Republican candidates to the Bolsheviks. The Bolshevik Revolution of November, 1917, brought the Communists to power in Russia. The Communist regime displayed a totalitarian system with power over economic and social aspects vested in only a few leaders. Largely because of the influx of Eastern European immigrants, Americans feared that this ideology was being introduced into the United States. Since the Democratic nominee in both of the elections mentioned Bolshevism, this "Red scare" influenced local politics during the four years. Also, immigrants in the city received unfair treatment. During the Sunday closing debate, Jews and Syrians became targets. Opponents of the law targeted Jewish businesses because of the unfair profit advantages that came with being permitted to remain open on Sunday. Mayor Hall targeted Syrians for supposedly changing their religion to remain open on Sunday. In addition, city officials singled out foreigners and restricted the licensing of their businesses.

A second-class status for African-American citizens in Charleston continued during this period. Their treatment during both of the elections and their undeclared segregation into degraded areas contributed to this second-class status. During both of the elections, this group became the subject of campaigns and the "Triangle" district appeared to be a center for election corruption. Also, the city's police department allowed criminal activity in colored neighborhoods to continue with only symbolic resistance.

The presence of the Ku Klux Klan exemplified this concern of "outsiders." Andre Siegfried described the Klan as "an extreme form of Protestant nationalism." The

organization's efforts concentrated primarily on immigrants, Negroes, Catholics, and "outsiders" generally.⁴² The Klan displayed its presence in the city by the appearance of its members in the supervision of elections and the services of Billy Sunday. Its presence at the polls displayed a political influence and the complimentary words of the evangelist exhibited a solidarity between Protestantism and the Klan.

Efforts to maintain the values of Protestantism were visible in the rejuvenated enforcement of the "blue" laws and in the advent of Billy Sunday. Fundamentalist Protestantism centered on the literal interpretation of the Bible and the daily observance of their faith. With such absolute certainty, these fundamentalists became disturbed by the immoral trends permeating society and attempted to coerce others to change sinful behavior. Concerning this "moral revolution," George E. Mowry wrote, "The defenders of the old traditions and morals, the agrarian-minded social conservatives and the religious orthodox, did not let this complex series of radical innovations in American society go without an angry and persistent challenge."⁴³ To uplift spiritual awareness in Charleston, religious leaders initiated a campaign to ensure that businesses closed on Sundays and sponsored the visit by Billy Sunday.

During the four years of the Hall administration, a dichotomy appeared in the city's approach to change. The city, represented by city officials, civic leaders, and religious representatives, sought to foster economic development and urban growth, but attempted to counter the accompanying social transformation. Despite the contradictory response, success occurred in both approaches. The support for urban development adapted to the needs of the growing city and provided accommodations for future growth. The response towards societal change achieved, at least in the short-term, a new emphasis on law enforcement and on religious awareness. Since this bifurcated approach to

change in Charleston conformed with the general American historiography of the period, questions and actions similar to those faced by Charleston likely appeared in comparable communities throughout the United States.

Attachments



MAP OF CHARLESTON WEST VIRGINIA

AND ADDITIONS

COMPILED FOR THE CITY OF CHARLESTON
C. S. BROWN, CITY ENGR.
M. J. McKEURNEY, ASSIST. CITY ENGR.

SCALE IN FEET

1911

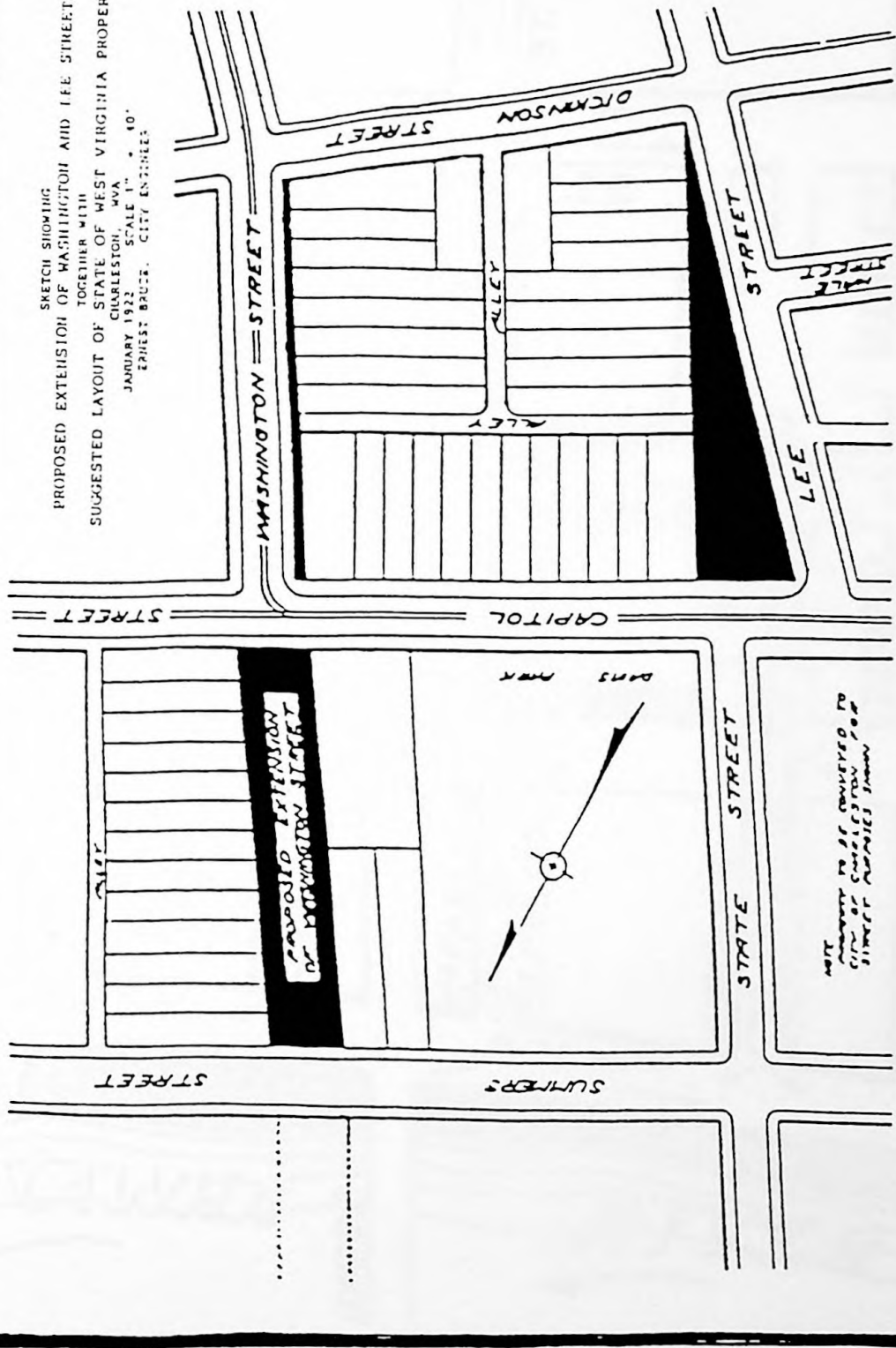


Charleston, West Virginia.

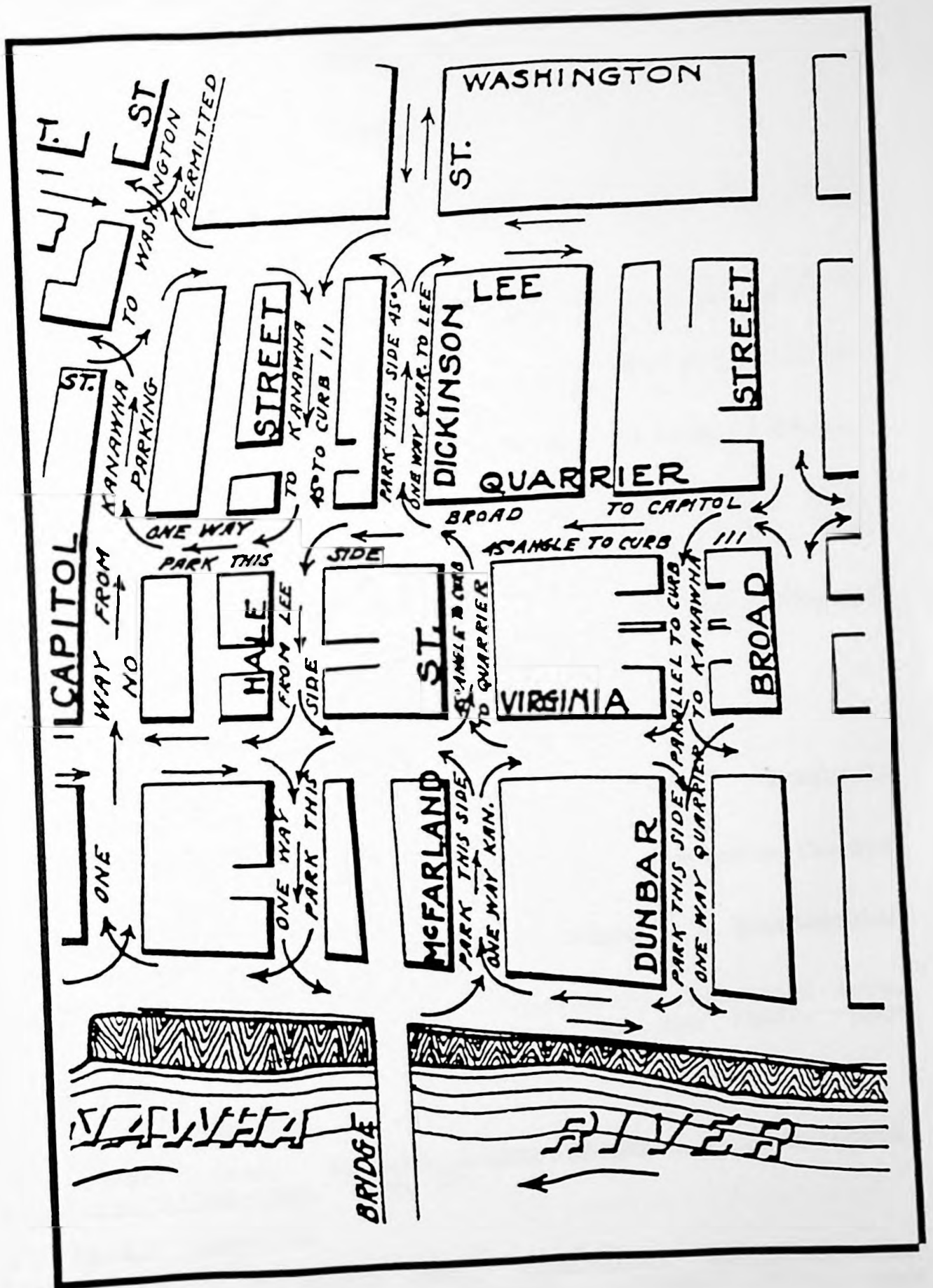


Grant P. Hall,
Mayor of Charleston, WV,
1919-1923.²

SKETCH SHOWING
 PROPOSED EXTENSION OF WASHINGTON AND LEE STREETS
 TOGETHER WITH
 SUGGESTED LAYOUT OF STATE OF WEST VIRGINIA PROPERTY
 JANUARY 1922 CHARLESTON, W.VA.
 SCALE 1" = 40'
 ERNEST BAUER, CITY ENGINEER



Street Extension Proposal
 for the Bond Election of
 February 15, 1922.



Chief of Police John Britton's One-way Street Plan.

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