THE U.S. GOVERNMENT'S INVESTIGATION OF E.B. STAHLMAN
AS AN ENEMY ALIEN: A CASE STUDY OF NATIVISM IN NASHVILLE

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THE U.S. GOVERNMENT'S INVESTIGATION OF E.B. STAHLMAN AS AN ENEMY ALIEN: A CASE STUDY OF NATIVISM IN NASHVILLE

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PREFACE

The United States government's investigation of Major Edward B. Stahlman's citizenship was a virtually unexplored topic before I started working on it. The investigation has been mentioned in a paragraph or less in several books. Besides this issue, scholars have yet to do a full examination of Stahlman the man, who as a railroad executive and publisher played an important part in Tennessee history from 1870 until his death in 1930. Not having left any personal papers, doing research on Stahlman is difficult, but more can be done.

Dr. David D. Lee made the initial recommendation of Stahlman as a possible topic and then graciously took time from his busy schedule to serve as director of the project. His suggestions and comments aided me well. Serving as a valuable mentor for three years, Dr. Carlton Jackson provided thoughtful remarks on research and writing, too.

If it had not been for James Summerville, who gathered and then donated the Department of Justice case file on Stahlman to the Tennessee State Library and Archives, this thesis would not have been possible. I am grateful for the Tennessee Historical Society's permission to reprint excerpts from the files.

Thanks also goes to the TSLA's senior archivist Jay
Richiuso for allowing me to look at Luke Lea's papers before they had been processed. Fellow archivists Cathi Carmack and Greg Poole were helpful, too. Three other libraries provided papers that proved to be beneficial in completing the thesis. I would like to thank the staffs at the Memphis-Shelby County Library and Public Information Center, Vanderbilt University Hearn Library and University of Tennessee Library. Library staffs at Western Kentucky University and Austin Peay State University also assisted me greatly.

This thesis is dedicated to my wife, Kris Elvin O'Brien, who gave me love and support as I toiled over this project. Her editing and writing suggestions proved invaluable. I owe a big thanks to Elizabeth Kennedy for use of her computer and for other services that allowed me to finish the thesis. I also need to thank J. Barry Elvin and Lynne Yarber for providing me with a place to stay while doing research in Memphis and to David and Susan North for doing the same in Knoxville.
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ABBREVIATIONS

The following abbreviations are used frequently in the footnotes:

EBS          Edward Bushrod Stahlman
EBS File     Edward Bushrod Stahlman Case File, 1915-1918
JGSHC        James G. Stahlman Historical Collection
LL Papers    Luke Lea Papers
NTA          Nashville Tennessean and Nashville American
SKDM Papers  Senator Kenneth Douglas McKellar Papers
TSLA         Tennessee State Library and Archives
As a railroad executive for the Louisville and Nashville and then publisher for the Nashville Banner, Edward Bushrod Stahlman, a German immigrant, made many enemies. Stahlman's constant feuding with Luke Lea, who owned the rival Nashville Tennessean, led to an investigation of his citizenship during World War I. Hatred of Germans was at a fever pitch and not only did the Department of Justice examine Stahlman, who actually had been naturalized as a child, but the Tennessean also accused him of being a German propagandist. This thesis serves as an example of the scrutiny German-Americans underwent during the war. Organizations such as the American Protective League harassed him, too. Based primarily on Department of Justice files and newspaper accounts, the thesis also gives a brief biography of Stahlman and survey of Nashville and Tennessee politics during the first twenty years of the twentieth century.
World War I was a frightening time for people of German descent in America. In an effort to wipe out ambivalence toward the primarily European conflict, President Woodrow Wilson and his cabinet began a propaganda campaign to infuse the country with fervor for the war. Due in part to British news censors, Americans received numerous reports of German wartime atrocities and rumors of potential homefront sabotage. Before the war Germans were the most admired immigrant group, but by 1917 that status had changed. Now, everyone of German origin, even United States citizens, suffered. People could be only Americans, not German-Americans, if they were to be recognized as loyal and patriotic citizens. Even the many Germans who professed loyalty to their new country could not avoid being watched and harassed by the government and its volunteer spycatchers.\footnote{For an excellent description of America during World War I, see David M. Kennedy, \textit{Over Here: The First World War and American Society} (New York, 1980). Nativism during the war is described well in Chapter 8 in, John Higham, \textit{Strangers in the Land: Patterns of American Nativism 1860-1925} (New York,
One American citizen who endured incredible scrutiny was Nashville’s Major Edward Bushrod Stahlman. Stahlman, a German immigrant, published and owned the Nashville Banner, an afternoon English-language daily newspaper in Tennessee’s state capital. Several months after America entered the conflict, Stahlman saw the validity of his naturalization questioned by Nashville’s morning newspaper, the Tennessean, leading to an investigation by the Department of Justice. For the next year, Stahlman sustained a rigorous examination of his records coupled with the embarrassing threat of having to register as an enemy alien.

This highly charged atmosphere led to the founding of the American Protective League, a group of 250,000 volunteer detectives who took it upon themselves to report suspicious people to the government. The APL’s Nashville branch, under the influence of the Tennessean, hounded Stahlman. These amateur detectives not only examined Stahlman’s private life, but also interviewed people who despised him and then reported their biased findings to the Justice Department. Stahlman feared losing the Banner, or at the least seeing his paper’s influence diminished. This did not happen, but the publisher suffered humiliation as he saw his reputation damaged through repeated accusations that he was still a German citizen and propagandist.

Before looking at the investigation, Stahlman’s life before the war needs attention. First, the issue of his
citizenship is complicated, so his family’s immigration to America in 1853 and early years in this country must be discussed. Secondly, Stahlman’s journey from a poor immigrant to a railroad executive and then successful publisher resulted in many enemies. Stahlman was stubborn but also persuasive as he became one of Tennessee’s most influential powerbrokers. While Stahlman certainly turned the Banner into a powerful political tool, he also worked behind the scenes, clashing with mayors, governors and senators in trying to achieve his goals.

His biggest battles came with Luke Lea, owner of the Tennessean and scion of a distinguished state family. Although at one time they had been friends, the feud between Stahlman and Lea started in 1914 and erupted frequently in their papers. Not only did these two men come from different social classes, but they differed on many volatile issues, including the decision to enter World War I. Like most of the German-language papers, Stahlman’s Banner opposed the United States’ entry into the conflict. Just as the German-language press complained that Wilson and other government officials steered America into a fight with Germany so did Stahlman’s paper. Lea saw Germany as an imperialistic nation that must be stopped, and he suspected Stahlman of being a propagandist for his native land.

With Lea fighting overseas as an Army colonel, his staff probed Stahlman’s citizenship and loyalty to America. Tennessean General Manager James Allison, who also directed
steered America into a fight with Germany so did Stahlman's paper. Lea saw Germany as an imperialistic nation that must be stopped, and he suspected Stahlman of being a propagandist for his native land.

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\(^2\)Nashville Tennessean and Nashville American, June 3, 1918.
Chapter 1
From Immigrant to Publisher

Like many immigrants, Stahlman came from humble origins. His father, Frederick, married his mother, Frederica Lange, in 1837. Both were natives of the northern German state of Mecklenburg, and devout Lutherans. Stahlman was born Sept. 3, 1843, in Gustrow, Mecklenburg as Friedrich Heinrich Eduard. He was the fourth of eight children his mother bore while they lived in Germany. Frederick served as headmaster of a school, and through him the young Stahlman received his early education. Stahlman's father struggled to support his wife and seven children (one boy died as a child). The Revolutions of 1848 brought turmoil to much of Europe, including Mecklenburg, as democratic ideals asserted themselves for the first time in this region. Stahlman's father was active in this liberal movement, but the subsequent failure of Germany to unite and adopt a constitutional form of government prompted him to look to America for a new life for his family. Frederick decided to take his family to Virginia where he made plans to run a school in West Union, which had a large German settlement.  

1Mildred Stahlman gave me a biographical essay of Major Edward Bushrod Stahlman by James G. Stahlman, (n.p. and n.d.),
The Stahlmans left Germany in September 1853, and the rigors of the six-week voyage took their toll on the family as the two youngest children died of cholera at sea. A third child died shortly after their arrival in West Union, a Doddridge County town, which became part of West Virginia in 1863. Despite these hardships, the Stahlmans believed they had found their permanent home and named their next child George Washington Stahlman. Tragedy, however, continued to stalk the family. The elder Stahlman became ill with tuberculosis and never fulfilled his teaching commitment. He died on January 2, 1855. The family was struggling to survive, so the sons began working odd jobs for money and hunting for food. William, the oldest at 16, worked as a railroad contractor while Frederick, 14, became employed in the harness shop of Lewis Harnish, another German immigrant.¹

The 11-year-old Edward may have been more fortunate than his brothers because the Foleys, a West Union family, took an interest in him. James A. Foley, who owned a hotel in West Union, allowed Edward to live there for free and attend school.


in the morning. In return, Stahlman performed odd jobs allowing him to provide his mother some money. When Foley's brother Bushrod opened a store along a railroad line about nine miles east of West Union, he brought Stahlman with him, becoming his guardian and mentor.³

In the late 1850s, Stahlman asked his mother's permission to "Americanize" his name. Edward's intentions troubled some members of the family, but Frederica gave her consent. She allowed him to drop "Friedrich Heinrich" and change the spelling of "Eduard Stahlmann" to Edward Stahlman. In honor of his guardian, he took Bushrod as his middle name. Meanwhile Stahlman's mother had married Harnish, the harness shop owner on April 15, 1856. In October of the same year, Harnish became a naturalized citizen, thereby making all the Stahlman children, including Edward, citizens too. Stahlman was not aware he had obtained citizenship through his stepfather's naturalization until 1917. Edward rarely lived with his stepfather, and in 1859, Harnish moved Stahlman's mother, her two youngest children, and a newly born son of their own to Parkersburg, Virginia.⁴


⁴According to EBS, one of his older brothers disapproved of his changing his name, but his mother defended the move. Harnish, a half-brother of the Stahlmans, later countered that Edward's actions puzzled the Stahlman mother. Neither Edward or George got along with their stepfather, so the future publisher rarely lived at home. Stahlman, "Sworn Statement," 8, Affidavit of George W. Stahlman, Affidavit of Henry Harnish, June 24, 1918, EBS File.
Although given the honorary title "Major" later in life, Stahlman never served in the military. A bench rolled onto Stahlman's leg and broke it as a young boy in Germany. This accident left him with a limp for the rest of his life and kept the short, frail man from enlisting during the Civil War. His loyalties in the conflict are uncertain. In the summer of 1862, Albert Fink, also a German immigrant, recruited Stahlman to help Union forces with railroad repairs on the Louisville & Nashville in Tennessee. Confederate General John H. Morgan's raiders had blown up a tunnel north of Union-occupied Nashville. Weighing less than 120 pounds, Stahlman worked hard and impressed Fink, who promoted him to secretary to the superintendent of the tunnel job. One of his duties was running the commissary. Trouble came when a Union soldier accused Stahlman of selling supplies to families with relatives in the Confederate army. General E.H. Paine, the Union commander in charge of guarding the railroad, arrested Stahlman on charges of aiding the enemy. Fink, however, claimed Stahlman was innocent and threatened to halt repair work if Paine did not free the young man. By the end of November, Stahlman and the rest of the crew had the tunnel operational again.\(^5\)

\(^5\)James G. Stahlman essay, 1-2; Banner, April 12, 1936. The Confederates ran a captured locomotive into the tunnel and set it on fire which destroyed the wooden support structure. See Walter T. Durham, *Nashville The Occupied City* (Nashville, 1985), 107-108, 113-114, for a description of Fink, who invented the Fink Bridge Truss, and details on the tunnel work which took three months to clear and rebuild as the debris
After the war, Stahlman went to Bristol, Tennessee, where he worked as a cashier for the Southern Express Company. In 1866 the company transferred him back to Nashville, which became his permanent home. Also in 1866, he married Mollie T. Claiborne, a Nashville resident.

Eager to take part in the political process, Stahlman registered to vote on July 5, 1867, at the Circuit Court of Davidson County. Not realizing he was already naturalized, Stahlman made a sworn statement renouncing his allegiance to Mecklenburg and declaring his intention to become a U.S. citizen. During the nineteenth century, many states allowed foreigners to vote as long as they planned on becoming citizens. Stahlman, however, never continued the naturalization process. He possibly believed he had nothing further to do because three years later on the U.S. census report, he stated he was born in Germany but had obtained American citizenship.6

Stahlman returned to the L & N as a contracting agent in 1871. He began a steady climb up the L & N ladder and by 1875 stretched 800 feet and averaged 12 feet in height, see Maury Klein, History of the Louisville & Nashville Railroad (New York, 1972), 13, 35.

6Banner, April 12, 1936; EBS' statement of intentions to renounce his German citizenship, Circuit Court of Davidson County, Tennessee, July 5, 1867, James G. Stahlman Historical Collection, Vanderbilt University Hearn Library Special Collections; Population Schedules of the Ninth Census of the United States, 1870 (Davidson County, Tennessee), vol. 6, 229. For Stahlman's name check under S.A. Claiborne, his mother-in-law.
was general freight agent for a line that had more than three times the amount of track mileage of its nearest competitor in the South. But Stahlman's stubbornness in negotiations with a competitor spurred L & N President H. Victor Newcomb to send his agent on a leave of absence.  

Stahlman's hiatus from the L & N lasted nearly four years. During this time he branched out in the business world as Nashville prospered in the early years of the New South. He became the president and founding member of two successful businesses, the Union Stock Yards in 1880 and the National Manufacturing Company a year later. The former consolidated all of Nashville's stock yards into one company strategically located next to the railroad line while the latter was a cotton mill that by 1890 employed close to 300 workers. In 1882 he returned to the railroads managing the Monon, a reorganization of the Louisville, New Albany and Chicago. Two years later he was back at the L & N as third vice president.

Perhaps Stahlman's greatest talent was his power of persuasion. A skillful lobbyist, he was a regular visitor to the state legislatures of Tennessee, Kentucky, Georgia and

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7James G. Stahlman, essay, 2; Banner, April 12, 1936; Klein, Louisville & Nashville, 164-167.

8James G. Stahlman essay, 2-3; Don H. Doyle, Nashville in the New South, 1880-1930 (Knoxville, 1985) 49-50; Waller, Nashville in the 1890s (Nashville, 1970), 54. Klein, Louisville & Nashville, 310; See EBS entry in the Nashville City Directory (Nashville, 1878-1885) for each respective year.
Alabama. Even though he was not an official employee of the L & N in 1883, the company used him to fight a newly passed Tennessee law creating a railroad commission that reduced rates. Stahlman traveled across the state and rallied small weekly newspapers to the L & N cause, and in 1885 the legislature repealed the law. At this time Stahlman was developing into an effective speaker displaying no signs of a German accent. In 1889 L & N President Milton H. Smith, concerned about losing control of a line connecting Chattanooga to Atlanta, sent Stahlman to lobby in the Georgia state legislature where anti-railroad fever was at a high pitch. A year later the L & N had sole control of the access road, and a competitor was headed toward bankruptcy. Smith believed Stahlman played a key role, writing, "as might have been anticipated from (Stahlman's) unusual abilities and special qualifications, there has already been a marked change in the views of the legislature."\(^9\)

Also in 1881 Stahlman purchased a minority interest in the Nashville Banner, a fledgling afternoon newspaper that started in 1876. During its early years the Banner struggled financially as ownership and stock frequently traded hands. A libel suit in 1885 left the Banner heavily in debt, and Stahlman bailed out the newspaper by purchasing $55,000 worth

of stock to become the paper's majority owner the following year. This transaction was done in secret as Stahlman denied ownership of the *Banner*, probably because of his railroad connections, until the turn of the century. The *Banner* was not the only paper Stahlman had stock in as he secretly purchased half of the *Nashville American* in 1890. Stahlman's interest in the *American* certainly conflicted with his partial ownership of the *Banner*. But in fighting regulation, the L & N tried to buy as much influence as possible. Working for the railroad probably made it difficult for him to participate in the day-to-day operations of either paper.\(^\text{10}\)

At the age of 47, Stahlman resigned from the L & N in 1891. His enemies later accused him of leaving the railroad because the Kentucky and Alabama state legislatures said he had bribed elected officials and thus was banned from lobbying in their respective houses. Stahlman countered that he left the L & N in its good graces and that the board members were reluctant to accept his resignation. For the next three

\(^{10}\text{Luke Lea claimed John W. Childress and Edwin W. Carmack served as proxies for Stahlman's stock in the American. Carmack became a U.S. Senator and the first editor of the Tennessean in 1907. See Luke Lea's undated notes on the L & N, Luke Lea Papers, TSLA. For more on Stahlman's political leanings, see Walter Cain to Luke Lea, July 27, 1914, LL Papers. Walter Cain, who worked for the Banner during World War I, said that at the 1896 Republican convention, Stahlman admitted to delegates that he owned the Banner and his paper was Republican. The Nashville City Directory did not list Stahlman as Banner publisher until 1901.}\)
years, he served as commissioner of the Southern Railway and Steamship Association, a railroad pooling agency started by Fink, which often took him to Atlanta. While working in that city, he received an invitation to purchase the Atlanta Constitution, but his family did not want to relocate. Instead, Stahlman purchased the remaining stock of the Banner in 1893, becoming its sole owner and publisher. Around this time, Stahlman sold his interest of the American, which was losing money, to another L & N executive. Although the German native continued to be involved in other business ventures for the remainder of his life, making the Banner a successful and influential newspaper became his primary concern.¹¹

Under Stahlman's behind-the-scenes guidance, the Banner, for the first time in its history, began to show a profit in the mid-1890s and continued to do so until his death in 1930. The Banner became a family affair; his oldest son Edward C. Stahlman served as city editor until he drowned in 1904. Two of his grandchildren worked as reporters with James G. Stahlman eventually succeeding his grandfather as publisher. To Stahlman it was important to keep the paper a family business because this was the only way he could control its

¹¹Stahlman, "Sworn Statement," 8; William L. Murphy, Jr., "Edward Bushrod Stahlman: Probable Alien Enemy," 22, April 17, 1918, EBS File. To celebrate the newspaper's centennial, the Banner on April 6, 1976, ran a special section that included five stories on the history of the publication.
content. He came to see the Banner as an instrument of public
good and a "great educator." If something needed to be done
in Nashville, Stahlman felt his paper's pages were the best
place to gain publicity. By 1915, he bragged that he owned
one of the finest afternoon dailies in America.\footnote{Banner, April 6, 1976; The transcript of EBS' tax
assessment hearing (Nashville, 1915), 13-14, in the Lea Papers
contains long testimony by Stahlman on the history and purpose
of the Banner.}

Like many successful business leaders of the late
nineteenth century, he was conservative, and so his paper
promoted Nashville's industry and commerce. Promoting
business was easy for Stahlman since he was an entrepreneur
himself. In 1906 his Mecklenburg Real Estate Company built
the twelve-story Stahlman Building. Nashville's second
skyscraper provided offices for a wide range of professionals
and businessmen.\footnote{Transcript of EBS' tax assessment hearing, 13-14, 16,
LL Papers; Eleanor Graham, ed., Nashville: A Short History and
Selected Buildings (Nashville, 1974), 81. Even though the
Stahlman family no longer owns the 12-story building, it still
retains the Stahlman name.} But Stahlman wasn't always money
minded. At times merchants removed their advertising from the
Banner because they did not agree with the paper's opinions,
but Stahlman rarely backed down. On one occasion the Banner's
business manager told Stahlman the paper was losing a
considerable amount of advertising because it was attacking a
political candidate. Stahlman replied that his paper would
not change its views and that he would float the Banner down
the Cumberland River if he felt it necessary.\(^{14}\)

The Banner displayed great pride in being independent of
any political party as Stahlman supported both Republicans and
Democrats. According to Ralph McGill, who worked as a
reporter for the Banner during the 1920s, Stahlman's newspaper
style was best described as "personal journalism." During
Stahlman's years as publisher, McGill wrote, the Banner
"mirrored not so much the news as it did his personality and
convictions. Always on the attack, he gloated in victory and
never asked quarter or whined in defeat." Not only did his
daily take the lead in local, state and national politics, but
Stahlman became an important player in the backroom wheeling
and dealing of Tennessee's powerbrokers as well. Coupled with
his considerable powers of persuasion, Stahlman's physical
appearance by this time commanded attention. His silver-
streaked hair and large walking stick, needed for his injured
leg, gave him a distinguished look.\(^{15}\)

While Stahlman was building his own machine, he often
clashed with other political bosses. Besides the feud with
Lea, he fought with Hilary Howse, the mayor and political boss

\(^{14}\) Transcript from EBS' tax assessment, LL Papers; Ralph
McGill, _The South and the Southerner_ (Boston, 1954), 90-93.  
McGill the esteemed publisher of the _Atlanta Constitution_
started his journalistic career as a reporter for the _Banner_
in the 1920s.

\(^{15}\) McGill, _The South_, 90.
of Nashville, and Ed Crump, who was Memphis' chief. He frequently used his paper to attack these men. Early in the twentieth century prohibition became the most controversial issue in Tennessee. Stahlman opposed the cause, but when Tennessee banned the sale of alcohol in 1909, the publisher became a strong adherent to upholding the new law. Enforcement of prohibition split the Democratic party into the regulars, who looked to overturn prohibition, and the Independents, who wanted to strengthen the law. Stahlman took full advantage of the division, helping to organize the Fusionists, thereby uniting the Independents with Republicans. The Fusionist movement allowed Stahlman to help elect Republican Ben Hooper as governor in 1910 and Luke Lea to the United States Senate the following year. Stahlman served as one of Hooper's key advisors and most vocal supporters during his four years as governor.\textsuperscript{16}

As influential as he was, Stahlman's relentlessness occasionally clouded his judgement and hurt his reputation. For example his lobbying efforts on behalf of the Methodist Episcopal Church, South added to his wealth, but also led to public embarrassment. During the Civil War, Union troops occupied the publishing house, costing the church two years of profits. Union soldiers also damaged property that belonged to the business. For the next thirty years, members of the

publishing house and independent agents tried filing a claim against the U.S. government, but Congress showed little concern. A member of McKendree Methodist Church, Stahlman, who had converted through his wife, took an interest in the claim in 1892. Three years later Stahlman contracted with the house's book agents to become the chief representative in the claim. Stahlman would receive 35 percent of whatever money the government awarded, but would be paid nothing if Congress denied the claim. Fearing that his lobbying fees would deter Congress from passing the claim, Stahlman cautioned the book agents not to make the contract public.\textsuperscript{17}

After numerous visits to Washington over the next two-and-a-half years, Stahlman pushed a claim of $288,000 through the House. The upper chamber proved to be more stubborn with Florida senator Samuel Pasco questioning book agent J.D. Barbee about Stahlman's actions because he heard rumors of the newspaper publisher receiving a 40 percent lobbying fee. Barbee denied the report, but failed to tell the senator the fee was actually 35 percent. Stahlman informed Tennessee senator William Bate, who chaired the committee hearing the claim, that "he was to receive no fee and was doing the service for the good of the church." The bill passed the senate without a no-lobbying fee clause on March 8, 1898 and

\textsuperscript{17} (Nashville) \textit{Christian Advocate}, July 7, 1898, 1, 4. The \textit{Advocate} was the official weekly paper of the Methodist Episcopal Church, South. \textit{The History of the United Methodist Publishing House}, 156-157.
Stahlman pocketed $100,800. Amid rumors that Stahlman had received a large fee, Henry Cabot Lodge, who had argued vehemently for a no-lobbying amendment to the bill, spearheaded an investigation aimed at Stahlman and the book agents.\(^{18}\)

In July Lodge reported that Stahlman and the book agents had deceived the senators. The report read, "the deception was willful and deliberate on Mr. Stahlman's part." Stahlman had finally admitted to the Senate that he had lied, but he was belligerent about his deed.

Well, then make me the martyr. I made the denial. Peter denied his lord three times. He told a story. I do not claim to be better than Peter. If Peter was forgiven -- and Peter is the rock upon which the church was founded -- Stahlman can be forgiven for the crime he has committed, if crime it be.

The senate exonerated the Methodist Church of wrongdoing, allowing it to keep the money. It also found no evidence of Stahlman bribing senators because he kept most of the money with about $12,000 going to other lawyers who assisted him.\(^{19}\)

The *Banner*, which at this time Stahlman secretly owned, wrote about the controversy twice. When Lodge called for an

\(^{18}\) *United Methodist*, 157, 160; *Advocate* 4-5; *American*, June 10, 12, 14, 15.

\(^{19}\) *American*, July 9, 1898; *United Methodist*, 161-162. See the July 16 *NTA* which contains a speech by Lea on the Senate floor. He denounced Stahlman, primarily, through various quotes from senators during the 1898 publishing house scandal.
investigation in June, the Banner ran a telegram from Stahlman and the book agents in which they claimed, "all statements made by us designed to promote the passage of the bill were justified by the facts and circumstances of the case." Even the Nashville American, the Banner's rival newspaper at the time, found no wrongdoing because it thought the claim was just. To the American, lobbying was an unpleasant fact of life and the senators were fools if they believed Stahlman was working for free. But the incident increased Stahlman's reputation as an unscrupulous lobbyist. Senator Ben Tillman referred to Stahlman as a "thief and liar." This particular comment and the senate investigation itself haunted the publisher for the rest of his life.²⁰

When World War I erupted in 1914, Stahlman's publication, at first, gave balanced views on the editorial page, criticizing both Great Britain and Germany when it threatened American interests. The Banner saw German militarism as a problem, but ultimately the paper blamed the complicated alliances and crisis in the Balkans for the war. When a German submarine sank the Lusitania in 1915, with 124 Americans among the dead, the Banner urged Americans to remain calm and let Wilson handle the situation. Despite the horrors of submarine warfare, the Banner maintained that Germany

²⁰Banner, June 10, 1898; American, June 15, 1898; NTA, July 7, 1914.
warned Americans about sailing on British vessels.\textsuperscript{21}

After the torpedoing of the \textit{Sussex} on March 24, 1916, Wilson responded in April that unless the submarine warfare ceased, the United States would sever relations with Germany. Contending the country should remain neutral, Stahlman's daily criticized the government for its biased policy toward Great Britain. The \textit{Banner} felt the British "order in council" violated international law by trying to starve Germany, causing that nation's government to resort to unrestricted submarine warfare. A \textit{Banner} letter to the editor praised the paper for providing more balanced views on the war than the \textit{Tennessean}.\textsuperscript{22}

When Wilson publicly released the Zimmerman Telegram on March 1, 1917, this plot of German intrigue with Mexico outraged the nation. The \textit{Banner} publisher finally accepted the inevitability of war. In Washington at the time, Stahlman wired -- what would become later -- a controversial telegram of his own to the \textit{Banner}. He told his staff that it should stand behind the country even though he felt Wilson "by unneutral conduct has produced the trouble." The \textit{Banner} printed this comment, and when America entered the war the next month, the \textit{Tennessean} reminded its readers frequently of

\textsuperscript{21} \textit{Banner}, August 1, 4, 1914, May 8, 1915.

Stahlman's attacking the president. Several weeks before war was declared, Stahlman attended a Nashville rally of pacifists that also included Socialists. The meeting urged Congress to put forth the question of war as a referendum, letting the nation's voters decide if America should fight.  

When Congress declared war on April 6, the Banner wrote an editorial backing the decision, but discussed how its owner had opposed entering the conflict. In reference to Stahlman's heritage, the Banner wrote, "because of reasons of a personal nature, well understood by the Tennessee public, and because too, of the light in which he has viewed all the incidents and conditions leading to this declaration of war, (he) has seriously and sincerely opposed such a step on the part of the United States." Stahlman was not alone. According to the Banner, many people besides pacifists and pro-Germans did not want war either. But such thoughts were in the past, the Banner wrote, so its owner, along with every other American, must support the huge task that lay ahead. Stahlman's publication also printed an announcement stating that any Banner employee who enlisted in the military would receive one-half of his weekly salary from the paper.  

By 1917 Stahlman was one of Tennessee's most influential residents, making a steady climb up the economic social ladder.

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23 Banner, March 2, 1917.

24 Banner, April 6, 1917.
since his immigration 64 years earlier. Stahlman certainly looked at himself as an American first, but he was proud of his German background, too. At the turn of the century, he named his real estate company, Mecklenburg, after the place of his birth. In the 1911 edition of Who's Who in Tennessee, Stahlman boasted that an uncle was a German government official decorated three different times by rulers while his aunt was a close friend of Empress Augusta. But Stahlman's process of Americanization, which began with changing his name during childhood, continued in his adult years. He arrived in Nashville when the largest influx of Germans settled in the city. Although many of the Germans congregated in North Nashville, Stahlman never lived in this section which became known as Germantown. He married into a family, the Claibornes, that traced its roots to Jamestown settlers arriving in 1621. While Nashville Germans could keep ties to their homeland through social organizations -- the city had a Turnervein and the Odd Fellows and Masons also had branches with exclusive German membership -- Stahlman never belonged to any of these clubs.\textsuperscript{25}

As a child, Stahlman was eager to Americanize his name.

\textsuperscript{25}Joseph T. Macpherson, Jr., Nashville's German Element, (M.A. thesis, Vanderbilt University, 1957), 28-37, 90-95. About seven percent of Nashville's population of 25,865 in 1870 were of German origin. Turnerveins are gymnastic/social clubs that were popular in nineteenth century Germany. In George Cuningham's letter to Ben Littleton, (February 16, 1917, EBS File) is the reference to Who's Who in Tennessee. King's Nashville City Directory, 1866-1918.
and learn the English language. He overcame the obstacles of being a foreigner to succeed as a railroad executive and newspaper publisher. By the time America entered the war, Stahlman had made many enemies, but these foes resulted from his political maneuvering as a lobbyist and state boss and the Banner's editorial stands, not his heritage. Whether Stahlman, previous to World War I, ever encountered discrimination because of his German heritage is not certain. Upon their arrival in America during the 1850s, the Stahlmans possibly faced nativism because the Know Nothing party, spouting its fear of foreigners, was at its zenith. In the nineteenth century, however, Americans aimed much of their prejudice toward Catholic immigrants, and the Stahlmans were Lutherans. Also, Germans had become the most respected of all non-English speaking immigrants. Until the investigation of his citizenship, Stahlman did not publicly express concern about his German heritage.\(^{26}\)

\(^{26}\)Higham, Strangers in the Land, 6-7; Transcript of EBS' tax assessment hearing, 18-19, LL Papers.
Chapter 2
Stahlman vs. Lea: Struggle for Power

Stahlman's most prominent rival, Luke Lea, did not become a factor in the Banner publisher's life until 1907. Lea took a different route into the publishing and political world as family influence and wealth played a favorable role. Twenty-six years after Stahlman arrived in America, Luke Lea was born in 1879 to one of the richest and oldest families in Tennessee. His great-grandfather John Overton, a law partner of Andrew Jackson, was reportedly the wealthiest man in the state at the time of his death with large landholdings in Memphis and Nashville. John Lea, the grandfather of Luke, served as Nashville mayor before the Civil War. Luke's father Overton was a lawyer who, because of poor health, gave up his practice and tended to the family estate and farm in Nashville called Lealand. Stahlman received little formal education after his father died; he was primarily self-taught. In contrast, private tutors educated Luke and his three siblings. Lea earned bachelor's and master's degrees at University of the South at Sewanee and a law degree from Columbia University. After passing the New York bar exam in 1903, he returned to Nashville setting up a law practice, but spent
much of the next year teaching classes at Sewanee. By 1905, however, his law practice and social connections drew him back to Nashville. As a lawyer, Lea became involved in business deals such as telegraph and real estate companies. In 1906 Lea married Mary Louise Warner, whose family's wealth in public utilities added to the prestige of the Lea name. Mary Louise's father, Percy, became a valuable mentor to Lea, whose own father died in 1912.¹

Believing that the L & N and liquor industry controlled the Banner and American, Lea felt compelled to start his own newspaper. Even though he agreed with Lea's reasons for a third newspaper in Nashville, Overton Lea tried to dissuade his son from undertaking such a venture because it would be a financial burden. Overton relented, however, and in 1907 lent Lea $15,000 to begin the Tennessean. Over the next fifteen months, Lea borrowed $40,000 more to keep the paper afloat, but his father continued to try to convince him to sell the Tennessean. During the early years of the Tennessean, Lea's paper had a friendly rivalry with the Banner. Stahlman considered Lea and Percy Warner his friends, dining with the latter often as the two enjoyed discussing politics.²

¹Mary Louise Lea Tidwell, Luke Lea of Tennessee (Bowling Green, Ohio, 1993), 1-16, 26-27; Belle Meade Park Company agreement, April 9, 1913, LL Papers.

Direct competition for the Tennessean came from the American because both were morning papers. Lea won this battle when he bought out the American in 1910 and combined it with his paper. A year later the L & N and liquor industry collaborated to start the Nashville Democrat. The Democrat, which lasted only two years, attacked both papers, but directed most of its ire at the Tennessean as it tried to put Lea's still somewhat shaky paper out of business. Over the next three years, friendly competition between the Banner and Tennessean continued as Lea even had an office in the Stahlman Building.3

In 1906, Lea joined the political world when he attended the Democratic gubernatorial convention and helped write the party's platform. Like Stahlman, Lea was a persuasive speaker. Not as blunt as Stahlman, the tall and handsome Lea was charming and charismatic. Developing into a progressive, Lea allied himself strongly with the prohibitionist movement. When Lea's editor Edward Carmack was killed over this volatile issue in 1908, the Tennessean took the lead in promoting

3Tidwell, Luke Lea, 32, 59, 62. The Tennessean and American remained one entity until July 1, 1918 when Lea's publishing company split the papers, printing the American, as an evening daily and the Tennessean as a morning paper. For brevity's sake in the text, I use only the Tennessean name for the years 1910-1918. But in the footnotes for these same years, I employed Tennessean and American with the abbreviation NTA for subsequent references.
prohibition, which the state legislature passed into law the following year.  

With enforcement of prohibition continuing to divide the state politically, Lea, as an Independent Democrat, became aligned with Stahlman and aided him in electing Ben Hooper as governor in 1910. The following year the state legislature deadlocked over electing a U.S. senator. Lea saw an opportunity, and with the backing of the Fusionists, especially Stahlman, gained enough support to win the senate seat. At age 31, Lea became one of the youngest senators ever elected. After his election, the Banner praised Lea, writing that he has "vigor" and "new blood ... and there is reason to expect that he will serve with efficiency and distinction." Acknowledging Stahlman's help, Lea publicly thanked his rival for his support, "great kindness and absolute friendship." Lea hoped to continue to benefit from Stahlman's "fatherly guidance."  

During the early years of Lea's term, the Banner and Tennessean remained friendly as their publishers worked together, ensuring the enforcement of prohibition. It was not uncommon for Lea to send a speech or editorial from Washington

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5Tidwell, Luke Lea, 62; Banner, January 24, 1911; NTA, February 3, 1911.
to be printed only in his competitor's paper. Lea informed
friends that it was not proper to use his own paper to promote
his senatorial career.⁶

Numerous reasons have been given for the rift between
Stahlman and Lea which turned into an ugly feud in 1914.
Opposing political philosophies with the intent of controlling
state politics seem to be the key ingredients. A descendant
of John Overton, Lea came from a long line of Democrats.
Unlike many immigrants, Stahlman never fully embraced the
Democratic party. In 1896, he even attended the Republican
national convention. Stahlman liked to toe the line between
the two parties which made the Fusionist movement an ideal
vehicle for pushing his agenda. Lea always saw the Fusionists
as a temporary fix for enforcing prohibition. The two
publishers first clashed in 1912 when Lea wanted to unite the
Democrats through a harmony movement. Stahlman and other
Independents feared a return to the days of Malcolm Patterson,
the anti-prohibitionist Democratic governor previous to
Hooper. The harmony movement failed, but the two publishers
remained friends.⁷

⁶Affidavit of Frank C. Stahlman, February 24, 1919.
EBS File; Lea to Herman Suter, June 3, 1911, Lea to George A.
Gates, February 2, 1912, Marshall Morgan to Lea, June 11,
1913, LL Papers.

⁷Nearly every issue of both the Banner and NTA in January
and February of 1914 discuss the differences between the two
publishers. See Banner, January 12, February 17, 26, 1914 and
NTA, January 13, February 18, 1914 for lengthy accounts.
Another test of the Stahlman-Lea relationship came in January, 1913, when the publishers, along with other Fusionists, asked Ben Hooper to press for no more enforcement legislation on prohibition. This request was at the behest of Memphis Mayor Ed Crump, who promised his county's delegation would vote with the Fusionists on other legislation. The Independents employed Stahlman, who was influential with Hooper, to persuade the governor to back down on enforcement. Hooper, however, never made any promises and a misunderstanding prompted Crump to believe he had the governor's support. When the opposite became true, the Fusionist-Memphis coalition fell through, and an irate Crump denounced the governor and Stahlman as liars. Meanwhile Lea stood by Crump declaring Hooper had reneged on the deal. If they had not already, this incident probably caused Stahlman and Lea to start mistrusting each other.⁸

Shortly after the controversy with Crump, Stahlman secretly attended several "citizens" meetings of businessmen in Nashville, who wanted to write a state bill that permitted alcohol to be sold in Tennessee's four largest cities. Ultimately, Stahlman did not lend his support and the bill never reached the state legislature. At that time, the Tennessean printed blurbs on its editorial pages insinuating

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⁸Isaac, Prohibition, 213-216; Stahlman to Ben Hooper, March 6, 9, 15, 16, 1913, Ben Hooper Papers, University of Tennessee Library.
Stahlman proposed altering the prohibition law. The *Banner*, of course, denied this charge and pledged its support to upholding prohibition.\(^9\)

Concerned that he and Lea were drifting apart, Stahlman requested a meeting with his friend in December 1913. Probably they discussed uniting the Democratic party, but few details of the conference exist. Lea later said that Stahlman assured him that he was not hostile to the senator, and if the election were the next day he would cast his vote for the *Tennessean* publisher. Stahlman later claimed that he explained the "citizens" meetings to Lea, but he did not want to change prohibition. Both men probably left the meeting with the realization that politically they could no longer work together. Toward the end of the month, the *Tennessean* again began pushing for harmony among Democrats, claiming most had accepted prohibition. The *Banner* countered that harmony would benefit the regulars and hurt the enforcement of prohibition.\(^10\)

In January of 1914, both papers became more personal with the *Banner* claiming Lea was allied with Crump. The next day the *Tennessean* responded by accuseing Stahlman of working

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\(^9\)NTA, March 23, 25, 26, 29, 1913; *Banner*, March, 24-30, 1913.

\(^10\)NTA, December 28, 1913, January 13, 14, 1914; *Banner*, December 31, 1913, February 19, 26, 1913.
behind the scenes to design a bill to end prohibition, pointing to the "citizens" conference the previous year. Several days later the controversy moved to the front page as the Tennessean ran another story on Stahlman's alleged double dealing which included the entire text of the proposed bill eliminating prohibition from the four cities. Firing back, Stahlman accused Lea, "the young scion," and Crump of trying to discredit the Banner and the prohibition movement to further their own causes. Later in the week a Tennessean front-page headline screamed, "While Dr. Jekyll Fought For Prohibition(;) Mr. Hyde Worked for the Saloon." The constant barrage from both sides severed the Stahlman-Lea alliance with no apparent attempts at a reconciliation.\textsuperscript{11}

For the next two months, the feud dominated the editorial sections of both papers and often spilled over to the front pages. In the summer of 1914, Lea denounced Stahlman on the U.S. Senate floor. He read comments from past colleagues who attacked Stahlman for his lobbying and lying in the Methodist book scandal. Privately, Percy Warner told his son-in-law that he had embarrassed Stahlman and urged him to stop criticizing his adversary. The same week Nashville's Commercial Club, an organization of businesses formed to promote the city, wrote letters to each publisher asking for an end to personal attacks. The answer from Lea and Stahlman

\textsuperscript{11}\textit{NTA}, January 10, 1914; \textit{Banner}, January 12, 1914.
was that the other had started the fight and each was trying to defend himself.\textsuperscript{12}

Lea not only angered Stahlman; many influential Tennessee politicians opposed the senator's re-election, too. Leading the way was junior Senator John K. Shields, who organized the opposition and Congressman Cordell Hull, who devised a plan to derail the Tennessean publisher. The congressman secretly prodded the Democratic state committee to hold the party primary a year early in 1915. Working behind the scenes, Stahlman aided Hull and Shields at gaining an early primary which prevented Lea from building his political machine. With the Banner leading a public barrage, Lea finished third as Congressman Kenneth D. McKellar defeated Malcolm Patterson in a run-off and then won the general election the following year. Stahlman and McKellar became good friends, probably brought together by their dislike of Lea. Stahlman gained great influence with McKellar in how the senator voted and doled out government jobs.\textsuperscript{13}

\textsuperscript{12}Tennessean\ July 12, 1914; Warner to Lea, July 16, 17, 1914, A.B. Ransom to Lea, A.B. Ransom to Stahlman, July 17, 1914, LL Papers.

Lea always maintained in his newspaper that the feud started because Stahlman was upset that he never became a senator. Stahlman coveted Lea's seat but feared, according to Lea, that the U.S. Senate would not seat him due to his past indiscretions involving the Methodist publishing house scandal. Three senate vacancies had stemmed from the death of Robert L. Taylor in 1912, and Governor Hooper had the opportunity to select a senator who would serve until the state legislature met the following January. In his autobiography, Hooper admitted that he would have picked Stahlman, a man he "loved," because "he was a tremendous power for good in Tennessee." Being a Republican though, Hooper felt obligated to select Newell Sanders, a member of his own party.14

Later in the year at a Fusionist meeting, "many offered support" to Stahlman for the short-term seat when the legislature met in January. Stahlman "indignantly declined," according to Lea, and the Tennessean owner believed his rival coveted the six-year term which would be decided the same week in January. When the state legislature met, it elected John K. Shields over Charles Cates, the state's attorney general.

and Lea's good friend, to fill the full term. The next day the state legislature selected William Robert Webb, headmaster of a private school, to fill the remaining six weeks of Taylor's term. Apparently Stahlman, according to Lea, had a change of heart, and wanted the short-term seat when he realized the full term was not going to be a possibility. Even after Webb was chosen, Stahlman urged Lea to ask that another vote be taken, but the Tennessean publisher refused. A year later when the feud exploded, Lea claimed Stahlman wanted to be senator so that he could "vindicate" himself before the body that had chastised him fifteen years earlier for his lobbying activities. In 1931, Lea wrote an associate that after Stahlman demanded the re-count, "This I declined to do and I have had the bitterest enmity of all the Stahlmans from that day to this."

Despite Lea's allegations, Stahlman always publicly claimed that as a newspaper publisher, he did not deem it proper to seek a political office. None of Stahlman's correspondence to Lea ever mentioned the senate seats, and if he were eager to hold the office, it does not seem wise to refuse support for the short term from a group of politicians at a private meeting. Also once Webb was elected, it was not plausible to believe Lea could have altered the results as he

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15 Isaac, Prohibition, 213; Tidwell, Luke Lea, 50, 62-63. See Marvin Campen memo to Lea, 1912, LL Papers, in which he claimed that Stahlman had designs on the senate, but "Stahlman is very successful in keeping down rumors."
claimed Stahlman urged him to do. It can be inferred, however, from Hooper's wish to appoint Stahlman in 1912 that the publisher did consider being a senator.\textsuperscript{16}

Discussion of the senate vacancies played an important part during the enemy alien investigation of Stahlman in 1918. Lea's faction tried to prove that Stahlman could not be a senator because he was not a citizen. K.T. (Kit) McConnico, who had been Stahlman's lawyer in 1912, and Jonas T. Amis, chairman of the Independent Democrats, both claimed they discussed with the Banner publisher his desire to be a senator. According to McConnico, when he and Stahlman examined the publisher's records, they realized he had not been naturalized, making him ineligible for the federal office. McConnico and Amis, who both sided with Lea when the feud erupted in 1914, were the only two people to connect the Senate seats with Stahlman's citizenship, but this was not until 1918. Neither mentioned Stahlman's lack of citizenship to the press or in a written document during the first four years of the feud, rather they waited until the investigation began. Lea discussed many personal items and accused Stahlman of many diabolical deeds, but never addressed his rival's citizenship as a factor in the Senate vacancies or accused him of not being naturalized until after America entered the war.\textsuperscript{17}

\textsuperscript{16}Banner, January 15, 1914.

\textsuperscript{17}Murphy, "Probable Alien Enemy," 4-5, EBS File.
Because Stahlman did not discover the true basis of his naturalization -- through his stepfather -- until late 1917, for some time the publisher believed he was not a citizen. When Stahlman realized his 1867 attempt at naturalization had not resulted in his citizenship is unclear. It is unlikely, however, that he discussed his citizenship with McConnico because he had no reason to believe he was not a citizen. An imminent U.S. war with Germany made the issue of his citizenship more pressing so probably in late 1916 or early 1917, Stahlman started harboring doubts.\textsuperscript{18}

When war broke out in Europe, the Tennessean did not question Stahlman's citizenship or accuse him of being pro-German. The Tennessean, though, was pro-British, becoming decidedly more so as the war progressed. From the beginning, mirroring Lea's views, the Tennessean disregarded the role of Europe's entangling alliances and saw Germany as the aggressor, blaming the war on Kaiser Wilhelm Hohenzollern's selfish ambition to increase his empire. After each impending crisis with Germany, Lea's paper leaned closer to supporting war with the Kaiser.\textsuperscript{19}

After the sinking of the Sussex, the Tennessean applauded Wilson's ultimatum and appeared anxious to enter the conflict,

\textsuperscript{18}EBS, "Sworn Statement," 3, EBS File.

\textsuperscript{19}NTA, August 8, 9, 1914, May 11, 1915; Tidwell, Luke Lea, 78.
claiming the United States could not escape the issue because people wanted war. When Germany resumed unrestricted submarine warfare on February 1, 1917, and the president broke diplomatic relations two days later, the Tennessean called for war with Germany. On February 4, Lea wrote an anonymous editorial stating the conflict was always "our war" and pitted democracy against imperialism. Calling Lea's editorial "meretricious jingoism," the Banner unrealistically maintained the U.S. should not join the Allied cause because its problems with Germany were a separate issue.20

By early 1916, the Tennessean warned about the danger the large German-American population posed to U.S. security. At this time, Lea's daily proclaimed, if war was declared, the United States Army would have to prepare for riots caused by German-Americans. A letter to the editor in the Tennessean fretted about pro-Germanism, accusing the faculty of Vanderbilt and teachers at a Nashville high school of promoting propaganda. Former Tennessean staff member Marshall Morgan, in a letter to Lea, stated that if the Banner wanted to make the 1916 presidential election a "German-English affair," Lea's paper would win. "Our language, laws, customs, manners; our religion, our literature, our poetry, our institutions, all came from English." Morgan pointed out that

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20Link, Woodrow Wilson, 268; NTA, February 4, 1917.
twenty-five of the twenty-seven presidents were either of English, Scotch-Irish or Welsh descent and that none had any German blood.\textsuperscript{21}

On February 5, 1917, the \textit{Tennessean} staff wrote a scathing editorial asserting German-Americans were not to be trusted. Many of these hyphenates liked making money in America, according to Lea's paper, but felt loyal to Germany. That alone was enough to upset Nashville's German-American community, but the \textit{Tennessean} warned "any Germans naturalized or unnaturalized in this country ... who voted against or failed to vote for President Wilson's re-election" in 1916 were disloyal, traitorous and a public enemy. Not only did the \textit{Banner} criticize the editorial, but Nashville's small and rather influential German and Jewish communities did, too. Beseiged with phone calls and letters by irate readers and advertisers, \textit{Tennessean} general manager James Allison concluded the volatile remarks could have been "modified." One business switched a thousand-inch advertising contract to the \textit{Banner}. But Allison, who may have been more hostile to Germans than Lea, in letters to his boss, said the paper should not relinquish its position just because "95 \% of the business men in Nashville are either German, Jewish, or Irish,

\textsuperscript{21}Link, \textit{Woodrow Wilson} 215, 247-249; NTA, March 27, April 20, 21, November 1, 7, 11, 1916; Morgan to Lea, October 3, 1916, LL Papers.
and they all sympathize with Germany, but our readers are the reverse." Allison hoped to avoid any more problems, however, he was willing "to go to the mat."\footnote{22}

On February 19, the Tennessean printed a front-page commentary on German-Americans, saying its previous comments were not meant to offend loyal Americans. Those who were hurt deserved the paper's wrath because they probably were disloyal. Proclaiming eternal vigilance, the Tennessean vowed to continue to expose the German sympathizers. Responding that the Tennessean editorial was vicious, the Banner felt "it had nothing to do with national honor or the country's defense, but was merely a quarrel with offended advertisers." The Banner declared that no merchant in Nashville had displayed traitorous actions against the government.\footnote{23}

In the summer of 1915, Marshall Morgan, a Tennessean Washington correspondent at the time, expressed the feelings of the Lea faction when he hoped for the opportunity to gain revenge on Stahlman, who had been maligning Lea for more than a year. This belief intensified when Lea lost the Democratic

\footnote{22}{Tennessean, February 5, 1917; James Allison to Luke Lea, February 5, 10, 15, 1917, LL Papers. Note another letter dealing with this topic is undated, but probably was written between February 10 and 15. Not totally biased, the NTA did print some critical letters. One reader questioned the editorial writer's intelligence because the NTA said unnaturalized citizens could vote which of course was no longer allowed in Tennessee.}

\footnote{23}{NTA, February 19, 1917; Banner, February 20, 1917.}
nomination later in the year. Being the incumbent, Lea must have felt embarrassment and frustration at losing his re-election bid and control of the party too. Stahlman and Shields were the focus of this hatred. While remaining a critic of Shields, the Tennessean would have to wait until 1918 -- when the senator sought a second term -- to exact its revenge. In the meantime, verbally abusing the Banner and its publisher in the press did not appear to damage Stahlman's reputation. A new strategy was needed and the war was to provide the solution. Before war was declared, Lea's paper already regarded German-Americans as dangerous. Privately, Lea also expressed suspicion of Stahlman because he opposed the war. The door was now left open to combine the hatred of Stahlman and German-Americans into a new tactic that could lead to the demise of the Banner and its owner.24

24 Morgan to Lea, June 26, 1915, Lea to Campen, February 2, 1918, LL Papers.
In late April of 1917, Stahlman and his son Frank went to New York for an Associated Press newspaper convention. During the first day, the members adopted a resolution supporting the government's war effort. The next day at a publishers' meeting all members voted unanimously for a resolution asking Congress to delete the censorship provision from the proposed Espionage Bill. When the publishers voted on the previous day's resolution concerning support of the government, Stahlman was one of three to oppose it. Although the resolution did not specifically mention the selective service, it advocated passage by Congress of all bills proposed by Wilson and the War Department providing for an army and navy. Stahlman made a speech that opposed the selective service, proclaiming that a military raised by volunteers worked best. The Nashville publisher argued that a man drafted would not be as eager to fight as one who volunteered. If the volunteer method did not raise a big enough army, claimed Stahlman, then "compulsion" should be employed.¹

¹New York Times, April 25, 26, 1917.
At the meeting, an agent of the Department of Justice approached Stahlman, who by now inaccurately believed he was not naturalized. The agent questioned Stahlman about his citizenship and informed the publisher he was an enemy alien who should be watched. Stahlman later referred to this incident as "an attempt to harass and humiliate me by imprisonment." Concerned, Stahlman went from New York to Washington, seeking help from Tennessee senators Shields and McKellar. Shields escorted Stahlman to the Department of Justice where he met with Attorney General Thomas D. Gregory. Later in the same week, Stahlman and McKellar conferred with U.S. assistant attorney general William C. Fitts, a one-time resident of Clarksville, Tennessee, which was 45 miles north of Nashville. At these meetings, Stahlman admitted to being an alien. No documented record exists from these meetings. Nine months later, the Department of Justice claimed it told Stahlman in April that nothing could be done to change his status. But somehow the publisher got the impression he "need not make any bond or meet any other technical requirements of the President's Proclamation" of April 6, 1917.\(^2\)

Believing he was not a citizen, Stahlman had much to fear as the government turned a watchful eye toward German-Americans. The distrust of German-Americans started at the top. When Wilson asked Congress for war, he believed most

\(^2\)Lee Douglas to Thomas D. Gregory, December 3, 1917, Gregory to Douglas, December 17, 1917, EBS to to John K. Shields, January 25, 1918, EBS File; EBS memo to Frank Stahlman, Feb. 2, 1918, JGSHC.
German-Americans would be loyal, but warned that disloyalty "will be dealt with with a firm hand of repression." At the prodding of Gregory, Wilson issued a proclamation, which resurrected the Alien Enemies Act of 1798, placing restrictions on Germans.¹

First and foremost, the Alien Enemies Act gave Wilson the power to arrest or deport any enemy alien deemed to be aiding Germany or threatening the security of the nation. Other restrictions on German aliens prevented them from bearing firearms and operating airplanes or wireless radios. Enemy aliens were prohibited from going within one-half mile of a military installation or munitions factory. The section that most affected Stahlman dealt with written material. An enemy alien could not "write, print or publish any attack or threat against the Government or Congress ... or against the persons or property of any person in the military." Taking action on the day Wilson signed the proclamation, the attorney general ordered the arrest of 60 people -- not all of them Germans -- suspected of conspiring against the United States. He also sent a message to all U.S. attorneys and marshals that enemy aliens who acted like loyal Americans had nothing to fear, but ominously warned, "Obey the law. Keep your mouth shut."²

¹Kennedy, Over Here, 14; Joan Jensen, The Price of Vigilance (Chicago, 1968), 39-40.

²Times, April 7, 1917; Frederick C. Luebke, Bonds of Loyalty: German-Americans and World War I (DeKalb, Illinois, 1974), 255-256.
Another Wilson proclamation in November barred enemy aliens from Washington D.C. and required them to obtain written permission to travel within the country or change their residence. By the end of 1917, Wilson and Gregory finalized a plan to register all German aliens fourteen years and older. Nation-wide registration would begin on February 4, 1918. In urban areas the police stations were to handle the registrants while rural enemy aliens were to go to the nearest post office. In mid-January, Nashville announced that Police Chief Alex Barthell was to supervise the registration. A file was required on each enemy alien, containing a "detailed description and photograph of the subject" plus a "full set of finger prints." Perhaps the most probing section of the file was a form from Washington that contained a "set of searching questions," including a list of every place the alien resided since the start of the war in 1914. Failing to comply with registration would violate federal law and the penalty could be imprisonment or deportation.  

If declared an enemy alien, Stahlman feared losing the Banner, his most prized possession. A. Mitchell Palmer, who was to succeed Gregory as Attorney General in 1919, served as Alien Property Custodian. An overzealous Palmer turned his office into a confiscating machine. By the end of the war, his department held more than $2.5 million worth of property.

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5Luebke, Bonds of Loyalty, 255-256; Times, December 31, 1917; NTA, January 17, 1918.
During Wilson's first term, Gregory appeared to be somewhat liberal. Wilson had appointed Gregory, a Texas lawyer, as attorney general in 1914 to replace James C. McReynolds, who went to the U.S. Supreme Court. At first Gregory pleased liberals because he prosecuted many antitrust cases and investigated violations of the White Slave Act. In 1916, Wilson wanted to add Gregory to the Supreme Court, too, but Gregory declined, perhaps due to his deafness which -- in spite of a hearing aid -- made it difficult for him to follow a conversation. After campaigning for Wilson's reelection in 1916, he wanted to resign, but the president encouraged Gregory to remain. So as Wilson's second term began, Gregory set out to increase the authority of the Justice Department and its Bureau of Investigation, which was much smaller and weaker than the Treasury Department's Secret Service.

Displaying less concern for civil liberties as the war progressed, Gregory pushed Congress for tighter government control on not only enemy aliens, but also anybody who spoke out against the war or disagreed with the government's methods of waging the conflict. In June 1917, Congress passed the Espionage Act which made it a federal offense to "interfere" with the military forces and the recruitment of soldiers. The government also prohibited any "treasonous" or antiwar

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6Jensen, Price of Vigilance, 164-165.

7Jensen, Price of Vigilance, 15-16.
materials from going through the mail. A third provision censoring the press was struck from the initial bill as newspapers across the country -- including the Banner and Tennessean -- opposed the measure.\(^8\)

Always fearing that Justice was going to lose control to the War Department in enforcing war statutes, Gregory pressed for harsher legislation in prosecuting spies and disloyalty not only by aliens, but citizens, too. Congress passed the Sabotage Act, written by Gregory, in April, 1918, making it a federal offense to destroy deliberately war supplies. The attorney general also sought to strengthen 1917's Espionage Act with an amendment making it unlawful to criticize or disparage the government, Constitution, flag or military. Proposed in March, critics of Wilson and civil liberterians attacked the bill. But with mob violence resulting in one death, Congress passed the Sedition Act two months later as it hoped repressive legislation would reduce further vigilantism.\(^9\)

When war was declared in April, Stahlman pledged that his newspaper would support the president and aid the government in rallying the nation. Once the selective service issue was settled in May, the Banner throughout the next two years supported the war effort. Not only did Stahlman turn his

\(^8\)Kennedy, *Over Here*, 25-26; *Banner*, April 26, 1917.

paper into a patriotic mouthpiece, but the publisher served as chairman of publicity for sale of war bonds in Middle Tennessee. Meanwhile, the Tennessean continued to portray German culture and people as evil. A November 1917 editorial declared a lack of social control -- primarily drinking alcohol -- led to problems in Germany. "The degradation of manly impulses which characterizes the German soldier is due directly to hatred, bred in the bone by the kaiser system of public education and inflamed and excited by the constant drinking of beer." In promoting the war effort, the Tennessean sided with the crusading evangelist Billy Sunday. The newspaper agreed with Sunday's observation that the German leaders had "diabolical plots against humanity and Christianity."\(^{10}\)

During the first five months of the war, Stahlman's enemies spread rumors of his German citizenship. But Stahlman chose to ignore this as his newspaper made no response. To bring the issue to public attention, the Tennessean printed a letter to the editor on September 26, 1917. F. C. Allison accused Stahlman of not being naturalized. "If common report be true, (he) is not a citizen of this country, but is, and always has been a subject of the kaiser." To Allison, proof

\(^{10}\)NTA, November 1, December December 2, 7, 1918. An examination of both the NTA and Banner during the war years shows that both papers did everything in their power to support the war effort and rally Nashvillians. The two competing papers ran similar stories and ads to this effect.
of Stahlman's "affectionate regard for his Fatherland" was naming his real estate company Mecklenburg. The letter writer believed Stahlman was out of touch with democracy and the people of Nashville should not listen to him.\(^\text{11}\)

That letter prompted the Banner to make a hasty reply to Allison's accusations. A Banner editorial denied rumors about Stahlman's citizenship. Entitled "A Personal Statement", the writer claimed that Stahlman arrived in Virginia as a 13-year-old child. As soon as the law allowed, the father became a citizen which naturalized all his minor children. The source of the editor's information is not known. But the editorial ended with a disclaimer that said Stahlman, who was in Washington, had no knowledge that this defense of him was being printed. Also, the Banner concluded such reports were an attempt by the newspaper's enemies to curb its influence. "Personal malevolence," not patriotism, was the motivation of these enemies. Still believing he was not naturalized, when Stahlman returned several days later, he made no attempt to correct his paper's claim to citizenship through his father. Despite its inaccuracies, Stahlman probably hoped it would divert the Tennessean and other members of the Lea faction away from the issue of his citizenship.\(^\text{12}\)

\(^\text{11}\)NTA, September 26, 1917. It is not known whether F.C. Allison was related to James Allison, the general manager of the Tennessean.

\(^\text{12}\)Banner, September 27, 1917.
That hope was not to be the case. On December 2, 1917, the Tennessean published a Sunday editorial questioning Stahlman's citizenship. The Tennessean reported that Davidson County voter registration records did not indicate that Stahlman was a naturalized American. According to the newspaper, Stahlman had registered to vote November 2, 1917, in the Seventh Ward, stating he had lived in Nashville for the last 52 years and became a permanent resident when he was 20. Furthermore the Tennessean found that Stahlman left the question of naturalization unanswered on the registration form and did not vote in the November 22 election. The Tennessean surmised:

Under the law, one cannot on his own petition become a citizen by naturalization until he is twenty-one years of age. Stahlman, by his own statement, has continuously lived in Davidson County from his twentieth to his seventy-second year, and if he has ever been naturalized, the naturalization papers would have been issued in Davidson County.

In conclusion, the Tennessean challenged Stahlman to prove his citizenship. If he could not, the morning daily demanded he abstain from telling his readers how the city and country should be governed. The Tennessean was unaware of Stahlman's 1867 declaration on becoming a citizen. Perhaps because Stahlman never followed through with this procedure, no official record existed in the Davidson County records
Shortly after the U.S. entered the war, Luke Lea formed the First Tennessee Field Artillery which later became the 114th Field Artillery. Promoted to full colonel on October 20, Lea was sent to officers' school at Fort Sill, Oklahoma, on December 1. Lea was not even in Tennessee when his newspaper ran this editorial on Stahlman's citizenship, but the colonel's past battles and feelings toward Stahlman probably inspired his Tennesseean staff and political allies to go after the Banner publisher with whatever means necessary. Lea was convinced that before the U.S. declared war Stahlman was not only pro-German, but a paid propagandist.\textsuperscript{14}

After America entered the conflict, Lea believed Stahlman showed his disloyalty on many occasions. In a letter dated February 2, 1918 to Marvin Campen, Lea questioned Stahlman's loyalty because the Banner opposed a draft. Then the Banner refused to publish a list of draft registrants while the Tennesseean did. Lea thought the disloyalty continued in the fall of 1917 when too many Banner stories displayed the strength of the German army contrasted with an unprepared United States military. The Tennesseean publisher concluded:

\textsuperscript{13}NTA, December 2, 1917.

\textsuperscript{14}Tidwell, Luke Lea, 81-83, 88; Lea to Campen, February 2, 1918, Lea to James Allison, February 2, 1918, LL Papers. In Lea's absence, Allison handled the day-to-day operations of the paper, and he received advice from Percy Warner
"The thinly veiled purpose of this was to show the absurdity of the inefficient America fighting the efficient Germany." Lea also suggested that Stahlman, the propagandist, "had his dirty hands in (German ambassador Johann von) Bernstorff's dirty gold."\(^{15}\)

Ironically, on page two of the December 2 edition, the Tennessean printed a letter from Stahlman asking for the support of all Tennessee newspapers in "stimulating the sale of war savings stamps." The ten-paragraph letter ended with the signature, "E. B. Stahlman, Chairman Publicity Committee War Savings." Four pages later, the Tennessean lambasted Stahlman, saying "his attempted dictation of the conduct of affairs in a loyal, patriotic American community will and should be not only unheeded and disregarded, but considered as offensive." Obviously, the city desk of the Tennessean did not know the editorial content of that Sunday's paper.\(^{16}\)

Perhaps motivated by the Tennessean report, Lee Douglas, the United States Attorney from Nashville, investigated the situation. He sent Ben H. Littleton, a Bureau of Investigation agent, to question Stahlman on the same day the editorial appeared. Littleton reported that "Stahlman admitted he was born in Germany, and has not since been naturalized." Stahlman told Littleton, about his meetings

\(^{15}\)Lea to Campen, February 2, 1918, Lea to Allison, February 2, 1918, LL Papers.

\(^{16}\)NTA, December 2, 1918.
with Gregory and Fitts in the spring and how he was no threat to the government and did not face arrest. In a memorandum several months later to his son Frank, Stahlman said that Littleton claimed to know nothing about the Tennessean editorial. Littleton told the publisher that he was responding to orders from Washington "directing him to make an investigation of (Stahlman's) record as a naturalized citizen." 17

In a December 3 letter to Gregory, Douglas pointed to a November 11 Banner editorial, criticizing Luke Lea, a colonel in the U.S. Army, for trying to patch up political alliances. The short Banner blurb read:

The owner of The Tennessean and American, like the last senior senator from Tennessee, finds opportunity for frequent returns to the scenes of his political pastures. Fixing fences requires much attention.

Citing the President's Proclamation of April 6, which stated an enemy alien could not publish an attack on military personnel, Douglas wanted to know if any action should be taken against Stahlman for his criticism of Lea. Douglas added that the two publishers had an ongoing feud and "are bitter personal and political enemies." 18

The attorney general's office responded slowly. Alfred Bettman, another assistant to the attorney general, sent a

17 Douglas to Gregory, December 3, 1917, EBS File; EBS memo to Frank Stahlman, February 2, 1918, JGSHC.
18 Douglas to Gregory, December 3, 1917, EBS File.
memorandum to William Fitts on December 13 with the understanding that Stahlman was "technically an alien enemy." Bettman did not know how to respond to Douglas' dilemma and asked Fitts, who of course was familiar with the participants, to provide information on the status of Stahlman "concerning his loyalty and general state of mind towards the United States and the war." Two days later, based on his personal knowledge of the heated Nashville political climate, Fitts advised Bettman to tell Douglas to "keep out." Fitts reiterated that an intense feud was taking place and, at the moment, the Stahlman faction was "on top."

On December 17, Bettman drafted a letter with the Department of Justice's answer and John Lord O'Brian, special assistant to the attorney general, signed the document. Gregory appointed O'Brian, a progressive from Buffalo, New York, as director of the newly created War Emergency Division, which supervised enemy alien cases. The letter concurred with Fitts' conclusions.

... it may be that without too forced a construction of Major Stahlman's article (it) can be considered an attack upon the person in the military service of the United States. In view however, of the fact of the political feud between the two men, and the history and distinction of Major Stahlman, it does not seem to the Department

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19 Alfred Bettman memo to William C. Fitts, December 13, 1917, EBS File. See second copy of memo with handwritten message by Fitts to John Lord O'Brian. Fitts stated some inaccuracies such as Stahlman having lived in Nashville for more than 60 years when at the most it was 56. He also gave the impression that Stahlman had been vice-president of the Louisville & Nashville Railroad for a "lifetime" when it actually was seven years.
that the matter is quite serious enough to warrant action against Major Stahlman under the President's Proclamation.

But the second paragraph of Bettman's letter based on information from Fitts would prove to be the thorn in Stahlman's side the following year.

Nothing occurred at the interview between Major Stahlman and the Attorney General and Assistant Attorney General Fitts, which has any bearing on Major Stahlman's present or future status. Major Stahlman is an alien enemy within the meaning of that phrase in the statute.  

For the first time an official U.S. government document stated Stahlman was an enemy alien. In the coming months, Stahlman's enemies would use this document to harass him. Douglas responded two weeks later that he agreed with the attorney general's decision. Nashville's U.S. attorney felt compelled to present the alleged violations because "of complaints made to me and of the continual agitation of this matter in this community."  

The Banner did not respond to the Tennessean's accusations until nearly two months later. Believing his enemies were trying to make political hay out of his citizenship status, Stahlman thought this was a private

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20 O'Brian to Douglas, December 17, 1917, RWS memo to O'Brian, January 25, 1918, EBS File. It is not known who RWS is, but it is believed that he is a clerk or secretary in the Department of Justice. For a brief background on O'Brian, see page 86 in Jensen's Price of Vigilance.

21 Douglas to Gregory, December 31, 1917, EBS File.
In a letter to Shields, Stahlman wrote:

I have lived too long in the city of Nashville, have been too thoroughly identified with all that tended to promote its welfare, to dance attendance to men (who) through disappointment in politics and malice are seeking to annoy.\textsuperscript{22}

Meanwhile the \textit{Tennessean} was quiet on Stahlman, but not on the question of enemy aliens. Four days after questioning Stahlman's citizenship, it demanded that interned enemy aliens be forced to work. The basis for this proposal was a Wilson speech comparing enemy aliens to criminals in prisons. The editorial then went a step further than Wilson, claiming that the enemy aliens were worse than criminals. "These Germans are prisoners and criminals -- violators of the laws of the United States; they are the most vicious of law-breakers, and yet they have never been treated as prisoners," the \textit{Tennessean} said. A month later the language became even harsher as another editorial on enemy aliens said, "America cannot prosecute the war to a victorious end while nursing the belief that we are able to do so without the hatred of the Germans. ... But if our officials do not hate Germany, they cannot but know that Germans in this country are here only for the purpose of siding (with) the kaiser."\textsuperscript{23}

As the government in December announced that enemy alien registration would be on February 4, 1918, Stahlman remained

\begin{itemize}
\item \textsuperscript{22}Stahlman to Shields, January 25, 1918, EBS File.
\item \textsuperscript{23}NTA, December 6, 1917, January 5, 1918.
\end{itemize}
publicly silent on the issue of his citizenship. Behind the scenes, he alerted his political friends McKellar and Shields and asked for their support. Still believing he was not naturalized and fearing the possibility of registering, Stahlman examined his personal records and contacted the Circuit Court in Doddridge County, West Virginia. Probably with the aid of his lawyers in late December of 1917, Stahlman discovered that he had been naturalized since 1856 when his stepfather Lewis Harnish gained citizenship.24

Either ignoring Wilson's proclamation or believing it did not pertain to him, Stahlman traveled to Washington in late January, 1918, to lobby for the Southern Newspaper Publishers' Association. While in Washington, at the urging of Shields, Stahlman visited the Department of Justice on January 25 and informed the attorney general of his naturalization through his stepfather. Stahlman produced an affidavit from himself and one from the clerk of the Circuit Court of Doddridge County. With many inaccuracies, Stahlman provided a brief account of his family history and how the Stahlmans came to America. He gave the year of his parents' marriage as 1834 instead of 1837 and furnished the wrong first name of his mother, calling her Christiana rather than Frederica. He also reported his birth date as September 2, 1844, instead of September 3, 1843. Apparently, forgetting about his two siblings who died on the voyage, Stahlman stated his parents

reached Virginia with all of their children. Perhaps these factual errors can be blamed on the failing memory of a 74-year-old man and the poor methods of keeping records. But Stahlman later claimed that he did not have all of his records with him when he met with the attorney general.\(^{25}\)

In the affidavit he told of his father's death, and his mother's subsequent remarriage to Lewis Harnish in December of 1855, which actually occurred in April of 1856. Harnish then received his citizenship October 20, 1856. The publisher's statement discussed in detail Harnish's citizenship and how this resulted in his mother and subsequently all of her minor children receiving naturalization. He wrote that court decisions and acts of congress set the precedents. Further proof, according to Stahlman, was an official government bulletin of January 2, 1918.

If the second or subsequent husband of an alien widow becomes naturalized as an American citizen the minor children of such widow residing permanently in the United States at the time of naturalization of such husband are thereby naturalized as American citizens.

As evidence, Stahlman handed over a statement from L.E. Kiger, the clerk of the Doddridge County Circuit Court, verifying Harnish's naturalization.\(^{26}\)


\(^{26}\)EBS, "Statement Relating To Citizenship," January 25, 1918. For a correction of the errors, see EBS, "Sworn
With only eleven days until the registration of enemy aliens began, Gregory declared Stahlman was an American citizen. The attorney general determined that since Stahlman was a minor under the care of Harnish, not only did his mother gain her citizenship, but so did her children. As proof, Gregory cited laws from the previous century and specifically employed examples from Frank George Franklin's *The Legislative History of Naturalization in the United States* and Frederick Van Dyne's *Citizenship of the United States*. Stahlman's attempt at citizenship in 1867 may have confused matters, but it had no bearing on the case. Gregory referred to a similar case in 1886 involving Charles L. George, "a minor son born abroad of a naturalized American citizen, who was naturalized by the naturalization of his father during his minority (and) who came to the United States while a minor, and who subsequently took out naturalization papers himself on arriving at majority."²⁷

Because Shields submitted many of Stahlman's documents to the attorney general, Gregory wrote a letter to the senator explaining the change in the publisher's status. With this correspondence, Gregory enclosed a Stahlman letter to Shields. The publisher revealed to Shields that as a young man in Nashville, he did not know that his stepfather's naturalization also led to his citizenship. Stahlman was "anxious to vote" so that he could help remove the carpetbaggers and blacks from power in post-Civil War Tennessee. In his haste, he never bothered to check over the rights of naturalization. He was aware that the Tennessee General Assembly had passed a law that allowed an immigrant to announce his attentions to become a citizen so that a foreigner could vote. This procedure seemed so "simple" to Stahlman that he wasted little time in taking advantage of the law.  

Stahlman told Shields that if the evidence he provided was insufficient, he would urge the attorney general to send an agent to West Union to investigate. Furthermore, the publisher was willing to pay any expenses incurred by the agents. At this point Stahlman felt as if he had proven his citizenship, but feared that the Lea-McConnico faction might continue to attack him because of his immigrant background. His attorney advised him that his foes might push him to register as an enemy alien in February. Stahlman believed

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28 Stahlman to Shields, January 25, 1918, EBS.
that his enemies manipulated the Department of Justice's Nashville office into sending alleged violations to Washington. In a pleading tone Stahlman wrote to Shields:

These men are still at work. They have not let up, and I ask that you today please confer with the Attorney General and determine whether or not he will take step(s) to compel the officials connected with his Department at Nashville to cease playing into the hands of the politically corrupt creatures who are seeking to harass me.²⁹

Stahlman had proven his citizenship, but the investigation was far from over. Several errors on the affidavit would be exploited by his enemies over the next year. The first problem transpired several days later when the Tennessean ran a front-page story on January 30 declaring Stahlman an "alien enemy." Unaware of Gregory's latest decision on the Stahlman case and acting on a tip from a Washington correspondent, Tennessean General Manager James Allison printed a "special" with no byline asserting Stahlman was not a U.S. citizen. With Douglas vacationing in Florida, Allison used in the story a quoted confirmation from Marvin Campen, the assistant district attorney for Middle Tennessee and Lea's former secretary and business partner in land deals. "I see no impropriety in making this statement," Campen said, because the Department of Justice now recognized Stahlman as an enemy alien. At the same time, an insecure Campen tried to be fair and concluded "no newspaper in the United States has been more patriotic and loyal in its utterances since the

²⁹Ibid.
declaration of war than Major Stahlman's paper, the Nashville Banner." Allison had tried to dissuade Campen from including a statement on Stahlman's loyalty, but the assistant attorney insisted.\(^{30}\)

Stahlman, who had returned from Washington a day earlier, was livid and confused. In the afternoon of January 30, the Banner ran a short front-page rebuttal stating that Stahlman had become a citizen through his stepfather's naturalization. The Banner publisher did not realize that Campen based his statements on the December 17, 1917 letter from O'Brian to Douglas where the government decided not to prosecute over a newspaper feud even though Stahlman "is an alien enemy within the meaning of that phrase in the statute." Stahlman was also unaware that a secretary in the Department of Justice had caught the discrepancy between its December 17 letter and recent reassessment of the publisher's status. On January 25, the same day Gregory wrote Shields about Stahlman being a citizen, a memo to O'Brian from the secretary stated Bettman did not have the "entire facts" before him in mid-December. At the urging of the secretary later that day, O'Brian prepared a letter to Douglas, providing proof of Stahlman's citizenship and revising the December 17 decision.\(^{31}\)

\(^{30}\)NTA, January 30, 1918; Allison to Lea, February 6, 1918, LL Papers.

\(^{31}\)Banner, January 30, 1918; NTA, January 31, 1918; O'Brian to Douglas, December 17, 1917, RWS memo to O'Brian, January 25, 1918, O'Brian to Douglas, January 25, 1918, EBS.
But Campen claimed the Nashville office did not receive O'Brian's reevaluation until the day the Tennessean story ran. Office clerk John Wilkes later disputed Campen's claim. Wilkes stated the Nashville office received the letter January 29. The clerk opened the document that day and then put it on Campen's desk. Campen told Wilkes he never saw the letter until the next day. The assistant attorney showed the Tennessean the latest correspondence from Washington. Coupled with the Banner's denial, the dispute regarding O'Brian's reevaluation forced Lea's paper to run a correction on January 31 saying Stahlman was a citizen. Even though the correction was at the top of the front page, Stahlman felt it "was a tame affair" when compared to the first story.\(^{32}\)

What bothered Stahlman about the January 30 story was that it had no byline. Stahlman believed that Douglas' office was helping Luke Lea sabotage him. Furthermore, the publisher thought a Lea ally in Washington was responsible for the "special," and he was determined to discover who it was. His grandson James G. Stahlman, a Banner reporter, questioned Campen after learning that the attorney had received a corrected assessment of Stahlman's status. At Campen's office, he allowed the younger Stahlman to copy the correction plus the December 17 O'Brian letter and the January 25 Gregory

\(^{32}\)NTA, January 31, 1918; Douglas to Gregory, March 21, 1918, EBS File; Stahlman to McKellar, February 2, 1918, Senator Kenneth D. McKellar Papers.
correspondence to Shields. Campen told the reporter that "he was trying to do the square thing by both sides in the case." He felt as if he was in a "peculiar position" because at one time he served as Lea's personal secretary. Before Stahlman walked out, Campen asked if he should wire Washington for further confirmation. Stahlman told the attorney that that was his decision because the Major had already received official word from the government on his status. At this time, neither James Stahlman nor Campen could decipher O'Brian's first name on the letters so it was not apparent to the Nashville attorney who should be questioned.  

Ironically, James Stahlman bumped into Campen after the work day on January 30 when they both boarded the Broadway-Belle Meade streetcar. Campen informed Stahlman that the signature on the letters belonged to "John Lord O'Brian," an attorney he was unfamiliar with and said "that it was awful funny for the Department to put a man in on such important matters as the handling of alien enemy cases that would change his decisions so many times." Campen reiterated that no one doubted Stahlman's citizenship or loyalty. His grandson responded, "Yes, but there are a lot of devils who would like to have people believe it and would do anything to prove his

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33EBS to McKellar, February 2, 1918, SKDM Papers. James G. Stahlman notes from January 30, 1918 which he mailed in the form of a letter May 8, 1918 to EBS, JGSHC. James was the son of Edward C. Stahlman, who was the Major's first child and Banner's city editor at the time of his death in 1904. Edward died in a boating accident on the Cumberland River.
disloyalty for political reasons." Nothing more about the matter was said and Campen soon left the car.\textsuperscript{34}

The younger Stahlman met Campen at the attorney's office the next day. Campen was angry with the Banner story which made him appear as if he lied. Pressing Campen to explain "the special," the assistant attorney confessed that it was a wire from Washington dated January 27, and the Tennessean changed the date to Jan. 29 when it appeared in the paper January 30. Campen claimed that he did not see a signature on the "special," but guessed that it was either "Marshall Morgan, Henry Morrow, John Erwin, or any of those connected with Senator Lea." Erwin, a likely culprit, had been Lea's personal secretary when the latter was a senator. After Lea left the Senate, Erwin became a Washington correspondent for the Tennessean and other papers.\textsuperscript{35}

Campen knew that he was walking a thin line because he told the younger Stahlman that he had tried to soften the Tennessean story, by stating how patriotic and loyal the Banner had been. The younger Stahlman agreed with Campen on the paper's patriotism, but countered that damage had been done to his grandfather's reputation throughout the state because most newspapers carried the "special." Furthermore,

\textsuperscript{34}James G. Stahlman notes, January 30, 1918, JGSHC.

\textsuperscript{35}James G. Stahlman notes, January 31, 1918, JGSHC; Tidwell, \textit{Luke Lea}, 64.
Douglas' December 3 letter was damaging because the Nashville office did not present all the facts to Washington claimed James Stahlman. Whether Stahlman's grandson realized it or not, Douglas gave evidence from Stahlman, who was at that time under the impression that he was not naturalized. Campen claimed to have no part in the December 3 correspondence, asserting Douglas kept this information under lock and key. James Stahlman left the office still not knowing who "in his opinion" fabricated the "special." The younger Stahlman later phoned Campen to make him repeat that the date on the "special" was January 27. Campen said he was "not absolutely certain" but "reasonably certain."  

The Major had arrived in Nashville the morning of January 29. Over the next few days, he prepared his response, and after the January 30 warning shot, the full barrage came, February 3, in the Sunday Banner. Stahlman probably waited until Sunday ensuring that it reached a bigger audience. That day's largest headline read:

**INSIDIOUS SCHEME TO INJURE MAJ. STAHLMAN: Revealed in Futile Efforts of the Gang to Force Public Prejudice Against Him as an "Emissary of the Kaiser." -- Washington "Special" in Tennessean False on Its Face -- Status as American Citizen Fully Established by Department of Justice. Certified Records Furnished.**

Along with the story, Stahlman printed his statement to Gregory, his and the attorney general's letters to Shields and

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the letter from Kiger verifying Harnish's citizenship. The story closed with a letter from Gregory, dated January 30, refuting the Tennessean claim of that morning and assuring Stahlman of his citizenship. Gregory added that his department sent Douglas a letter, dated January 25 and mailed the next day, revising Stahlman's status.  

Stahlman referred to the "special" as being "manufactured in Nashville to enable the gang to pull Campen, as a former private secretary of Luke Lea, into their scheme." Stahlman said he had other information that pointed to a conspiracy, but did not want to "bring it to public attention." The publisher's primary goal was to prove he had been a citizen for more than sixty years. While the story mentioned Stahlman's intention of becoming a citizen in 1867, the Major never stated when he realized his stepfather's naturalization made him a citizen. An editorial in the same day's Banner declared that malice motivated the Tennessean, not patriotism. The publisher claimed his rival was trying to curb the Banner's influence and possibly remove him as owner of the paper.  

Up to this point, Stahlman had not seen the Dec. 3 letter of Douglas to Gregory, but thought the Lea faction had "inspired" Douglas to write to Washington. Confiding in his

\[37\] Banner, February 3, 1918.  

\[38\] Ibid.
son Frank, Stahlman believed that Charles T. Cates, who lost the 1913 senate race to Shields, may have devised the plan of investigating his citizenship. According to Stahlman, on either January 25 or 26, Cates tried to lure Walter Cain, a brother-in-law of Douglas and Banner staff member, to work for his campaign. He promised him a large salary and a lucrative position with the Tennessean. Cates asked Cain if the Banner would support his candidacy, but the latter replied that was unlikely. Once Cates realized Stahlman would not be an ally, he announced his election challenge to Shields with a speech on January 28 that emphasized the illegal activities of enemy aliens. The next day a Tennessean editorial endorsed Cates and the following morning the story on Stahlman's alien status appeared. Stahlman thought Cates would not have spoken "at length" on enemy aliens if he had the backing of the Banner. "I have about made up my mind that this whole scheme was intended to destroy my influence of my newspaper and thus as far as possible cripple Senator Shields in his race and help Cates." 39

Further proof to Stahlman and his son Frank about Cates being party to a conspiracy came from the previous spring's publishers' meeting in New York. After the conference, someone informed Frank that Cates, who attended the meeting, too, had notified the Justice Department about Stahlman being

39EBS to Frank Stahlman, February 2, 1918, JGSHC; NTA, January 29, 1918.
an enemy alien. When the investigator interrogated the publisher, the Stahlmans surmised that Cates approached them and made it appear as if he were coming to the aid of Major. While the Tennessean was a Cates' booster, James Allison privately told Lea that Cates was not conspiring with the newspaper to get Stahlman. But when the August Democratic primary drew closer, the opposite became true because the Tennessean with Cates' help tried to destroy both Stahlman and Shields.40

On February 4, Campen lashed out at Stahlman in the Tennessean. The attorney again claimed that he did not receive the corrected letter from Washington until after the Tennessean story appeared January 30. Failing to mention that the letter actually arrived a day earlier, he added that mail from Washington often took a week to get to Nashville. Campen then said Stahlman had been caught in lies before, referring to the publisher's lobbying controversy with the Methodist publishing house in 1898. Campen concluded by saying that the enemies of Stahlman did not control him and that he would not be intimidated by him. James Stahlman saw Campen that same day at Rabbit's, a soda shop near the Middle Tennessee District Office. He did not speak to him but overheard a conversation between Campen and the store's owner Rabbit

40EBS to Shields, January 25, 1918, Affidavit of Frank C. Stahlman, February 24, 1919, EBS File; EBS memo to Frank Stahlman, Feb. 2, 1918, JGSHC; Allison to Lea, February 6, 1918, LL Papers.
Hussey, who asked, "What's the matter, somebody after your scalp?" Campen responded, "They've already got it, but I don't give a damn." Less than a month later those words would ring true as Gregory fired Campen for insubordination.41

Stahlman and his grandson had feared repercussions because the Tennessean sent the story across the state wire. But most papers, even those that disagreed with the Banner on political issues, sided with the Major. The two-paper cities of Memphis, Chattanooga and Knoxville along with numerous smaller publications throughout the state defended Stahlman and criticized the Tennessean. The Memphis Commercial Appeal, long an adversary of Stahlman, claimed that the publisher had "done much more for the country of his adoption than some of those who are assailing him." Another opponent of Stahlman's, the Chattanooga Times, called the reporting of Stahlman as an enemy alien a "despicable act." The Chattanooga paper added that Stahlman may have failed to take out naturalization papers because "he was so much an American citizen that it never occurred to him that it was necessary." Throughout February and into March, the Banner ran excerpts from the various papers defending Stahlman. Stahlman, however, must have felt helpless when the Washington Post ran the Tennessean "special" in its February 3 edition. Running the "special"

41NTA, February 4, 1918; James G. Stahlman notes, February 4, 1918, JGSHC.
prompted him to have McKellar ask O'Brian for copies of the Douglas letters of December 3 and 31. O'Brian told McKellar what was in the letters and promised to get the senator duplicates. McKellar reassured Stahlman, "I am going to do all I can to aid you in this matter."\(^{42}\)

For the first time since the war started, Stahlman thought he had reason to feel secure. He had discovered the true basis of his naturalization and the attorney general verified his claim. Topping it off, he refuted the Tennessean's charges, making his rival appear fallacious. When the registration of enemy aliens took place in February, Stahlman did not have to endure this embarrassing ordeal. After the first week of registration, 49 enemy aliens in Nashville came forward. Although the Tennessean did not mention Stahlman, the morning daily doubted that every enemy alien had not complied with the law.

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\(^{42}\)Banner, February 1, 1918. Reprints of Memphis Commercial-Appeal and Chattanooga Times editorials. Throughout February, the Banner ran excerpts from other newspapers in Tennessee and Alabama defending its publisher. O'Brian memo to Gregory, February 5, 1918, EBS File; McKellar to EBS, February 5, 1918, SKDM Papers.
Stahlman was unaware, however, that the issue of his citizenship was far from settled because the Tennessean had started planning a counterattack.\textsuperscript{43}
Chapter 4
The APL Investigates Stahlman

Lea, who received copies of his newspaper at his new camp site in San Antonio, saw Campen's comments of January 30 and felt "astonished and horrified." Even though Campen stated Stahlman was an enemy alien, Lea could not believe that his former secretary proclaimed that "no newspaper in the United States had been more loyal in its utterances than the Nashville Banner." Accusing Stahlman and the Banner of disloyalty, Lea responded with a lengthy letter to Campen and short retort to Allison. Four days later, Allison wrote to Lea, revealing the details of the January 30 story and correction that followed. Allison admitted to Lea if he had realized that Stahlman could prove his citizenship, the Tennessean would never have run the story. Furthermore, the general manager believed that Stahlman did not know he was a citizen until "during the last month." Still he doubted Stahlman's story and told Lea that K.T. McConnico, Stahlman's former lawyer, was going to have the paperwork in Doddridge County, West Virginia examined.¹

¹Lea to Campen, February 2, 1918, Lea to Allison, February 2, 1918, Allison to Lea, February 6, 1918, LL Papers
Allison, as chief of the American Protective League, and McConnico, another influential member, had at their disposal a number of eager volunteer sleuths. They decided to send APL operative, George Cunningham, to check Stahlman's facts in West Virginia. Previously, Cunningham had done investigative work involving McConnico's court cases. The APL was a volunteer organization that investigated alleged enemy aliens, slackers, dissidents and anybody else perceived to be disloyal. Albert M. Briggs, a Chicago advertising executive, launched the league in the spring of 1917. The Justice Department envisioned the APL as a way to supplement the Bureau of Investigation, which did not have the numbers to perform all its duties. Bureau chief A. Bruce Bielaski wanted to keep the league as secretive as possible. Units were established first in cities with many immigrants, but by the war's end the League enrollment swelled to 250,000.²

In theory, the APL was supposed to resemble a tightly run corporation. Briggs and other directors, however, had no way of controlling every city's League, which contained many reckless members. Guidelines established by the Department of Justice stated that APL operatives were to provide information for the Bureau of Investigation, but were not to make arrests.

²Allison to Lea, February 6, 16, 1918, LL Papers; For the most comprehensive history of the APL, see Jensen, Price of Vigilance, 16-26, 46-50, 56. After receiving $275,000 from Wilson's $100 million war emergency fund, Gregory never had to worry about asking Congress for more money because Briggs' goal of private donations met most of the APL's monetary demands. Kennedy, Over Here, 81-83.
Many members, however, acted as if they had the authority to apprehend suspects. A constant APL critic was Secretary of Treasury William G. McAdoo, who wanted a centralized intelligence force involving all executive branches. Many APL members used badges that said "Secret Service" which appalled McAdoo because the Secret Service was part of Treasury. The Justice Department tried to recall these badges but did not have much success. While Bielaski did little to harness the APL, most control of the organization came from John Lord O'Brien. Although the APL still had to report to Justice, its administration remained separate.  

Even though the APL and Justice Department preferred internment, to lock up more than four million estimated enemy aliens would have been a logistical nightmare. Besides Germans this 1918 figure included Austro-Hungarians, Bulgarians and Turks. During the twenty months of the war, the government interned 6,300 enemy aliens. One way to control these enemy aliens was to prosecute them under the various war statutes. So the Justice Department needed the APL to gather as much evidence as possible.  

Although the APL played a large role in the investigation of Stahlman, Emerson Hough's book *The Web* does not mention the investigation of the publisher. According to Hough, the APL's

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official historian, the League's primary function in Nashville was to safeguard the Du Pont Old Hickory Powder Plant, which was built in 1918. Lou Cretia Owen, a worker at the Nashville munitions factory, seemed impressed with the security, writing in her diary, "125 policemen guard Old Hickory; plain clothes men walk the streets unknown and fifty investigators, and other paid officials watch over the reservation."  

APL member Cunningham finished his investigation by mid-February. Following the procedure established by Justice, he sent a twelve-page letter addressed to Ben Littleton, the Bureau of Investigation's Nashville agent, detailing the inaccuracies in Stahlman's claims to citizenship. Cunningham alleged Stahlman always knew he was not a citizen. To avoid registering as an enemy alien, Stahlman concocted the scheme of his mother's remarriage to a man who later became naturalized. Cunningham reminded Littleton of the attorney general's January 25 letter to Shields changing Stahlman's status in which Gregory wrote, "if the facts be stated" then

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5Emerson Hough, The Web: The Authorized History of the American Protective League (Chicago, 1919), 431-432; Lou Cretia Owen, "Diary, 1918-1919," 35, 46, 52, TSLA. In 1987 while doing research on other Du Pont plants, John C. Rumm concluded that Owen lifted some of her descriptions of Old Hickory from a 1915 article about another factory. I believe she may have plagiarized -- knowingly or unknowingly -- some of her descriptive passages, but Jensen in Price of Vigilance (164) talks at length about the high security surrounding munition factories which agrees with Owen's comments. Hough specifically concurs with Owen that Old Hickory was heavily guarded. Jensen does not have anything on the APL in Tennessee because unfortunately in the 1950s, all League records except for five states were destroyed. See page 314.
he was a citizen. Cunningham believed the facts were wrong after examining records at Parkersburg and West Union.  

The APL's report challenged Stahlman's statement on four points. Cunningham claimed that Stahlman had the wrong date of his father's death; according to the headstone, it was 1854 not 1855. The agent did not provide any documentary proof such as a death certificate. Stahlman's mother did not remarry in December of 1855, but April 15, 1856. In January Stahlman said his mother's maiden name was Christiana Lange, but Cunningham stated the marriage certificate showed a Frederica Stahlman, with the maiden name of Lange, married Lewis Harnish. Stahlman also gave his mother and father's marriage date as 1834 instead of 1837. Cunningham was right concerning the two marriage dates and that the Stahlman mother was Frederica, but the operative drew the wrong conclusions. If Christiana and Frederica were the same person, Cunningham surmised that the newspaper publisher never knew his mother's first name, and she married his father when she was 11. Cunningham, however, believed that Stahlman's father was married twice -- first to a Christiana and then to Frederica. The APL operative based this theory on the "long recognized fact" that George W. Stahlman, the younger brother of Major, was only a half-brother.  

While Cunningham did not explain how these two women both

6George Cunningham to Ben H. Littleton, February 16, 1918, EBS File.

7Ibid.
had the same maiden names, he was confident that the woman who married Lewis Harnish was not Stahlman's mother, and he could not claim citizenship through Harnish's naturalization. Cunningham found it absurd that Stahlman did not know his mother's real name or dates of her marriages because the newspaper publisher always took great pride in his German heritage. Pointing to the 1911 edition of Who's Who in Tennessee, Cunningham said Stahlman's entry contained a family history with an aunt who was "a close friend of the Empress Augusta" and an uncle who served as a "German Government Official" and "was decorated three times by three successive rulers of the German Empire." Making an assumption and probably a correct one, Cunningham wrote that Stahlman provided the information to Who's Who.⁸

The last five pages of Cunningham's report, however, amounted to a character assassination. Stahlman "published the most adroit and repulsive pro-German editorials that I saw anywhere," Cunningham said in reference to the Banner's pre-war stance. The paper "manifested more pro-German zeal than the German-language newspapers of the country." Cunningham included the Banner comments of March 2, 1917 "the President, by un-neutral conduct, has produced the trouble," and the April 3, 1917 editorial which blamed the United States' apparent declaration of war on Wall Street businessmen who

⁸Ibid.
owned munition plants. Although Cunningham did not connect Stahlman directly to German ambassador Johann von Bernstorff, the APL agent commented that the Banner kept pace with all pro-German newspapers funded by propagandists.\textsuperscript{9}

After war was declared, according to Cunningham, the Banner's editorial of "Stand By Your Country" was probably written in response to the president's proclamation of restricting enemy aliens. Despite this, Stahlman was the lone voice (actually he was one of three), according to Cunningham, in opposition to Wilson's conscription proposal at the publishers' meeting in 1917. Referring to the Methodist book scandal, Cunningham suggested that if Stahlman deceived United States senators, he was capable of doing the same to the attorney general. In conclusion, Cunningham observed other Germans who had been living in Nashville as long as Stahlman were better citizens, but still they had to endure the humiliation of registering as enemy aliens. To Cunningham it would be "unfair, unfortunate and unwholesome" if Stahlman did not have to register.\textsuperscript{10}

Perhaps inspired by Lea's admonishing letter, Campen saw an opportunity to discredit Stahlman. With Douglas once again out of town, the assistant district attorney mailed a copy of Cunningham's letter to the attorney general along with his own extensive attack of Stahlman. Campen supported Cunningham's

\textsuperscript{9}Ibid.

\textsuperscript{10}Ibid.
findings, stating he was writing as an "individual" and not as assistant district attorney. Fearing he might embarrass Douglas, whose brother-in-law, Walter Cain, worked on the editorial staff of the Banner, Campen asserted his letter was not an official communication. Campen tried to show that Douglas favored Stahlman, even though the Banner owner thought otherwise. Campen said Stahlman had already assailed him through the pages of the Banner, but he was not going to let the publisher intimidate him.  

While investigating all enemy alien cases, including Stahlman's, Campen maintained that he remained impartial. Nonetheless, the assistant attorney empathized with some German-Americans. One Nashville German man, Campen said, was loyal to America and had a son fighting for the United States, but registering as an enemy alien devastated him. Another German fought during the Civil War and still had to register in Nashville, prompting Campen to comment that Stahlman, who never served in the military, had incredible nerve using the name "Major."  

Campen reiterated Cunningham's claim that Stahlman's newspaper was a propaganda machine for Germany prior to the

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11The only detail unofficial about Campen's letter to Gregory was that he typed it on his own letterhead. Otherwise, Campen's letter looked official because he used the Stahlman case number 188961-1. Campen to Gregory, February 20, 1918, EBS File.

12Ibid.
declaration of war. Because the attorney general cleared Stahlman, Campen believed that the Banner publisher conducted a sympathy campaign for himself by printing other newspapers' editorial defenses. Simultaneously, the Banner attacked the Tennessean, which, according to Campen, belonged to a loyal citizen. After all, Campen noted, Lea's "ancestors on both sides of the family have been American," and he was an unselfish, noble patriot, who gave up running his newspaper to serve his country.\textsuperscript{13}

When Cunningham filed his report on February 16, Douglas, who had just returned from Washington, did not receive a copy until ten days later. Littleton did not know about Cunningham’s investigation until he received the report after February 16. Campen purposefully kept them both in the dark. O’Brian acknowledged receipt to Campen with the the message, "your letter and enclosure have been carefully noted." In January, when Campen questioned the attorney general on Stahlman’s status and the resulting confusion with the Tennessean, a perturbed Gregory had instructed Douglas to monitor his assistant’s actions. At that time, Douglas defended Campen, saying he thought his assistant was not intentionally insubordinate. Outraged that Campen had written to Gregory without his consultation, Douglas believed his assistant’s latest actions required an immediate dismissal.

\textsuperscript{13}Ibid.
Regardless of the accuracy of the two letters, Campen was now insubordinate. Douglas added that if he had known of the APL report, he would have passed the results on to Washington, too.\textsuperscript{14}

Douglas took particular offense at Campen's insinuation that he might not be impartial because he had a relative at the Banner. The district attorney thought, if the general public read Campen's letter, the Department of Justice would be discredited. Furthermore, Campen was not acting as an "individual," but "was making use of information that came to him as Assistant United States Attorney."\textsuperscript{15}

Deducing that Allison and McConnico were involved, Douglas also told Gregory that a "bitter enemy of Major Stahlman's" had "inspired" and paid for Cunningham's trip to West Virginia. With no direct proof, Douglas theorized Cunningham did not even write the report. Apparently various "third parties" knew of the report and questioned the attorney general's January 25 decision on Stahlman. As more people learned of the report, according to Douglas, this indiscreet action harmed innocent people such as George Stahlman, who Campen suggested was illegitimate.\textsuperscript{16}

Douglas thought Littleton should have headed up the

\textsuperscript{14}O'Brian to Campen, February 27, 1918, Douglas to Gregory, March 2, 1918, EBS File.

\textsuperscript{15}Douglas to Gregory, March 2, 1918, EBS File.

\textsuperscript{16}Ibid.
investigation. Believing the APL overstepped its bounds, Douglas resented the league making its investigation of Stahlman an official government action. Douglas told Gregory the reins had to be pulled tighter on the APL. "It is sometimes advisable for the government to receive information from all sorts of persons, but the individual should furnish his ground of complaint to the Government and the Government should make its own investigation and be in full control of its agents who make it, and maintain proper discretion in keeping it secret." Perhaps Douglas feared for his own job. At the end of his letter to Gregory, he once again stressed his loyalty to the department and remained "interested in the impartial administration of justice." If Gregory wanted him to renew the Stahlman investigation, he would do whatever the Department requested.\(^{17}\)

Less than two weeks later, on March 14, Gregory notified Campen that he was fired "for the good of the service." That same day Campen wired a six-page telegram responding to the attorney general. While Campen accepted his dismissal, he did not understand why Gregory took such action and implied that the Stahlman family may have influenced the attorney general's decision. Although he did not name James Stahlman, he said a "close relative of Stahlman," had threatened to have him removed. Campen tried to implicate Douglas as being involved in a cover-up, too. After Douglas returned from Florida in

\(^{17}\)Ibid.
early February, he informed Campen that he knew in January that as "an after thought" Stahlman "was claiming citizenship through his stepfather." Attempting to show that Douglas did not believe Stahlman's claim either, Campen declared, "I would not be condemned without a hearing" if Gregory knew all the facts. Furthermore, Campen intimated that the conspiracy regarding Stahlman's citizenship not only involved Nashville, but extended to Washington, too.¹⁸

The Tennessean ran a front-page story on Campen's dismissal which primarily consisted of his lengthy telegram to Gregory. The Lea paper followed up two days later with an editorial praising Campen as a loyal American who actively supported the war effort. The Tennessean called his twenty-month stint in the Middle Tennessee District a success. Due to the poor health of Douglas, which caused him frequently to be out of Nashville, Campen, according to the newspaper, handled the extra responsibilities well. Campen, the newspaper concluded, "never permitted personal prejudice to enter" when performing his job.¹⁹

For several weeks after his dismissal, Campen besieged

¹⁸ Campen wire to Gregory, March 14, 1918, EBS File; NTA, March 15, 1918. A day after Campen's firing, Ben Littleton, was announced as his replacement. Besides being a special investigator for the Department of Justice, Littleton had been operating his own law practice in Nashville since 1914. Incidentally, his brother Jesse Littleton was an important political figure in the state as mayor of Chattanooga.

¹⁹ NTA, March 15, 17, 1918.
Gregory with letters asking for a hearing. In a March 16 letter, Campen claimed he did not want his position back but to remove "the sting of dishonor." Unmoved, the attorney general refused Campen's request. "There is no need of a hearing," Gregory explained, "as you admit being the author of the wire and letter referred to." The January 30 telegram implied, according to Gregory, that a newspaper article could change the "opinions and instructions" of the Department. The attorney general, Gregory said, should never have to answer to a newspaper questioning his decision. The February 20 letter "is so intemperate in its tone and expressions of personal ill-will," an infuriated Gregory said, "and is so absolutely lacking in that impartiality and dignity which must characterize the office of a United States District Attorney."\(^\text{20}\)

Campen tried again to explain his actions in a letter dated March 26. He told the attorney general that James Stahlman and other friends of the publisher prodded him to send the January 30 wire to Gregory. Campen's claim countered James Stahlman's version, which recounted that both men were most concerned with discovering who wrote the "special" for the Tennessean and who signed the December 17 letter from Washington. Campen explained that the Banner's editorials and that paper's reporters "continued ... to harass me, and I will

\(^{20}\)Campen to Gregory, March 16, 1918, Gregory to Campen, March 22, 1918, EBS File.
admit that I felt it keenly, and so feeling, thought I had a right to submit further facts to the Department." Campen claimed that the Banner continued to attack Lea while he was training. Because Lea's soldiers read the Banner at their camp, morale could be hurt. At the end of his letter, Campen listed an elite group of lawyers and politicians who had supported him and thought he had a good record of service. Gregory never responded to Campen's March 26 plea.\(^{21}\)

On the day he was fired Campen also made a plea to Shields, asking the senator to look into his dismissal. Four days later, the senator replied that Gregory's staff would say nothing further on the Campen firing. Shields surmised that the dismissal resulted from "the publication and controversy concerning the charge that Major Stahlman is an alien enemy. I have heard that you are said to be solely responsible for the publications made." Shields offered no support for Campen.\(^{22}\)

Campen turned to the Tennessean again, releasing a lengthy statement to the newspaper which ran March 29 on the front page. His bitterness set the tone of the story as he defended his questioning of Gregory in January and subsequent

\(^{21}\)Campen to Gregory, March 26, 1918, Gregory to Douglas, April 1, 1918, EBS File. I assume that Gregory never answered Campen's March 26 plea because no record of a reply exists. Gregory's April 1 letter to Douglas definitely shows the attorney general wanting to divorce himself from the Campen matter.

\(^{22}\)NTA, May 26, 1918.
February 20 letter. Campen maintained he received many letters of support from people throughout Tennessee, who believed he got a "rough deal." According to the ex-assistant district attorney, Lea's enemies had wrongly informed the attorney general that a political feud was ongoing in Nashville and so Gregory interpreted Campen's February 20 letter as a biased attack on Stahlman. Campen claimed that no "political controversy" existed in early 1918 or even at the end of 1917; thus "some politician with abnormal fears has misinformed the Attorney General on this point." How Campen could say this is difficult to understand because factionalism still existed in Nashville with the two newspapers usually taking opposite sides in local and state politics. In the several months previous to January 30, the feud was not as shrill, probably because Lea was out of the state training as an officer. 

Campen defended his actions by blaming others. Goaded by James Stahlman and friends of the Banner publisher, Campen felt compelled to question the attorney general on Stahlman's status. Campen said he never realized that the attorney general was "brooding" over the telegram. Douglas, according to Campen, became concerned about the Stahlman affair after he returned from Florida and then went to Washington to see

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23NTA, March 29, 1918. Evidence that strong factionalism still existed in Nashville can be seen when the Tennessean endorsed Cates for the senate seat. In its January 29, 1918 story, the newspaper said Cates has an "ability to cope with and shatter one of the most sinister machines that has ever menaced freedom of political action in Tennessee."
Shields. Douglas did not have Shields' support for his initial appointment, explained Campen, so he hoped to gain the senator's backing for his reappointment.\textsuperscript{24}

In Campen's view, Gregory expressed disapproval to Douglas about the way the Stahlman case had been handled which was the only blemish on the U.S. Attorney's record. As a result, Douglas told Campen, "Stahlman's friends are in the saddle in Washington." Campen believed Douglas was setting him up so he told his boss he would resign if deemed necessary. However, Campen alleged that Douglas "preferred my humiliation" and assumed this propelled Stahlman to the U.S. attorney's rescue. Because the publisher and Shields were friends, the senator could be convinced to support the district attorney's reappointment. Furthermore, Campen alleged that Douglas informed Littleton that he would succeed the former "long before" March 14. This claim may have been true because Douglas wrote Gregory on March 2, recommending Campen's firing. Campen claimed betrayal because he had offered his resignation in February, only to have the district attorney help plan his dismissal a week later. But according to Douglas, he did not yet know about Campen's February 20 letter to Washington. That act prompted Douglas to call for Campen's dismissal.\textsuperscript{25}

\textsuperscript{24}Ibid.

\textsuperscript{25}NTA, March 29, 1918; Douglas to Gregory, March 2, 1918, EBS File.
Campen's lengthy statement finished with a synopsis of his February 20 letter, publicizing for the first time Stahlman's errors and alleged inaccuracies. The disgruntled former assistant attorney admitted that two APL operatives "familiar with Stahlman's previous record of deception" provided the information. Campen claimed that these two APL agents were to be fired, too, but were not because of the uproar over his own dismissal. This assertion seemed exaggerated for two reasons. Primarily, Gregory and Douglas did not supervise APL hiring and firing because Allison controlled the Nashville branch. Secondly, the Justice Department was taking the APL findings seriously because it was in the process of sending its own investigator to West Virginia.²⁶

The Banner did not acknowledge Campen's allegations concerning Stahlman's citizenship. Rather James Stahlman responded with his own statement in the Banner denying he asked Campen to wire Gregory for confirmation on his grandfather's status. He told Campen that his family already had confirmation from Gregory. The younger Stahlman also said he had no knowledge of any friend requesting Campen to wire the attorney general. In conclusion Stahlman declared that his grandfather played no role in Campen's dismissal and had

²⁶NTA, March 29, 1918; A. Bruce Bielaski memo to O'Brian, April 21, 1918, EBS File.
no information about it until it appeared in the Tennessean.\textsuperscript{27}

Douglas alerted Gregory on March 21 about Campen letting the Tennessean run his telegram to the attorney general. "The public is in total ignorance of the real ground for Campen's removal," Douglas explained. "He has done all the talking in the newspapers to create sympathy for himself." The U.S. attorney admitted that it was difficult for him to remain silent, but he thought it unwise to fuel the newspaper controversy. Hoping the dispute would end soon, Douglas believed, if it continued, he and perhaps Gregory should make a statement denouncing the allegations.\textsuperscript{28}

To Douglas' chagrin, Campen kept up the barrage. On March 29, when Campen's long testimony appeared in the Tennessean, Douglas wired Gregory about the article. He asked Gregory to make an official statement saying the attorney general alone decided to remove Campen. Gregory replied that he would wait until he saw the article before deciding on a response. Gregory also told the district attorney to "use your own judgement as to what you should publish." Ultimately, Gregory decided that a response from him would only prolong the matter. Assuring Douglas that his record was satisfactory, he saw no reason to defend his subordinate against Campen because "I really am too much engrossed with

\textsuperscript{27}Banner, March 16, 29, 1918.

\textsuperscript{28}Douglas wires to O'Brian, March 15, 1918, Douglas letters and wires to Gregory March 2, 21, 1918, EBS File.
matters of large importance to devote any further time to a matter of this kind." Gregory agreed the decision to fire Campen was his own, but emphasized that Douglas fully supported the action. The attorney general reiterated to Douglas "that you are at liberty to publish what you see fit."  

After reading about Campen's firing, Stahlman realized his enemies had gone to West Virginia "to ransack records to discredit" him. Hearing rumors that the Department of Justice paid Cunningham to investigate, Stahlman wired McKellar for help once again. Stahlman knew the APL report attacked him, claiming numerous errors on his right to citizenship, but praised Lea. He wanted the senator to assure Gregory that his statement of January 25 was "substantially correct." So he could respond to all the charges and end speculation regarding his citizenship, Stahlman asked McKellar to obtain a copy of the report.  

McKellar replied that Cunningham was not a government employee but a member of the American Protective League. He told Stahlman about Campen's actions and noted that the Department, with O'Brian specifically in charge of his case, was investigating the charges. In a followup letter written the same day, McKellar assured Stahlman that he would only

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29Douglas wire to O'Brian, March 29, 1918, Douglas to Gregory March 29, 1918, Gregory to Douglas, March 22, 29, April 1, 1918, EBS File.

30Stahlman wire to McKellar, March 15, 1918, SKDM Papers.
have to respond if it was "necessary." This second letter gave more detail about the APL, saying it was a "voluntary association that makes reports to the Department of Justice. Its principal work is in connection with slackers." Despite Stahlman being persecuted by "the same old crowd," McKellar comforted his friend and asserted he would "win out as you have been winning out for a number of years because you are in the right." That same week Shields met with the attorney general to explain that Stahlman did not have all of his records with him when he made his statement to the Department of Justice in January.\(^3\)

What the Justice Department told McKellar about the APL is not clear, but from what the senator said to Stahlman it appears as if the attorney general downplayed the role of the League. Gregory maintained that APL members were not officers or agents of the government in any sense, their status being purely that of private citizens volunteering to help the government. Still, neither the Bureau of Investigation nor the Justice Department established many guidelines for the APL. Gregory avoided internal squabbles between APL members, claiming that his department and the league were separate. Even if in many cases the evidence the APL provided was inadmissable in a court of law, the Justice Department did not care. Working both sides of the fence, Gregory tried to avoid any controversy involving the league but took into

\(^3\)McKellar wire to Stahlman, March 16, 1918, McKellar letters to Stahlman, March 16, 21, 22, 1918, SKDM Papers.
consideration any information the APL provided. Such was the case with the investigative work of Cunningham. Consequently, the attorney general claimed no responsibility for Cunningham's actions, but examined the evidence in the report provided to him.\(^{32}\)

Initially, the Justice Department reacted slowly to Cunningham's report as the Campen matter drew more attention. Although Gregory and O'Brian criticized Campen's behavior, they took his allegations seriously, too. Sometime after receiving the Campen and APL letters, O'Brian asked Bielaski to have a Bureau of Investigation agent examine the charges and file a report for the attorney general. Starting at the end of March, Bureau agent William L. Murphy visited both Nashville and West Virginia interviewing Stahlman, his family, friends and enemies. Allison spent much time with Murphy and also arranged for the agent to meet with McConnico and Campen. Murphy showed Allison Stahlman's March correspondence to McKellar which had been passed on to Gregory so Allison knew that Stahlman asked for the opportunity to correct errors in his January statement. The general manager believed the agent was on his side, and (in a letter to Lea) he described Murphy as "very alive and alert."\(^{33}\)

Murphy filed a 22-page document entitled "Edward Bushrod

\(^{32}\)Jensen, Price of Vigilance, 136-139, 154.

\(^{33}\)Bielaski memo to O'Brian, April 21, 1918, EBS File; Allison to Lea, March 29, 1918, LL Papers.
Stahlman Probable Alien Enemy" on April 17. Contrary to the
title, most of the testimony of West Virginia citizens backed
Stahlman's assertion that George Stahlman was a full brother
and that they both shared the same mother, Friedrica, who
later remarried Lewis Harnish. Besides the Major's enemies,
George's brothers-in-law Hiriam and John Stubblefield, both
testified the Stahlmans were half brothers.  

Providing copies of numerous insurance policies -- some
from the nineteenth century -- both Stahlmans vehemently
declared to Murphy they were full brothers. George claimed
the confusion probably arose because he originally thought his
birthdate was May 7, 1857, instead of 1854. This error in
birthdate recall would make someone other than Frederick, who
died in either 1854 or 1855 his father. When George was
approaching retirement age from the Pennsylvania Railroad, the
company instructed him to provide proof of his birthdate.
Fredrica Bridges, Stahlman's only surviving full sister living
in Parkersburg, West Virginia, sent George a German record,
translated by her into English, of the births of all the
Stahlman children. Lutheran pastor Fred Giesbebrecht wrote
the original German record in 1853, shortly before the family
left for America. Later, under instruction of the Stahlman
mother, Bridges added George's birth to the list as May 7,
1854. Murphy submitted this document, along with an affadavit
given by the Major's brother-in-law, M.B. Toney, as evidence

3Murphy, "Stahlman Probable Alien Enemy," 6, EBS File.
showing that the Stahlmans were brothers. Toney testified that Stahlman had a Bible postscripted in 1873 with a brief family history including the marriage of Stahlman's parents, Frederick and Frederica.\footnote{Ibid, 7-9.}

Major Stahlman attributed the mistakes in his January 25 statement on "births, deaths and marriages" to his failure to consult records and confirm facts with relatives. As far as referring to his mother as "Christiana" he had always understood that to be her name. Since coming to the United States, he had spent little time in the same house with his mother. He knew that his mother's maiden name was Lange and that she had "been christened three or four names," believing one of them was "Christiana." Stahlman also thought his oldest sister Christiana, who died shortly after the family reached the United States, was named after their mother.\footnote{Ibid, 3, 9.}

Murphy's report stated that Stahlman did not realize he was a citizen until "recently." In the past, according to Stahlman's enemies, the publisher's lack of citizenship hurt his chance at a political career. When Senator Robert Taylor died in 1912, Governor Hooper, according to McConnico, wanted to appoint Stahlman to fill the unexpired seat. At that time McConnico, who was Stahlman's attorney, decided with the publisher that his not being naturalized prevented him from becoming a senator. McConnico did not give Murphy specifics
of the 1912 conversation "but the decision was against his citizenship." True or not, McConnico certainly had no respect for attorney-client privilege. Later in 1912 when the Fusionists sought a candidate, Jonas Amis, chairman of the Independent State Democratic Committee, approached Stahlman about running. Amis told Murphy the "only obstacle" was Stahlman's inability to prove he was an American citizen. At this time, Amis claimed "it leaked that Stahlman's real mother had died in Germany." According to Amis, Stahlman was eager to be a senator, and told him at a conference, "I want to walk down the aisle of the Senate with the endorsement of the people of Tennessee on my back and wipe out the odium of the Methodist Book Concern matter."  

Examining Stahlman's feud with Lea and other past political controversies, Murphy portrayed the Banner publisher as unpatriotic and unscrupulous. Murphy pointed to the Banner's editorial of January 31 lambasting Lea and the March 20 blurb referring to him as the "boy colonel." The agent asserted that Stahlman had every right to criticize Lea as a politician and publisher, but not as a military officer. Applying the same reasons as Campen and Cunningham, Murphy agreed that Lea's soldiers received the Banner at Camp Sevier and such criticism could cause "disrespect and insubordination." Furthermore, Murphy believed that the

37Ibid, 4-5. Murphy incorrectly reported the death of Senator Taylor as 1911.
parents of these soldiers might feel "apprehension" at having their sons serving under Lea.\textsuperscript{38}

Murphy's report showed that even members of Stahlman's own staff believed the publisher and his family were unpatriotic. According to the Tennessean general manager, pro-German editorials before America entered the war so disturbed Banner editor Richard Yancey that he went to Allison, claiming he did not write them. Yancey then asked Allison to print in the Tennessean some patriotic editorials he had written. J.I. Finney, owner of the Columbia Herald and close friend of Lea, substantiated this claim, saying Yancey wrote him a letter explaining he had nothing to do with the Banner's pro-German sympathies. Later in the spring Allison and Yancey would start their own feud as the Banner editor denied the Tennessean general manager's accusations. Banner reporter J.C. Cook also told Amis that both Stahlman and his son Frank were "intensely pro-German."\textsuperscript{39}

Further examples of Stahlman's pro-German stance came from Allison and Amis. At the American Newspaper Publishers conference in New York on April 25, 1918, Allison explained how Stahlman spoke against censoring newspapers and the proposed draft bill, causing him to be booed. This contradicted the New York Times' account of the meeting which

\textsuperscript{38}Ibid, 17.

\textsuperscript{39}Ibid, 17-18.
did not mention a loud vocal response to Stahlman. Amis told how Stahlman tried to prevent passage of the Selective Service Act, first through newspaper editorials and then by organizing a public meeting at Nashville's Princess Theatre. Stahlman urged people to petition Congress to let every citizen vote on the draft bill. Horrified, Amis and others organized a "patriotic" rally the following week at the Ryman Auditorium supporting the draft.\textsuperscript{40}

Further attacks on Stahlman's character came from McConnico and Dr. Robert Stonestreet, former associates of the publisher. Stonestreet, who had served as Stahlman's private secretary, and McConnico, his former attorney, both thought the Banner was pro-German and resembled other American newspapers that had been subsidized by propagandists. Based on their acquaintanceship with Stahlman, they believed their former employer was capable of accepting money to spread German propaganda. After examining Stahlman's financial papers, however, Murphy concluded there was no proof of Stahlman receiving such funds. Records showed he still owed money to contractors for the Stahlman Building.\textsuperscript{41}

From his interview with Stahlman, Murphy reported the publisher's feelings on the war. According to the agent, Stahlman called Wilson "one of the greatest men the world has produced," but felt the "president's unneutral acts" resulted

\textsuperscript{40}Ibid, 17-18.

\textsuperscript{41}Ibid, 19.
in the United States declaring war on Germany. Instead, Stahlman wanted a war with Mexico because of that country's actions against Americans. Despite his prewar preferences, Stahlman claimed to favor the United States over Germany in the conflict and supported his adopted country over any nation. In Stahlman's defense, Murphy reported that the publisher chaired the publicity committee for the sale of thrift stamps and purchased $3,500 of liberty bonds.\textsuperscript{42}

The report concluded with some of Stahlman's past indiscretions committed before the war. Murphy dredged up the Methodist Book Concern incident and Stahlman's lobbying activities for the L & N. He also included how Stahlman used Vanderbilt University as a tax shelter for land he had purchased from the college. Deeming it necessary to talk about Stahlman's past, Murphy wrote, Gregory should "be advised as to his character," and if "his actions during the war are ever questioned he can be dealt with as the Department, knowing him, thinks proper."\textsuperscript{43}

To Murphy's credit, he included evidence from both sides concerning Stahlman's citizenship making that portion of the report unbiased. The section on Stahlman's character and political views, however, did not demonstrate such accuracy. The information appeared to be filtered through the APL. The lone defense of Stahlman's character came from the publisher

\textsuperscript{42}Ibid, 18-19.

\textsuperscript{43}Ibid, 19-22.
himself. What Murphy left out of his report could have been just as damaging. The investigator failed to mention that since the summer of 1917, the Banner resembled other patriotic newspapers with many stories and advertisements geared toward promoting the war effort."

In a memorandum dated April 21 to O'Brien, Bielaski wrote, "The agent seems to have established rather conclusively the fact that Stahlman is an undesirable American citizen." In a handwritten comment at the bottom, O'Brien wrote, "This appears to be a correct statement." The memo, along with Murphy's report, probably reached Gregory's desk that day or the next. Whether the attorney general agreed with O'Brien and Bielaski's conclusion that Stahlman was "undesirable" is not certain, but he definitely had doubts about the validity of the publisher's naturalization. Gregory wrote Stahlman, including portions of Cunningham's and Campen's letters contradicting the publisher's January 25 statement. Strangely, Gregory's correspondence with Stahlman did not mention Murphy's investigation or any of the publisher's alleged pro-German leanings, but stated that Campen's and Cunningham's findings came to the attorney general "officially." Asking for a response by affidavit to the charges, Gregory informed Stahlman that his reply would determine "whether it will be necessary for this Department to take any further steps in the matter." Gregory sent Shields

"Ibid, 1-22.
a copy of the letter because the senator several days earlier had inquired on behalf of Stahlman to find out what Campen and the APL had written about the publisher.45

In mid-April Stahlman was in New York at the yearly publishers' meeting and then went to Washington, so he did not receive Gregory's letter until it was forwarded to him in early May. From the Willard Hotel in Washington, Stahlman responded with a letter claiming that he could not answer in full until he returned to Nashville. Because Murphy had taken some of Stahlman's private papers, the publisher explained he would need these to answer the attorney general, too. "I know positively that Frederica Stahlman was my mother," Stahlman reiterated, "that my father never married but once and that after his death my mother Frederica married Louis (sic) Harnish." Confidently, Stahlman stated that Murphy's report should verify these facts. Stahlman knew Murphy had done an extensive investigation in West Virginia. Jackson Blair, a friend from West Union, wrote Stahlman in April listing all the people the agent interviewed. Blair introduced Murphy to former neighbors, associates and friends of the Stahlman family. "The Special Agent goes away satisfied with his investigation," Blair commented. "Mr. Murphy did not require or take the affidavits of the persons he interviewed, being

45Bielaski to O'Brien, April 21, 1918, Gregory to Stahlman, April 22, 1918, Gregory to Shields, April 22, 1918, Shields to Gregory, May 3, 1918, EBS File.
satisfied that they told the truth." 46

Meanwhile Senator Lawrence Sherman, a Republican from Illinois and constant critic of the Wilson administration, took an interest in the Stahlman affair. Whether Campen or another member of Lea's faction approached Sherman about raising the issue is uncertain. On the Senate floor, during a May 3 debate concerning a tougher sedition bill, Sherman attacked the record of the attorney general. The senator said Gregory did not enforce laws dealing with enemy aliens and cited the firing of Campen. "Because of his (Campen's) activity in presenting charges against the owner and publisher of this newspaper as an alien enemy, as he regarded him, he was, as he says, removed from office." Treading carefully, Sherman never used Campen's name. Although the senator said it appeared as if Stahlman was an enemy alien, he did not care to pursue whether Campen was "rightfully or wrongfully" removed. The senator concluded, however, that the evidence given him, pointed toward Stahlman being responsible for Campen's dismissal. 47

The Tennessean published an Associated Press story on the Senate debate playing up the Stahlman angle. The main headline read: "STALHMAN CASE MAKES GREGORY SENATE TARGET" and one subhead said: "CITIZENSHIP OF LOCAL PUBLISHER QUESTIONED."

46 Shields to Gregory, May 3, 1918, Stahlman to Gregory, May 4, 1918, Blair to Stahlman, April 12, 1918, EBS File.

47 Congressional Record, 65th Cong., 2d sess., 1918, 56, pt. 6: 5987-5988.
In a rare case of balanced reporting, below the front-page story was a small sidebar where Stahlman denied Sherman's accusations. The publisher asserted he was naturalized and that political enemies questioned his citizenship because he "turned a bunch of rascals out of the City Hall and the Courthouse." On the other hand, he had no role in Campen's dismissal, but only became aware of his removal when the attorney general issued his statement. Later that afternoon, the American ran John Erwin's innaccurate version of Sherman's speech. Erwin claimed Stahlman was in the gallery and upon hearing Sherman speak, he ran to McKellar and Shields seeking their aid. Actually, Stahlman entered the Senate gallery after Sherman's speech, but the two Tennessee senators were not present.  

Afraid of appearing to be critical of Gregory, the Tennessean published an editorial saying that Shields misled the attorney general. For Gregory to know about Stahlman's pro-German stance before the war, according to the Tennessean, would have been difficult because of the distance between

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NTA, May 4, 5, 6, 1918; Nashville American, May 4, 1918. I could not find an original copy of Erwin's story in the Nashville American. McKellar entered the complete story -- that I used -- in the May 9, 1918, Congressional Record (56, pt. 6:6261-6271). The American did not officially begin publishing as a separate afternoon daily, until July 1, 1918. The story never appeared in the Tennessean and American of May 4, 5 or 6. Because Erwin freelanced for other publications, perhaps, the story appeared in another paper and McKellar had the wrong name. On the other hand, maybe there was a special edition or trial run of the American.
Washington and Nashville. But Shields, being from Tennessee and a reader of the Banner, could not use the same excuse. Furthermore, if Gregory had been aware of the truth, he would "never have given Stahlman any special dispensation to the effect that he need not obey the requirements of the President's proclamation about alien enemies." This assumption was based on visits the previous spring to the Department of Justice. A follow-up editorial asserted that the investigation of Stahlman's citizenship was "routine justice and law enforcement." As late as December 1917, Stahlman himself was admitting to Tennessee and federal officials that he was not a citizen. The Tennessean believed Stahlman had no right to say that his "political enemies" questioned his citizenship. Thus Stahlman was deceiving the Tennessee public and displaying "treachery, deceit and intrigue ... the leading and fundamental characteristics of the Hun," the Tennessean concluded.49

The Banner replied with commentary that called Sherman's actions the "tirade" of a "a partisan Republican." The afternoon daily labelled Sherman a constant critic of the Wilson administration. Ironically, Stahlman's paper believed the Illinois senator pandered to his large German-American constituency. Furthermore, Lea's faction had sided with a "renegade and seditionist, who does all he can to impede the

49NTA, May 4, 5, 6, 1918.
prosecution of the war." The Banner thought Sherman's accusations resembled a Tennessean story and hypothesized that a Tennessee politician gave the information -- probably the March 29 Campen article -- to the Illinois senator. 50

A day after Sherman's attack, McKellar sent Gregory a letter enclosing excerpts from the speech. McKellar, along with Shields, requested a meeting with the attorney general and wanted Gregory to show them Campen's letters. Concerned about getting sedition legislation passed, Gregory probably welcomed a conference with the Tennessee senators. On May 6, the trio planned a counteroffensive. Gregory handed over much of the correspondence -- between him, Douglas and Campen -- to McKellar. Dictating a statement about Campen's removal, McKellar maintained Stahlman's innocence regarding the dismissal and denied that either senator played a part. 51

With Sherman absent the following week, McKellar and Shields took the floor on May 9 to issue a lengthy response to the Illinois senator. Speaking first, McKellar focused more on defending the attorney general's actions and then commented

50Banner, May 4, 8, 1918. Another Banner editorial on May 4 asserted that the newspaper' past record expressed loyalty to the country. But the editorial reminded readers that Campen, as a "disinterested party", praised the Banner's war record back on January 30. Also, the version of the Stahlman affair probably given to Sherman was the March 29 NTA that contained Campen's long statement about not receiving a hearing.

51Gregory memorandum, May 6, 1918, Statement dictated by McKellar, May 6, 1918, EBS File.
on Stahlman's naturalization. Perhaps McKellar did this intentionally to deflect attention from Stahlman. Intentional or not, that was the result. The Memphian began by denying Erwin's American story that claimed Stahlman plotted with the two Tennessee senators. He suggested that maybe Erwin should be banned from covering the Senate because the reporter had a history of writing "falsehoods." Speaking diplomatically, McKellar did not want to criticize Sherman for his actions because he believed the Illinois senator, was "given the alleged facts by some designing persons, whose names I need not now refer to." McKellar gave a brief description of the Stahlman-Lea feud calling it a "newspaper war" and then explained how Stahlman came to be naturalized producing Gregory's January 25 letter to Shields confirming Stahlman's citizenship. Recounting how Campen questioned Gregory, McKellar expressed disbelief that the attorney general did not fire him immediately. Campen was "personally a very decent fellow," the senator said, "and was probably misled by self-seeking politicians." Emphatically, McKellar denied that he, Shields or Stahlman had any role in Campen's removal.\footnote{\textit{Congressional Record}, 65th Congress, 2d sess., 1918, 56, pt. 6:6261-6271.}

If he believed the publisher was unloyal or unpatriotic, Shields said he never would have supported Stahlman. Shields said Stahlman had contacted him later on with some corrections, "wholly immaterial and (that) did not change the
legal aspects of the case." Shields passed them on to the Department of Justice. McKellar produced many letters and newspaper articles to be entered into the Congressional Record, but none dealt with Stahlman's errors. Both Tennessee senators avoided the present complications of the Stahlman investigation and made him appear to be without question a naturalized citizen.53

The following day both Nashville papers ran a short Associated Press account of McKellar's and Shields' speeches. In an editorial the Banner claimed that Stahlman's enemies first approached Washington Senator Miles Poindexter, a Tennessee native, about attacking the attorney general. The Banner, however, asserted that the Tennessean found the perfect man for the job in Sherman because he had a long history of assailing the Wilson cabinet. Meanwhile, a Tennessean editorial called McKellar and Shields crafty lawyers. Lea's paper commented that Stahlman had not been openly guilty of treason or sedition, but before America entered the war, the Banner served as a propaganda machine for Germany. According to the Tennessean, the two senators were privy to this and "concealed the whole truth from the Senate

53Ibid, 6261-6271. At present no record exists of a Stahlman letter of corrections to Shields. Perhaps, it was only a telephone call and Shields passed the information on to Gregory. If Gregory did receive corrections in early February of 1918, it seemed not to have affected the attorney general's decision two months later to ask Stahlman to respond to Campen and Cunningham's charges.
of the United States." Even though the Tennessean was privy to Campen's letter and Cunningham's report, it did not refer to them in any way to question Stahlman's citizenship. Perhaps the paper feared that Murphy's report had cleared Stahlman so it was waiting to hear if the Department of Justice was going to take any action against him.\(^{54}\)

Several days after the speeches by the two Tennessee senators, an upset Campen wired both of them. Campen was appalled that they did not enter into the *Congressional Record* all the letters dealing with the Stahlman investigation and his firing. Shields answered that he did not know the content of every letter in McKellar's possession, but it did not matter because the Campen case was closed. McKellar responded that some of the letters were not entered because they dealt with a third party (George Stahlman) and reflected poorly on Douglas. Because Campen wrote his initial February 20 letter not as an "official" of Justice, McKellar believed it was not proper to enter certain items in the record. McKellar sympathized with Campen because people trying to advance themselves "misled" him. The senator then chastised Campen for not coming initially to him with the matter and for going to other senators outside of Tennessee. Concluding with some fatherly advice, McKellar said that no good comes from

\(^{54}\)Banner, May 10, 1918. On May 13, the Banner published the full account from the *Congressional Record*. NTA, May 10, 12, 1918.
becoming involved in a newspaper feud, but "everybody makes mistakes and you are a young man, and if you will not brood over it ... you can soon repair it."\textsuperscript{55}

McKellar's response angered Campen because when he was fired he immediately wrote to Shields for help, but the senator did not want to help. Campen claimed that he did not seek out Sherman or any other non-Tennessee senator on the matter. When McKellar and Shields defended Stahlman's citizenship and Gregory's firing of Campen on May 9, no other senator opposed their speeches. Campen alleged that McKellar and Shields warned the affair was a "Tennessee political matter" and not to be interfered with by outsiders due to "senatorial courtesy."\textsuperscript{56}

While in Washington during the battles on the Senate floor, Stahlman received several letters from his grandson. This correspondence gave a detailed account of James Stahlman's encounters with Campen in January. Worried about Campen's charges in the Tennessean, Stahlman, from his Willard Hotel room, wrote to O'Brian denying that he or his grandson had threatened to get Campen fired. Campen also alleged that James Stahlman referred to O'Brian as a "pinhead" and that the family wanted to get him fired, too. Asserting that his

\textsuperscript{55}The NTA of May 26, 1918 published the following correspondence: Campen wires to Shields and McKellar, May 14, 1918, Shields to Campen, May 18, 1918, McKellar to Campen, May 20, 1918.

\textsuperscript{56}Ibid.
grandson was a "sober, reliable and capable young man," Stahlman claimed he and the rest of his family realized that O'Brien was performing his duty as best as he could. Based on the evidence presented in December, 1917 by the U.S. attorney's office in Nashville, Stahlman understood that O'Brien "could have done nothing more nor less than declare me an enemy alien."57

Campen never received a hearing from Gregory. The Tennessean stopped writing stories about him and started employing him as an editorial writer. By the end of the year he would go to France and work as a secretary for the YMCA. But in the meantime, Stahlman's sloppy affidavit had caused him more problems than he ever could have imagined. Although a more thorough job certainly would have given the APL less ammunition, Stahlman's past indiscretions garnered as much attention as the issue of his citizenship. Lea's group, however, looked to exploit any facet of Stahlman's character and heritage. Cunningham's report resembled a character assassination because Allison and McConnico gathered up all of Stahlman's enemies and gave them an open forum to vilify Stahlman. One of the criticisms of the APL was that it conducted vendettas, and this -- for the most part -- was true in Stahlman's case. The public never realized just how much Nashville's APL branch was under the influence of the

57James G. Stahlman to EBS, May 8, 1918, EBS to James G. Stahlman, May 10, 1918, JGSHC; EBS to O'Brien, May 11, 1918, EBS File.
Tennessean. By the end of April, the backstabbing had come out in the open. Picking up where the APL left off, the Tennessean was about to become relentless in its attacks on Stahlman and his allies.\(^5^8\)

\(^5^8\)Allison to Campen, January 14, 1919, LL Papers.
Chapter 5
Homefront Battles: A Newspaper War in Nashville

In late April the *Tennessean & American* began a brutal barrage of editorial attacks on Stahlman and Shields. Nearly every day the paper derided them in the opinion page. The goal of Lea’s papers was to show that two unsavory public figures had conducted a relationship of convenience. Stahlman needed the senator to defend him in Washington concerning his citizenship while Shields desired the publisher’s support in securing renomination on August 1. “And yet this German, who is even now heart and soul with the Kaiser,” summed up George Atwood in a *Tennessean* letter to the editor, “is said to own pussy-footing Shields bone and hide. ... Not even the Kaiser himself could teach Shields anything in ways and means of spreading propaganda in his own interest.” As the primary drew closer, the *Tennessean* attacks became more vicious. Cates and Governor Thomas Rye, who also sought the senatorial nomination, joined the fray, too. Not only did the morning daily question Stahlman’s naturalization, but repeatedly tried to show its rival as an evil propagandist as well. Ultimately, the public grew weary of the feud because the Commercial Club asked for it to halt, but a cease fire did not
arrive until the primary ended.¹

The Tennessean tried to demonstrate that when Shields first took office, the Banner did not support him. While admitting there were differences with Shields, the Banner said it committed "blunders" with other politicians such as Lea, but corrected this particular error by fighting against his re-election for the good of "public service" in 1915. The Tennessean frequently implied that President Wilson did not support Shields' reelection.²

Since the investigation began, Stahlman believed Cates, the Tennessean senatorial candidate, had played a key role in attacking him and questioning his citizenship. In mid-April, with Stahlman out of the city, the Banner intimated that Cates wrote some of the Tennessean editorials maligning the history of the Stahlman-Shields relationship. A Banner editorial expressed Stahlman's frustration and anger, asserting Cates was a member of the "gang" conspiring to get Stahlman. "They might upon perjured testimony have succeeded," the Banner declared, "in securing the practical confiscation or suppression of the Banner and the imprisonment of its owner."

¹NTA, April 8, 12, 14, 1918; Banner, April 11, May 8, 1918.

²Various NTA and Banner editorials of April 1918. In the summer of 1918, Wilson considered writing a letter opposing Shields.
The *Banner* declared that it did not have to defend Stahlman or his paper against accusations of disloyalty because politics motivated the *Tennessean*. Whether it was an earnest plea or not, the *Banner* began asked that politics be kept to a minimum. "Squelch the politicians, eschew politics, and let the safety of the nation be not only the dominating, but the sole purpose in electing Congressmen."³

Cates tried to stay out of the newspaper war, but the *Banner's* criticism of his past record prompted him to write a letter to the afternoon paper. Denying any involvement in the Stahlman investigation, he wrote, "I have been no more interested in whether he is a citizen or an alien than any other citizen of this republic; and certainly the owner of the *Banner* knows that I have no desire to injure or unjustly interfere with him, either in his person or in his property." Despite Cates' claim of not wanting to get involved, he felt compelled to respond to the disloyalty charge because he could not "accept the *Banner* or its owner as a political guide or mentor in patriotism." As an example Cates referred to Stahlman's March 2, 1917 accusation that Wilson's actions were

³*Banner*, April 18, 19, 20, 21, 22, 1918. Furthermore, Stahlman's daily accused Cates of rigging votes in his election as state attorney general in 1902 and betrayed Shields, his good friend, by seeking the Democratic senate nomination in 1913.
leading the United States to war.4

After the Banner's attack on Cates, the Tennessean's editorials became more malicious toward Stahlman and Shields. Another possible reason for more volatile criticism was the influence of Lea. On April 23, Allison met with Lea in Greenville, South Carolina, where the colonel was training his troops. In his diary, Lea did not discuss the details except to mention they "had quite a talk." Since the Stahlman investigation had begun, Lea had been in Nashville only once, but kept in contact through letters and phone calls.5

Coincidence or not, a day after Gregory sent Stahlman the April 22 letter questioning the publisher's statements, the morning daily printed an editorial concerning its rival's naturalization. Perhaps the Tennessean, which had full knowledge of the Bureau of Investigation's work, received word through its APL connections or reporters in Washington that Gregory was writing Stahlman. Being a pro-German propagandist before April 6, 1917, according to the Tennessean, Stahlman changed his attitude when America entered the war because he

4Banner, April 18, 19, 1918; NTA, April 19, 20, 1918. Proof that Cates conspired with the NTA lies in the fact that his April 19 letter to the Banner and the NTA editorial of the same morning both make reference to Stahlman's March 2, 1917 statement. If a Tennessean editor or Cates dug up this old quote, is not known, but they both had to have knowledge of it before April 19.

5Luke Lea Diary, April 23, 1918, LL Papers.
thought he was not a citizen. Then Stahlman began to "loud pedal" his support for Shields and in turn the senator "began to cover and vouch" for the publisher. The paper commented that Stahlman's citizenship came through a last-minute scheme, implying that the claim was false. A week later on the opinion page, the *Tennessean* accused Stahlman of telling his staff members the previous year that he became a citizen through the naturalization of his father. This accusation was in a reference to the erroneous September 27, 1917 *Banner* editorial proclaiming Stahlman's father had gained citizenship. Furthermore, the *Tennessean* alleged while Stahlman was misleading his editors, he was in Washington admitting to Shields that he was not a citizen. According to the *Banner*, Stahlman never saw the error until it was in print. But of course, neither the *Banner* nor Stahlman ever made an attempt to correct the errors even though at the time the publisher believed he was an alien.⁶

As if several editorials a day on Stahlman and Shields were not enough, the *Tennessean* went a step further in maligning the *Banner* publisher. Borrowing a *Banner* tactic, the *Tennessean* printed at the top of the opinion page two Stahlman quotes -- boxed in a bigger point size and nearly all capital letters -- and ran them every day starting on April 24

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⁶NTA, April 29, 1918; Banner, April 29, 1918.
for more than six weeks. The first quote, a telegram from Stahlman to the Banner on March 2, 1917, had been dredged up on several occasions. The second comment was excerpted from an April 3, 1917 editorial, three days before Congress declared war. They were as follows:

The Banner MUST stand firmly with the country, DESPITE MY HONEST BELIEF THAT THE PRESIDENT BY UNNEUTRAL CONDUCT HAS PRODUCED THE TROUBLE.

EVIDENTLY THE STRONG AND PERSISTENT MOVEMENT TO HAVE THE UNITED STATES DECLARE WAR HAS BEEN INSPIRED BY THE WALL STREET CROWD, WHO LARGELY OWN MUNITIONS PLANTS IN THIS COUNTRY AND WANT TO KEEP THEM EMPLOYED.¹

In response, the Banner gave examples of others opposed to war such as William Jennings Bryan, who resigned as Secretary of State before America entered the conflict. However, the Banner asserted, once Congress declared war, Stahlman "came promptly, unreservedly, unequivocally, (and) outspokenly to the lineup, and from that day to this, every memory of the Fatherland, as Germans had believed it, (left) at once and for all from the mind, the purposes, the desires of the Banner and its owner."²

¹NTA, April 24, 25, 1918. These quotes always ran on the editorial page. The comment criticizing Wilson started on April 24 while the second one started the next day. In 1914, the Banner had run a series of questions and accusations against Lea boxed on their front page for several weeks.

²Banner, April 29, 1918. Two days after the Banner explained how it had been loyal since the United State entered
Toward the end of April, a bizarre sideshow involving Banner editor Richard Yancey and Allison developed. The Tennessean alleged that before the declaration of war Yancey had come to the Tennessean and asked that several editorials he "felt ... inspired to write" be published in Lea's paper. This accusation had been mentioned in Murphy's report, too. According to Allison, the Tennessean printed them because they were well written and pro-American. Reacting as if he was trapped, Yancey admitted he had met with Allison, but could not remember the specifics of the discussion. Yancey maintained, however, he did not criticize Stahlman. The Banner editor added that it was not unusual for his articles to appear in other journals because on several occasions he sent editorials to the New York Sun, too. Yancey believed the Tennessean had two objectives -- get him in trouble with his boss and deflect the Banner's accusation of Lea's paper having editorials contributed by non-staff writers. The Banner commented it had a good hunch about who was writing the attacks on Stahlman, but insisted the Tennessean must confess the war, the NTA dug through the files again and found small blurbs where its competitor made sarcastic remarks about the secretary of state and American ambassador to Russia in September 1917.
who the culprit was.\(^9\)

In late May, Yancey declared that the *Tennessean*'s criticism of the Banner editorial page was hypocritical because earlier in the year, Lea's paper offered him a job. Even though it was for more money, Yancey refused the proposal because he knew working for the *Tennessean* would require attacking Stahlman. The Banner editor said he admired Stahlman, his employer for 26 years. Yancey did not want to be a political pawn for a newspaper that had "a changing procession" of editors since Carmack's death in 1908. Allison admitted offering Yancey a job but did so because the Banner editor expressed unhappiness at having to work for the pro-German Stahlman. The *Tennessean* general manager said Yancey turned him down after Stahlman gave him a raise.\(^{10}\)

In mid-May, Lea visited Nashville for a week before he went overseas at the end of the month. Besides conferring with Allison, the colonel met with Campen and Cates, too. During Lea's stay, the *Tennessean* started examining the inaccuracies in Stahlman's January 25 affidavit. Previously, the morning paper only mentioned the errors through Campen's testimonies in March. "No two statements of E.B. Stahlman

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\(^9\)NTA, April 28, 30; *Banner*, April 29, 30, 1918.

\(^{10}\)NTA, June 2, 1918; *Banner*, June 3, 1918.
"harmonize," the Tennessean wrote. "His record of deception is so flagrant as to smell to high heaven." Knowing Stahlman admitted to mistakes, the Tennessean reiterated the APL assumption that it was preposterous for a man not to recognize his mother's name, but at that same time give details about relatives in Germany. Examining five different narratives of Stahlman's childhood from books, newspapers and affidavits, the Tennessean claimed the Banner publisher never produced a truly accurate version. When Shields took the senate floor to defend Stahlman, he spoke of errors being corrected. The Tennessean demanded that these revisions be made public, "at least to the American (public)." An editorial in early June said the Tennessean knew what the mistakes were, but wanted Stahlman to go public because "dates and names are essential and quite necessary in the naturalization of a person."  

If Stahlman became a citizen through his stepfather, the morning paper declared, this choice was not his because in 1867 he announced intentions to attain naturalization, but chose not to follow through on this decision. The Tennessean believed Stahlman wanted to remain a German citizen, until it became inconvenient. Whether or not Stahlman was a naturalized American did not matter to Lea's paper because he

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11Lea Diary, May 11, 13, 15, 21, 1918. Lea saw Campen on May 13 and Cates May 15, but no details of the discussions are in the diary. NTA, May 13, 14, 17, 19, 22, 23, June 3, 1918.
"is a Hun by birth, a Hun at heart, a Hun with all his evil and devilish characteristics." Realizing that Stahlman's claim to citizenship may very well be upheld by Gregory's office, although not admitting this, the Tennessean still felt justified in attacking Stahlman because he was not a true American. Furthermore, based on Stahlman's past criticism of the president and government, in April of 1917, the attorney general never should have excused Stahlman from "complying with the technical requirements of the President's proclamation regarding alien enemies." Finally, Stahlman should not handpick Shields for re-election because in the future this senator will vote on a treaty with Germany. While most of the criticism was aimed at Shields, who was going to answer to the voters first in the August 1 primary, the Tennessean also attacked McKellar for aiding Stahlman and duping the attorney general. The Tennessean called the two senators "Punch and Judy" with Stahlman pulling the strings.\textsuperscript{12}

If the Banner had admitted that Stahlman had made mistakes on his affidavit perhaps it could have silenced the Tennessean attacks. But the afternoon daily chose to ignore the charges that Stahlman gave false information. The Banner, however, answered the Tennessean's other allegations, calling its attacks on Stahlman's paper for criticizing the president

\textsuperscript{12}NTA, May 13, 14, 17, 19, 22, 23, June 3, 1918.
before the war as "silly attempts" to malign the owner. If
the paper had committed treason, then the Tennessean should
take the Banner to court. Robert E. Lee opposed secession,
the Banner declared, but still fought for the Confederacy. Of
course, Stahlman was too old to fight, but his grandson James
had enlisted. There had been a personal hatred between the
two papers since 1914, admitted the Banner, but outside forces
were intensifying the feud. The Banner believed an
intelligent public recognized that the assaults on Stahlman
were intended to hurt Shield's re-election bid.¹³

As the Tennessean barrage continued, the Banner asserted
that its rivals actions resulted in lost advertising for
Lea's paper. Meanwhile the Banner claimed its circulation and
advertising had increased dramatically since the previous
year. The Banner published its circulation at more than
50,000 while the Tennessean never made its public. Stahlman's
paper also charged the Tennessean with exploiting hundreds of
readers. Earlier in the spring, the Tennessean sold ads

¹³Banner, May 13, 14, 17, 20, 1918. According to a
document entitled "War Record of James G. Stahlman" in the
JGSHC, the Major's grandson was honorably discharged three
times during World War I. The first two times were from
officers training camp because he was underweight. The last
occasion was as a private when the war ended. He never went
overseas. Also, James helped form the Fourth Tennessee
Infantry in December 1917, but it was denied Federal
recognition.
ranging from $2 to $10 to citizens pledging to "Stand by the President." The Banner called it a "grafting stunt" and "bogus patriotism" that "fleeced from the people of Nashville."\textsuperscript{14}

In late May, the Tennessean turned increasingly vitriolic in its criticism which included cartoons of Stahlman dressed as a German soldier, uttering something in his native tongue. Stahlman had been a favorite target of the Tennessean artists since the feud began in 1914. Many of the cartoons of 1918, however, pictured Stahlman and Shields together with the senator looking lost and the publisher coming to the rescue with promised votes.\textsuperscript{15}

The war of words between Yancey and Allison also intensified in June. The Banner printed a letter from Stahlman defending Yancey and accusing Allison of being behind -- publicly and privately -- the attacks on the Banner publisher. Stahlman commented that Allison, as director of the Nashville APL, was steering an "organization composed largely of good citizens" toward helping Lea's political friends. "J.H. Allison is heart and soul with the dirty gang that is barking at my heels," declared Stahlman, (and the goal was) "to destroy me (and) secure the suppression or

\textsuperscript{14}Banner, May 15, 17, 18, 1918.

\textsuperscript{15}NTA, May 29, June 3, 10, 17, July 24, 1918.
confiscation of my newspaper."

Stahlman leveled other charges at Allison, too. At the April 1917 Associated Press meeting, Stahlman discovered that Allison was telling other newspaper owners and advertisers that the Banner publisher was "an alien enemy" and "strongly pro-German." As a result, Allison alleged, the Banner's circulation and advertising had decreased. The intention, declared Stahlman, was to discredit the Banner publisher's standing among his colleagues and cause the paper to lose advertising from foreign patrons. When Stahlman confronted Allison about spreading such rumors, the Tennessean general manager denied involvement. A week after the incident, Stahlman claimed to find more proof of Allison's indiscretions, and he believed Lea's employee had lied to his face. But, according to Stahlman, Allison continued to slander him, saying the Banner owner went to Chicago in 1917 and plotted with pro-Germans, who were conspiring against the United States. Allison professed to be a devout Christian, but Stahlman concluded his slanderous activities proved the opposite. 

In June the Tennessean continued to ask nearly every day for Stahlman and Shields to produce the corrections to the former's affidavit. The morning daily did not directly say

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16 Banner, June 3, 1918.

17 Ibid.
that Stahlman was an enemy alien though Lea's paper implied such by repeatedly stating that false statements had reclassified the publisher as a U.S. citizen. Stahlman knew he had made errors, the Tennessean proclaimed. Rather than correct them, he instead published these mistakes in his own paper and had false evidence inserted in the May 9 Congressional Record by his two senator friends.\textsuperscript{18}

Nashville leaders grew tired of the newspaper feud, and on June 11 the Commercial Club for the second time in four years sent both papers a letter, signed by influential businessmen, demanding them to stop the personal attacks "for the good of the city." Indifferent to the issue of Stahlman's citizenship, the letter stated that Nashville's business community did not express "any opinion on the rights or wrongs of the controversy." The Commercial Club added that the feud had a negative effect on "the upbuilding" of Nashville and called on the papers to work together to help the city prosper.\textsuperscript{19}

The Banner, which had curbed its assaults the previous week, published the letter with its own comments on the front page. Trying to place blame entirely on its competitor, the Banner claimed the Commercial Club's complaints applied only

\textsuperscript{18}See any NTA editorial page from June 1-7, 1918.

\textsuperscript{19}Banner, June 12, 1918; NTA, June 13, 1918.
to the Tennessean. Stahlman's paper agreed that the tactics used, "especially during the past few months, have no place in decent journalism." Also, the Banner concurred that the newspapers should band together in aiding Nashville's growth and in fighting the war. The following day a Banner editorial claimed it was "never the aggressor," but only defended itself against malicious accusations.20

On the other hand, the morning daily, which also ran the letter on the front page with comments announced it was not going to "surrender its convictions." The Tennessean refused to allow "advertisers to dictate" editorial policy. Trumpeting patriotism as its motive in attacking Stahlman, the Tennessean claimed to be performing the duty of loyal American citizens. Writing with a vengeful pen, the Tennessean asserted that the Commercial Club had not asked the Banner the previous year to stop attacking Lea, who had become a military officer and was no longer a politician. The Tennessean declared if the Commercial Club provided any proof that its comments on Stahlman were untrue, it would "promptly correct them." Several days before receiving the letter, the paper had stopped printing the two Stahlman quotes at the top of the editorial page. But on the day the letter ran, the Tennessean resumed the quotes at the top of the editorial page and added

20Banner, June 12, 13, 1918.
a third one about opposition to the draft. For the next few weeks, the Banner remained silent and the Tennessean accused its adversary of employing "unrestricted submarine warfare" by refusing to come out in the open and fight.21

Publicly, the Banner was silent, but Stahlman maneuvered behind the scenes to marshal support for Shields. In a June 20 letter to McKellar labeled "confidential," Stahlman asserted that Shields would carry Davidson County by "more than a two to one" margin. Stahlman hoped that this coalition would be intact four years later when McKellar sought his second term. The Tennessean soon found out what Stahlman was doing as it exclaimed the Banner publisher met with archenemies Hilary Howse and Ed Crump, the two ex-mayors of Nashville and Memphis, respectively. On June 28, the morning paper alleged Stahlman and Howse, still a powerful political boss, had buried their differences over prohibition and united in their support of Shields. Stahlman later met with Crump to do the same. A week before the primary, the Tennessean acted puzzled over the alliance among the three powerbrokers and Shields. "What manner of men are these that can so glibly swallow their mutual insults and join hands voluntarily in a common cause?" asked the morning daily. While the afternoon paper never denied the new coalition, Stahlman's paper pointed

21Banner, June 13, 1918; NTA, June 30, 1918.
to several examples in the last five years of Lea and the Tennessean aligning itself with Crump and Howse.\textsuperscript{22}

Probably hoping to show Shields not only defended Stahlman, but also Wilson from Sherman's criticism, the senator's re-election committee mailed pamphlets of the May 9 Congressional Record to voters. Outraged, the Tennessean alleged that federal money was being used to promote "a garbled statement of the facts about Stahlman's citizenship and loyalty." The Banner never discussed the pamphlets.\textsuperscript{23}

A third candidate, Governor Thomas Rye, entered the race on May 28 and as a result, two weeks later, Cates dropped out. The Tennessean had backed Rye's bids for governor and Lea considered him a friend so the morning paper had no problem promoting Rye for the senate once Cates departed. Wanting to keep politics at a minimum because of the war, most of the big-city dailies did not think it necessary for Rye to enter the campaign. These papers believed Shields had been a good senator and wanted him to go unchallenged in the primary. The Banner estimated that 75 percent of the state's daily

\textsuperscript{22}Stahlman to McKellar, June 20, 1918, SKDM Papers; NTA, June 29, 1918; Tennessean, July 23, 1918; Banner, July 24, 1918. See pages 243-245, 255, in Isaac, Prohibition and Politics, for more on Howse and Crump's ousters as mayors of their respective cities in 1915. Howse ran for another term in 1917, but lost. Stahlman supported Howse's ouster and opposed his reelection bid.

\textsuperscript{23}NTA, June 28, 29, 30, 1918.
newspapers, including all of the large urban papers with the exception of the Tennessean and Chattanooga News, supported Shields.\textsuperscript{24}

At first the Banner claimed no quarrel with Rye, but this position changed in early July. Examining Rye's record as governor, the afternoon daily thought he let the state's financial matters "drift into a wretched" condition. Quoting Rye, the Tennessean accused Shields of missing nearly half of his roll calls in the senate. These judgements on the candidates' performances were few and far between, because slanderous journalism was the main course in both papers. Besides Stahlman's citizenship, other controversies arose dealing with patriotism and the military. Stahlman's daily accused the governor of playing favorites with his son Paul, by employing political pull to get him an officer's commission in the army.\textsuperscript{25}

Starting two weeks before the primary and garnering nearly as much press as Stahlman's citizenship was the charge by Rye that Shields aided a man's quest to avoid the selective service. John Vernon Verhine, who was about to be drafted, appealed to Shields' office to be reclassified so that he could join the Emergency Fleet Corporation instead. Shields

\textsuperscript{24}Banner, May 29, 1918, July 10, 12, 1918; NTA June 11, 1918.

\textsuperscript{25}Banner, May 29, July 5, 6, 12, 1918; Tennessean, July 7, 10, 1918.
and the EFC, which was building ships, tried to obtain the reclassification, but failed, and Verhine had to report. A short time afterward, desperate for men, the EFC had Verhine transferred back to its organization. The Tennessean accused Shields of interfering with the draft. The Banner explained that the senator's secretary wrote several letters "making requests within the bounds of the law" and signed Shields' name.

Rye, however, like the Tennessean, hoped his ace in the hole would be Stahlman's citizenship. When he started stumping the state, at most of his stops, he included comments on the "unholy alliance" between Shields and Stahlman, "a German sympathizer." In his opening speech in Chattanooga, he warned that voters receiving a copy of the May 9 Congressional Record were getting only what Shields and Stahlman wanted them to know. Rye also accused Stahlman of being a German propagandist. The next day the Banner challenged Rye to "produce one line" of evidence to his allegations against Stahlman.

In early July, the Banner desired that Shields remain in Washington and perform his senatorial duties. McKellar, though, realized that was not possible because Shields had

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26 Tennessean, July 16, 23, 1918; Banner, July 20, 26, 1918.

27 Banner, July 9, 1918; Tennessean, July 10, 1918.
underestimated the strength of the popular governor. The Memphian encouraged Shields to return to Tennessee to campaign for himself. The senior senator disagreed, telling McKellar he thought the best strategy was to stay in Washington and support the president during the war crisis. McKellar believed Shields was reluctant to campaign because he was not a "good public speaker."^{28}

At the beginning of July, however, an alarmed McKellar finally convinced his friend to return home and fight for his own re-election. Shields travelled to Knoxville and Nashville, but refused to make any public speeches. Instead, he conferred in private with Stahlman, Howse, and other influential figures. On July 23, the Banner ran a lengthy press release disguised as a Shields' speech. The Tennessean never published the Shields' release and waited five days to criticize the contents. Shields defended his record, claiming he only voted three times against the president's wishes out of 1,720 laws passed by Congress in five years. Concerning the Stahlman affair, Shields asserted that Rye was desperate to find an issue. Shields felt obligated to present Stahlman's case to the Department of Justice and later to defend Gregory on the senate floor. Since the governor saw Gregory's letter establishing Stahlman as a citizen, Shields

^{28}Kenneth Douglas McKellar, *Tennessee Senators: As Seen by One of Their Successors* (Kingsport, Tennessee, 1942), 576-577; *Banner*, July 5, 1918; *Tennessean*, July 16, 1918.
questioned why it took Rye two months to doubt the evidence. "If he had believed that a full disclosure had not been made," asked Shields, "and the attorney general (had been) deceived, was (he not) in duty bound as 'war governor' to furnish the attorney general such information." Shields mentioned once again that Stahlman presented several corrections shortly after his January 25 statement, but this, he said according to the attorney general, had no bearing on Stahlman's legal claim to citizenship.  

Perhaps trying to counter Shields' speech, the next day the Tennessean printed on the front page a four-column photocopy of Frederica Stahlman and Lewis Harnish's marriage certificate. The document was not the actual copy of the marriage certificate, but an "abstract" verified by the Doddridge County Clerk. Below the certificate the caption

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29Banner, July 18, 19, 20, 23, 1918; Tennessean, July 16, 21, 1918. See pages 577-579 in McKellar, Tennessee Senators, for an account on Shields getting nervous because he discovered that Wilson was about to write a letter saying the senator was not a supporter of the president and that Democrats should vote for Rye. McKellar believed that ex-governor Malcolm Patterson was asking Wilson to write the letter. Such an event would have meant an almost certain victory for Rye so Shields had McKellar intercede with the president on his behalf. Wilson admitted that he was about to write such a letter, explaining that he did not feel Shields was a true friend, saying, "I want a senator who will uphold my plan of securing a permanent world peace." McKellar told Wilson the opposite was true; Shields supported the president's views on the war. The president eventually listened to McKellar's plea and never wrote the letter. Much to McKellar's embarrassment, after Shields won the nomination, he refused to thank Wilson and then voted against the League of Nations.
stated that Stahlman for twenty-five years claimed his mother's name was Christiana not Frederica. "Can it be possible that Stahlman did not know his own mother's name?" asked the Tennessean. Several contradictions in Stahlman statements about his family history in the form of a short story accompanied the marriage certificate photo. The Tennessean concluded Shields had been "very careful not to reveal the 'inaccuracies in dates and names.'"  

The marriage certificate may have been the last straw for Stahlman, who published a rebuttal that afternoon. Finally, Stahlman admitted publicly he made corrections shortly after he returned to Nashville in January. The publisher did not elaborate on the revisions, but said he transmitted "documentary evidence" taken from a family Bible dated "40 years" ago and a copy of the German pastor's list written in 1853 of the births and baptisms of all the Stahlman children born to Frederick and Frederica. These records along with "other documents," asserted the publisher, showed that Stahlman's mother was Frederica, his parents married in 1837 not 1834, his father died in 1855 and his mother remarried Lewis Harnish in 1856, leading to the naturalization of all minor children. Actually, Stahlman had given this "documentary evidence" to Murphy in the spring of 1918 when the Bureau agent came to Nashville. Even though the Department of Justice had these records in its possession by

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30 Tennessean, July 24, 1918.
mid-April, Stahlman made it appear as if he sent this evidence in early February. The twisting of facts by Stahlman causes one to speculate whether he ever attempted to correct his errors in February beyond alerting Shields that he made mistakes.\footnote{Banner, July 24, 1918. It is easy to see how Stahlman made so many mistakes. In this printed statement of July 24, Stahlman committed a simple subtraction error. He said correctly that he was born in September 1843 and that Harnish became a citizen in October 1856. But Stahlman erroneously concluded he obtained his own citizenship at the age of 12 when actually he was 13.}

After stating his case, Stahlman challenged the Tennessean and Rye to "abandon its contemptible insinuations and openly and unequivocally assert" he was not a citizen. Posing the same scenario as Shields, Stahlman wondered why Rye did not alert Washington that the Nashville publisher was an enemy alien and have him "dealt with as such." Furthermore, Stahlman claimed if he had supported Rye's senate bid, the governor would have hailed the publisher as "not only one of the greatest of journalists, but one of the purest and noblest of American patriots." Reasserting that Shields' reelection had nothing to do with Stahlman's citizenship, a follow-up editorial professed the Tennessean's exploits as a sensationalized effort to swing the primary in Rye's favor. The Banner editors concluded that the constant attacks were
"really an assault on the Department of Justice."³²

During the final two weeks before the primary, Stahlman heard rumors that the Tennessean was preparing a story saying the Department of Justice planned a new investigation of Stahlman on charges that he had received bribes from Bernstorff to promote German propaganda. Stahlman promptly wired McKellar instructing him to query the Justice Department about any such investigation. Knowing the Bureau of Investigation had already delved into his financial records, Stahlman told McKellar he had nothing to hide. Although he did not mind another examination, Stahlman hoped it would come after the August 1 primary. Later that afternoon, McKellar contacted O'Brian, who replied that no such charges were being investigated. Wiring Stahlman that evening, McKellar reported "that the department was entirely satisfied with its disposition of your case." McKellar did not mention that Gregory was anxiously waiting for Stahlman's affidavits, concerning the Campen and APL allegations.³³

Hoping to beat the Tennessean to the draw, Stahlman ran a preemptive strike two days before the primary, alleging his adversary was about to accuse him of taking money as a German

³²Ibid.

³³Stahlman wires to McKellar, July 24, 25, 1918, McKellar wires to Stahlman, July 24, 25, 1918, McKellar to O'Brian, July 26, 1918, SKDM Papers. The July 26 correspondence also appears in the EBS File.
propagandist. Stahlman included in his statement the telegram he sent to McKellar a week earlier and the senator's response that Justice was satisfied with his status. The publisher reiterated, if any suspicion still existed, he demanded "an immediate government investigation."\(^{34}\)

Maybe Stahlman's actions worked because the Tennessean never ran a story about Justice investigating him as a propagandist. Instead, on the day of the primary, the Tennessean declared Bernstorff's money was not needed to corrupt Stahlman. The Tennessean proposed that Stahlman's love of the "Fatherland" and hatred of the U.S. government prompted his paper to promote German propaganda. The following morning Lea's paper printed a humorous account of a nervous Stahlman having a nightmare about receiving propagandist funds.\(^{35}\)

Despite a steady barrage against Stahlman, Shields, and their alliance with Crump and Howse, the senator won the August 1 primary by more than 7,000 votes. Making Stahlman look like a prophet, Shields claimed Davidson County by more than a two to one advantage as the publisher had predicted a month earlier. Nevertheless, the Tennessean's stance might

\(^{34}\)Banner, July 30, 1918, January 27, 1919. Whether the Justice Department actually looked at his financial papers in August is not certain. No documents in the EBS File or SKDM Papers mention it.

\(^{35}\)Tennessean, August 1, 2, 1918.
have aided Rye in the rest of Middle Tennessee. Despite losing Nashville, Rye outpolled Shields in the Midstate. McKellar and Crump delivered the pivotal West Tennessee as the junior senator convinced politicians to support Shields even though they disliked him. Shields also won East Tennessee, his native region.\textsuperscript{36}

With the primary campaign over, the morning paper's criticism and examination of Stahlman's life and record came to a virtual halt for the next five months. Begrudgingly, the \textit{Tennessean} supported Shields with a minimal effort in November's general election. No stories or editorials on Shields appeared, but the \textit{Tennessean} listed his name with other Democrats in Tennessee who should be elected. As the election grew closer Stahlman expressed fear to McKellar that Republican challenger H. Clay Evans might slip in due to "apathy." Nonetheless, this was not the case because Shields won by a substantial margin.\textsuperscript{37}

In late August, according to Stahlman, the Department of Justice sent a representative to examine his personal records and the \textit{Banner's} financial statements in relation to the

\textsuperscript{36}\textit{Banner}, August 10, 1918. The \textit{Banner} stated on this day that 81 of 96 counties reported official returns with the total vote 59,700 for Shields and 52,490 for Rye. Most of the counties not reporting officially were in East Tennessee where Shields was strongest. McKellar, \textit{Tennessee Senators}, 577-579.

\textsuperscript{37}\textit{Tennessean}, October 30, 1918; \textit{Banner}, November 6, 1918; Stahlman wire to McKellar, October 24, 1918, SKDM Papers.
propaganda charges discussed the previous month. The agents made a "thorough and complete" study fully "exonerating" Stahlman. The Banner never printed an article about the examination while the Tennessean did not seem to know it occurred. Stahlman waited five months to divulge the results of this August investigation.\(^{38}\)

Before the investigation of his citizenship ended, Stahlman weathered one more public controversy concerning his loyalty. Starting in the fall of 1918 at the behest of Palmer, the Senate Judiciary Committee held hearings on the activities of German-American brewers and German propaganda. As the hearings continued into January, the Committee received anonymous telegrams saying Stahlman might have information that could aid the investigation.\(^{39}\)

When the Banner publisher left for Washington on January 18, 1919 for a short trip to discuss political appointments with McKellar, the Tennessean, according to Stahlman, arranged a trap. Two days later at Stahlman's hotel in Washington, a clerk delivered a subpoena from the Senate Judiciary Committee

\(^{38}\)Banner, January 27, 1919. None of Stahlman's or Gregory's letters of August 1918 mentioned the Department of Justice examining financial records to determine whether the publisher was paid to print German propaganda.

\(^{39}\)Jensen, Price of Vigilance, 261; Banner, January 27, 1919; Tennessean, December 6, 11, 1918; Lee Overman to EBS, January 24, 1919, SKDM Papers.
asking him to testify the next day. Stahlman went to the Senate, but confused committee members said they never requested him to appear. Judiciary Chairman Lee Overman admitted his committee had received anonymous telegrams saying Stahlman could provide information, but called the subpoena a mistake. Major E.L. Humes, the lead attorney for the committee, interviewed Stahlman in private and concluded that the Banner publisher knew nothing about German propaganda. Overman even gave Stahlman a letter of apology absolving Stahlman of any wrongdoing.40

Meanwhile back in Nashville, in their respective editions the Tennessean and American published stories from their unnamed Washington correspondent stating Stahlman was subpoenaed. The Tennessean painted a portrait of a nervous Stahlman waiting in the Senate chambers "to face the pro-Hun probe." When Stahlman did not testify, the Tennessean reported that "influential friends," i.e., the Tennessee senators interceded on his behalf. "A public grilling of the Banner owner would entail a needless humiliation at this late date," the Tennessean asserted because it was common knowledge that Stahlman's paper promoted German propaganda and

40Stahlman to McKellar, January 17, 1919, Overman to Stahlman, January 24, 1919, SKDM Papers; Banner, January 27, 1919.
the Department of Justice had a file on this matter.\footnote{41} James Stahlman wired his grandfather the 
Tennessean and American stories allowing Major, in his opinion, to put together the plans of his enemies. Stahlman wired his grandson to keep quiet until he returned to Nashville because he predicted he would write a "fine article." The publisher wanted the production crew to be prepared to print 20,000 extra copies of the paper. Returning on January 26, Stahlman published the following day a lengthy account of his adventure in Washington.\footnote{42}

Stahlman contended that the Tennessean's Washington correspondent convinced the clerk to subpoena the publisher and with his superiors in Nashville concocted a duplicitous plan to slander their enemy. The morning paper's assertions -- that Stahlman went to Washington because of a subpoena and the Tennessee senators prevented him from testifying -- were bold lies the publisher claimed. To Stahlman, the Tennessean began formulating a plan to have him investigated for propaganda during the previous summer. Unaware that Justice cleared the Banner publisher of such charges when it examined

\footnote{41}Tennessean, January 22, 23, 1919; Nashville Evening American, January 22, 1919.

\footnote{42}EBS wires to James Stahlman, January 21, 22, 23, 1919, JGSHC. Note there are two different telegrams from January 22.
his records in late August, Stahlman declared, the Lea faction continued to pester Gregory's department for a "public investigation." Gregory's department did not listen; thus, according to Stahlman, the Tennessean turned to the Senate Judiciary Committee when the propaganda hearings started in the fall. A Banner editorial professed this as an action even unprecedented for the Tennessean, calling it "gross misrepresentation" and a "downright falsehood by all manner of underhand scheming."43

As Stahlman battled the Tennessean and worked to get Shields renominated, the publisher still had to clarify his citizenship claim to Gregory. Stahlman told Gregory in the spring of 1918 that he would respond to the APL and Campen accusations as soon as he returned to Nashville. The publisher, however, stayed in Washington for another three weeks. Even after he returned to Nashville in late May, Stahlman was further delayed in answering the attorney general because of other "pressing matters." But he finally began the correction process by writing to friends in West Virginia. Fearing that affidavits from some people in rural areas would take awhile, he notified Gregory of this possibility on June 19. He informed the attorney general he was preparing another affidavit from himself along with statements from other family members including his brother George. The Banner owner

43Banner, January 27, 1919.
repeated Frederica was his mother and her marriage to Harnish resulted in his naturalization. "When you see the record I am getting up," Stahlman wrote with confidence, "it will be impossible to find any flaws in it or the slightest justification for the attempt made by this Nashville gang of political crooks to annoy me." On the same day, Stahlman sent a copy of his Gregory letter to both McKellar and Shields, telling the senators he was "not only going to correct every little error that crept into my original statement, but establish my claim to citizenship by documentary and other evidence from a number of highly reputable citizens." McKellar did not believe such a detailed reply to Gregory was necessary, but thought it would terminate the investigation forever."

While Stahlman was occupied with the primary during July, Gregory was out of Washington on such matters as the investigation of the aircraft industry, but in mid-August he grew impatient with the publisher. "Almost two months have now elapsed," Gregory wrote in reference to Stahlman's June 19 letter, "and as this is an unfinished matter which has been on my desk for quite a long while, I must insist that these affidavits be sent without further delay." Stahlman answered three days later in a pleading tone that delays with a lawyer in West Virginia prevented him from getting all his affidavits

"Stahlman to Gregory, June 19, 1918, EBS File; Stahlman to McKellar, June 19, 1918, McKellar to Stahlman, June 21, 1918, SKDM Papers."
ready. Despite missing a few affidavits from West Virginia, Stahlman sent the statements of his brother George and thirteen Parkersburg residents, who were acquainted with the publisher as a child. Some of these people were relatives, but all confirmed that Frederica was the mother of both the Stahlman, including Edward, and Harnish children. The most convincing testimony came from George, who gave a lengthy biographical sketch of the Major, who, he asserted, was his full brother. As further evidence, George provided a photograph from 1868 with all the Stahlman children posed with their mother, Frederica. The occasion was Stahlman's first trip to West Virginia after his marriage to Mollie Claiborne, who was also in the photograph.45

A week later, Stahlman mailed Gregory three more affidavits including his own and a copy of his mother's marriage certificate. Stahlman's own affidavit became his most complete and accurate account of his claim to citizenship. As if the attorney general had not heard enough about the Lea-Stahlman feud, the Banner publisher opened his nine-page statement by denouncing his enemies: "The attacks ... were not prompted by patriotic motives, but born of hatred, malice and vicious political aims, because of my failure to remain silent while they were scheming to accomplish their purposes." Claiming some of the opposition

45Gregory to Stahlman, August 14, 1918, Stahlman to Gregory, August 17, 1918, Affidavit of George W. Stahlman, July 2, 1918, EBS File.
to him began in 1915 when he opposed Lea's renomination, Stahlman also believed his role in ousting Mayor Howse and other city commissioners in the summer of 1915 intensified the hatred of his enemies. "These men were willing to resort to any measure," he wrote "no matter how wicked or discreditable, to destroy me and the influence of my newspaper." 46

In particular, Stahlman believed his actions angered McConnico, whom he referred to as the "defender of the city ring." McConnico, Stahlman claimed, devised the idea to attack the publisher's citizenship in hopes of destroying him and his newspaper. His enemies operated covertly, hiding behind the APL, which Stahlman called "a reputable organization." But Stahlman could not understand how Allison was appointed head of the League. Campen, according to Stahlman, was a former secretary of Lea's and since his removal as assistant attorney general had been writing for the Tennessean. Thus Stahlman surmised that McConnico and Allison had duped the APL while Campen misled the Department of Justice. 47

Addressing the morning paper's January 30 story on Stahlman as an alien, the Banner publisher believed the information came from a "fake telegram." When the morning

46 Stahlman to Gregory, August 24, 1918, Stahlman, "Sworn Statement," 1, August 24, 1918, EBS File.

paper resumed its attacks in the spring, the publisher said a primary motive was to defeat Shields and replace him with Cates. Stahlman thought the Tennessean based its accusations on the publisher's failure to follow up on his 1867 intention of becoming a citizen. As he explained to Shields in January, Stahlman told Gregory that in 1867 he was eager to vote and rid Tennessee of northern and black influence. During the post-war period, he did not realize that his stepfather already had obtained citizenship. When he renounced his German citizenship in 1867, he accepted all obligations that came with being an American. He admitted to Gregory, however, he "lost sight of the matter of the completion" of his naturalization, "but continued to vote and discharge every duty" of a "loyal and patriotic citizen." Stahlman further confessed that early spring of 1917 the Tennessean hinted at an examination of the publisher's citizenship. This prompted Stahlman to look into his past and develop his "true status." At the end of April, he went to the Department of Justice and disclosed his belief that he was an alien.48

Then point by point, Stahlman corrected the errors and confronted the allegations presented by Campen and the APL. Besides backing up his statement through evidence from the other affidavits submitted, Stahlman based his claims on the 1853 record of the German pastor and the family Bible from the

48Ibid, 2-3.
1870s. In the affidavit Stahlman officially corrected his mother's name to Frederica and his birth year to 1843. He gave no reason for not knowing the year of his birth. The publisher changed the year of his parents' marriage to 1837, blaming the previously stated 1834 on a typographical error. Despite his father's tombstone reading "2nd of January 1854," Stahlman said he was correct in stating that he died on January 2, 1855 because he distinctly remembered that his father lived longer than a year in America. Although the affidavits of his brother George and sister Frederica Bridges corroborated 1855, Stahlman did not bother to present -- if the record was available -- a copy of his father's death certificate. Stahlman refuted Campen's theory that Frederica was only 11 when she married Frederick or that Edward and George had different mothers as "being a strained contention ... not based on any record in West Virginia." As for his mother's remarriage, even though he attended the wedding, Stahlman admitted he erred in saying the date was in December, 1855. The marriage certificate verified the correct date as April 15, 1856.49

Stahlman did not address any of his past controversies such as the Methodist publishing house scandal or his lobbying activities for the L & N. Nor did he discuss his opposition to the war before April 6, 1917 or charges of publishing a pro-German newspaper. On the other hand, Stahlman did not try

49Ibid, 3-6.
to portray himself to the attorney general as a loyal American. Instead, Stahlman ended his affidavit with several pages about his parents and childhood years in West Virginia. Referring to this section as personal "and yet applicable," Stahlman illustrated to the attorney general his drive to succeed. From humble beginnings as a son in a poor immigrant family, he climbed to the pinnacle of power in the L & N.\textsuperscript{50}

Gregory must have been satisfied with Stahlman's affidavits because he asked for no further information. The attorney general announced his resignation on January 11, 1919. Before A. Mitchell Palmer became the new attorney general on March 1, Gregory wanted O'Brien to examine the Stahlman file. On February 8, with the war over for three months, O'Brien sent Gregory a memo to close the case. "I have gone over this file of Stahlman's papers and find nothing in it requiring further notice. I recommend that all of these papers be placed in the file without further action." Stahlman's claim to naturalization had been officially upheld. The Justice Department, however, never notified Stahlman of its decision. On February 24, two days before Wilson announced publicly that Palmer was Gregory's successor, Stahlman sent the latter a letter with four more affidavits. The publisher expressed disappointment at still not having all his statements from people in West Virginia, but felt confident that the affidavits he had presented verified his

\textsuperscript{50} Ibid, 6-8.
naturalization.\textsuperscript{51}

One of the February affidavits came from Frank Stahlman, who talked about childhood visits to West Virginia where he met his grandmother Frederica, but most of his statement concerned the feud and senatorial primary. In Frank's opinion, his father's enemies were trying to discredit the publisher which could have led to the defeat of Shields. Frank claimed that Rye and his friends spent more than $50,000 on the primary while the Stahlman family gave no money to Shields. Actually, this contradicted a Banner story on the day of the primary which stated Rye's campaign expenses amounted to just under $7,000.\textsuperscript{52}

No official explanation exists why Justice took so long to close the Stahlman case. It seems odd because in the summer of 1918 Gregory was anxious for Stahlman to send his paperwork. Perhaps other duties forced the attorney general to put Stahlman on the backburner. Right after Stahlman mailed his own affidavit in late August, the attorney general went on vacation. When slacker raids in New York resulted in chaos and the false arrest of many registered men, Gregory cut his excursion short. Public backlash and President Wilson's

\textsuperscript{51}Jensen, Price of Vigilance, 260, 262; Banner, February 26, 1919; O'Brian to Gregory, February 8, 1919, Stahlman to Gregory, February 24, 1919, EBS File.

\textsuperscript{52}Affidavit of Frank C. Stahlman, EBS File; Banner, August 1, 1918.
prodding forced Gregory to reorganize his department. Further restructuring, which was probably time consuming, came after the war ended on November 11.\textsuperscript{53}

The summer of 1918 was one of the nastiest periods in the Stahlman-Lea feud. It was a double-edged sword for Stahlman. The publisher was a public figure who came under more scrutiny than most German-Americans, but unlike them he owned a newspaper which provided a forum to defend himself. But for one of the few times during his publishing career, Stahlman, the personal journalist, had to be cautious while waging a newspaper war. In the past, Stahlman would have criticized Lea, but he had to tread carefully since laws and proclamations prevented the \textit{Banner} from assailing a military officer. Knowing Lea was the inspiration, the \textit{Banner} maligned Cates and, on a few occasions, Allison. As far as gaining revenge against Lea, John Egerton in his book on Nashville history claimed that Stahlman tried to have his rival removed as colonel. In the biography of her father, Mary Louise Lea Tidwell does not cite names, but writes that Lea's enemies from Tennessee "pulled strings" to have him written up at an inspection of his troops on April 29, 1918 so that he would lose his command. Neither newspaper ever discussed Lea's problems at the inspection during the years of the Stahlman investigation. Although the newspaper feud humiliated and

angered Stahlman, it ultimately did not play a role in Gregory's decision because he did not permit the *Tennessean*'s war of words to influence him. The attorney general expressed on several occasions that he did not want to comment on the *Banner-Tennessean* controversy. Perhaps that is why he chose to end the investigation quietly.\(^{54}\)

Aftermath

After a quiet ending to the Stahlman investigation, a month later huge crowds welcomed home Luke Lea, the war hero. The Tennessean was in debt, but Lea quickly turned his paper into a moneymaker and increased his influence by purchasing the Memphis Commercial-Appeal and Knoxville Journal, too. Lea never sought public office again, but by the end of the 1920s, he had established himself as Tennessee's top powerbroker, controlling Governor Henry Horton and state patronage. Meanwhile Stahlman aligned himself with two former enemies K.T. McConnico and Hilary Howse and this trio, along with the Crump machine, tried to halt the Lea juggernaut. An aging Stahlman, however, slowed down in his eighties, relinquishing daily control of the Banner to his grandson James in 1925. Stahlman and Lea continued to differ on most issues and remained enemies until the former's death in 1930. Upon the Major's death, James Stahlman became the publisher and served in this capacity until he sold the paper in 1972. Several years after Stahlman's death, Lea's empire came tumbling down when the Depression left him in financial ruin and shady
business deals sent him to prison in 1934.¹

During World War I, Lea and his political allies, despite the former's absence, catapulted the feud with Stahlman to a more intense level. Defeating Lea's senate re-election bid in 1915 through newspaper attacks and unfavorable primary laws epitomized Tennessee politics of this era. But attacking a man's citizenship and background so that he faced possible internment and the loss of his newspaper was quite another matter. Many German-Americans lived in fear during the war because of all the hatred and anger directed at them. Contributing greatly to this nativism, the Tennessean repeatedly harangued German-Americans and made Stahlman's heritage the focal point of its attacks. Although no physical harm came to Stahlman, the Tennessean capitalized on the fear of Germans, and in the opinion of some, through repetitious verbal assaults damaged Stahlman's reputation. Fortunately for Stahlman, most Nashvillians saw the attacks on his citizenship and heritage as merely another facet of an ongoing newspaper feud. Unfortunately, the war indirectly restrained freedom of the press because the Banner voluntarily halted all criticism of Wilson's policies.

Stahlman was just one of millions who was discriminated

against during the war. Nashville served as a microcosm for the rest of the nation as thousands of Germans and their children saw an end to much of their culture. In Nashville's Germantown, churches switched services to English. One woman recalled that her father ordered the family never to speak German in their home again. The German social clubs also disappeared and people stopped reading German-language newspapers. Not only did Stahlman arouse suspicion, but other Germans were spied on, too. Having a large reservoir and munitions factory nearby caused the government and APL to be on the offensive.²

Manipulation of the APL by the Lea faction certainly prolonged Stahlman's troubles. Perhaps if the League had been properly supervised, Stahlman would not have endured a biased examination of his life. U.S. Attorney Lee Douglas disliked the methods of the APL, which he thought treated Stahlman and his family unfavorably. Gregory, nevertheless, saw the APL as a necessary evil during wartime. Ironically, when the Justice Department reorganized itself in the fall of 1918, Gregory asserted that U.S. attorneys were the highest ranking officials outside of Washington. All cases and investigations had to go through their respective offices first. O'Brian also urged that U.S. attorneys examine the improper actions of APL members. Joan Jensen in Price of Vigilance, an excellent

examination of the League, commented that these guidelines should have come at the start of the war.³

A month after the war ended, Gregory rescinded the restrictions on enemy aliens and ordered the APL to disband. This action angered many League members, who were eager to continue investigations of left-wing radicals such as Socialists, Bolsheviks, and Wobblies (International Workers of the World). Many branches of the APL, however, reformed under the guise of another name and continued to harass radicals and aliens. The constant spying on alleged subversives by these volunteer detectives helped fuel the hysteria of 1919's Red Scare.⁴

Getting an early jump on promoting the Red Scare was the Banner. Starting in 1918, the Banner became critical of Bolshevism and by September of that year, in an ironic twist, the afternoon daily berated the Tennessean for defending the Bolsheviks. Although the Tennessean did not agree with the Communist philosophy, editorials suggested that the Bolsheviks should be given a chance to fix the problems in Russia since they now governed the country. Taking the offensive, the Banner, quite frequently, referred to the Tennessean as the "Morning Bolshevik." Allison, in a letter

³Jensen, Price of Vigilance, 230-231.

to Campen, blamed Genella Nye for writing the editorials the
*Banner* lambasted. While Allison thought the *Banner* was
stretching the matter way out of proportion, he confided to
Campen that Nye quoted too many liberal sources. But Allison
also believed the *Banner* was seeking revenge for being
censured as a pro-German paper. On January 28, 1919, a day
after the *Banner* proclaimed Stahlman's triumph over his
enemies concerning the propaganda charges, the afternoon daily
displayed a strong nativistic tone. An editorial feared that
many immigrants from war-torn Europe would seek refuge in
America. The *Banner* declared the country did not need a horde
of "Bolsheviks and other undesirables" and stressed that
America no longer had the resources to open its doors to a
large group of foreigners. A lack of jobs and food shortage
were the main detractors especially when thousands of soldiers
were returning to civilian life. The United States, warned
the *Banner*, needed to work harder at becoming more homogenous.
This editorial made Stahlman, whose own family 66 years
earlier sought American refuge, appear hypocritical.

Although a victim of nativism, Stahlman's political views

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5*Banner*, September, 16, 18, 20, 22, 1918, January 27,
1919 *Tennessean*, August 11, December 16, 1918, Allison to
Campen, January 14, 1919, February 22, 1919.

6*Banner*, January 28, 1918.
and vision of what America should be prompted him to add more to this hatred. While the Banner regularly defended Stahlman, it did not go out of its way to take up the cause of other German-Americans being discriminated against. In writing about nativism during the World War I era, John Higham saw hatred of Germans directly related to the fear of radicalism. It is difficult to fit Stahlman into this equation. Undoubtedly, Stahlman abhorred radical groups such as Socialists and Bolsheviks and did not see a place for them in American society. Early in life, he shed his native culture and through his paper urged other immigrants to do the same.  

But Stahlman did not urge anti-German hysteria and war with his native country, believing the U.S. government deliberately pushed America into the conflict. Because of these convictions, the Tennessean and federal government labeled him pro-German. From the start of the war, however, Stahlman pledged his newspaper's resources to promote the American cause. Although he supported his adopted country, Stahlman espoused no hatred of the German people -- just a distaste for the Kaiser's government. An example of Stahlman not entirely disregarding his roots occurred during the summer of 1919 when he asked Senator McKellar to help him locate a relative in Berlin. The publisher feared that this woman -- his only relative in Germany -- desperately needed relief, and

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7Higham, Strangers in the Land, 219.
he wanted to do everything in his power to aid her.\footnote{\textit{Banner, December 16, 1918; Stahlman to McKellar, July 11, 1919, SKDM Papers.}}
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