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# The “Little White Slaver” in Kansas

## A Century-Long Struggle Against Cigarettes

*by R. Alton Lee*

**O**n November 22, 1998, Attorney General Carla Stovall announced the settlement of an unprecedented lawsuit against the tobacco industry. Kansas joined several other states in suing four tobacco companies in August 1996 to halt the marketing of their products to children. Overwhelming evidence supports the charge that smoking cigarettes causes lung cancer, and these states’ medical expenses were increased dramatically in caring for their victims. Kansas’s share of the settlement amounted to \$1.5 billion, to be doled out over a twenty-five year period, beginning with twenty million dollars the first year, thirty-three million in the second, fifty-seven million in the third, and so on. Due to the lobbying efforts of the Free Kansas Coalition and the Kansas Smokeless Kids Initiative, the legislature created the Children’s Health Care Project to spend the forthcoming money on tobacco prevention and smoking programs. It would be prudent and good planning, of course, not to spend the money until it is received.<sup>1</sup>

This episode was only the latest in the state’s one-hundred-year-old campaign against the “little white slaver,” as Henry Ford labeled cigarettes. More than a century ago the earliest Kansas pioneers quickly became noted for their puritanical morality. New England antislavery people dominated the early settlements, and they brought in their baggage a strong work ethic, a powerful hatred of drinking and gambling (smoking was not yet considered a problem), and a moral code that demanded all citizens meet their expectations of clean living. “Kansas is not only Puritanism transplanted,” the perceptive Carl Becker noted, “but Americanism transplanted,” in reference to this high moral standard. Their fight against chattel slavery was “readily transformed into righteous protests against other specific forms of slavery”: alcohol, gambling, and tobacco. Stimulated by this philosophy, Kansas was on the cutting edge of a national prohibition movement, approving the appropriate amendment to its constitution as early as 1880. This success was soon followed by

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1. *Topeka Capital Journal*, November 22, 1998.



*This illustration with the accompanying verse, "Tobacco is a filthy weed, The Devil he doth sow the seed," appeared in The Burning Shame of America, a 1924 book outlining "the evils of tobacco."*

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*These and other “scantly clad beauties” appeared in packages of Sweet Caporals cigarettes, encouraging young boys to try to acquire the complete set of their favorites.*

antigambling laws, a “white slavery” law patterned after the national Mann Act that prohibited the interstate transportation of women for immoral purposes, a statute prescribing the length of bedsheets, and another prohibiting the public exhibition of eating snakes or other reptiles. Attempts were made to regulate the length of skirts and to ban mincemeat, the use of cosmetics, and dancing in school buildings. While some of these laws appear to be rather esoteric topics for solons to be debating, the sincerity of the reformers promoting them should be accepted, just as in the current debate of creationism versus evolution. Before the turn of the twentieth century Kansas prohibitionists joined forces with the Anti-Saloon League, the Woman’s Christian Temperance Union, and the Methodist Church. As journalist/politician Ernest E. Dewey noted, Kansas politics is dominated by this triumvirate. “It would be the sheerest folly for any (political) aspirant to pit himself against the powerful and arbitrary organizations.”<sup>2</sup>

Americans were notorious in the nineteenth century for their obnoxious habit of chewing tobacco. Responsible men who smoked enjoyed a pipe or cigars; respectable women did not use tobacco. The issue of cigarette smoking began in 1881, immediately after James Buchanan Duke commenced producing machine-made cigarettes. Almost from this beginning of cigarette mass production, “the better elements” opposed this vice and the habit became confined to the fringes of society. The most common users were recent immigrants who brought their addiction from Europe, working-class men, self-as-



sertive youth, women of questionable reputation, and members of both sexes in the vanguard of the quest for novelties. Cigarettes were widely condemned, not only for being addictive but, some crusaders argued with more emotion than scientific method, because they were dangerous to one’s health. Some reformers even insisted that the filthy things were laced with opium and other narcotics. Henry Ford and Thomas Edison, for example, refused to employ people who used cigarettes because they believed they were poisonous to the body. Most important to crusaders, cigarettes were cheap, compared with cigars, and thus became more easily available to wayward boys. Parents and law enforcement officials were especially annoyed that Duke included pictures of “sporting girls” or “opera stars,” scantily clad (for that time) beauties, in packages of his Sweet Caporals cigarettes, encouraging young boys to try to acquire a complete set of their favorites. As a part of the reformist spirit of the Progressive Movement, anticigarette promoters launched a vigorous campaign following the Spanish–American War to promote the “Clean Life Crusade.” This movement failed to achieve any type of national ban on cigarettes, but reformers persuaded ten states to enact anticigarette statutes before 1909. Some of these laws prohibited the sale of cigarettes that were “adul-

2. Carl Becker, “Kansas,” in *Essays in American History Dedicated to Frederick Jackson Turner* (New York: Henry Holt and Co., 1910); W. G. Clugston, *Rascals in Democracy* (New York: Richard R. Smith, 1941), 40–41; Robert Smith Bader, *Hayseeds, Moralizers, and Methodists: The Twentieth-Century Image of Kansas* (Lawrence: University Press of Kansas, 1988), 30; Ernest A. Dewey, “Cocktails in Kansas,” *Commonweal* 11 (February 5, 1930): 385–86.

terated" with drugs. Others defined them as containing illegal narcotics, and a few simply banned their possession.<sup>3</sup>

Kansas was in the vanguard of this movement. On January 16, 1889, a bill was introduced in the state legislature and referred to the Committee on Hygiene and Public Health. It proposed making it illegal for anyone to "sell, give or furnish any cigar, cigarette or tobacco of any form, opium or any other narcotic in any form, to any minor under sixteen (16) years of age" and provided for a fine of five to twenty-five dollars for each offense. The house of representatives approved the measure ninety to zero, and the senate gave it a thirty to zero endorsement. The prohibition against "giving" stemmed from experience. Where selling cigarettes was prohibited, the seller gave them away, along with the purchase of a few matches at a price comparable to the cost of the cigarettes. Four years later the state of Washington banned the sale and manufacture of cigarettes, followed by similar measures in nine other states, ending with Nebraska in 1909. Most of these state bans were directed at the use by minors, although Indiana prohibited their possession by anyone.<sup>4</sup>

In 1903 the Kansas legislature attempted to enact several anti-tobacco measures. One that succeeded in passing, the so-called "slobbering" bill, prohibited anyone from expectorating the products of tobacco or any other filth on the floors, walls, or carpets of any building used for church, school, or other public purposes. Another in 1905 prohibited giving tobacco to inmates of the Kansas State Industrial Reformatory without the superintendent's consent.<sup>5</sup>

More important, in 1909 the legislature greatly broadened the 1889 law. The most significant measure made it illegal for "any person, company or corporation to sell or give away any cigarettes or cigarette paper in or about any store or any other place for free distribution or sale." The house gave its stamp of approval seventy-three to six with forty-six absent or not voting.<sup>6</sup> When the measure arrived

in the senate, the judiciary committee recommended instead "the Minnesota law," which prohibited sale to minors only. Proponents, however, merely inserted this in the proposal as section two. A supporter was quoted as saying that "he knew of no good reason why any man should smoke cigarettes and he thought the sale of them to adults should also be prohibited." Opponents argued, fruitlessly, that the 1889 law was "openly violated every day in every Kansas town." Another senator introduced, mischievously, an amendment that would prevent adults from using cigars and any kind of tobacco. It lost handily; it was the "little white slaver" the reformers were after. Did anticigarette people really want to send eighteen-year-old boys to jail, opponents demanded? One of the bill's promoters replied that, "any boy of 18 . . . who could commit such a vicious crime as to smoke a cigarette ought to be sent to jail."<sup>7</sup>

The senate passed the bill twenty-nine to seven with four abstaining. Opponents then moved to reconsider and delete the first section, arguing that such a drastic measure could not be enforced and would not withstand close scrutiny by the courts. The motion to strike section one forbidding selling or giving away cigarettes or cigarette papers to any Kansan, however, failed by a vote of twenty-two to one. The difficulty with all these prohibitions, of course, as opponents continued to stress, was enforcement.<sup>8</sup>

William Allen White, the noted Emporia newspaperman, agreed that "the law is a drastic one, and will no doubt accomplish its purpose" of preventing boys from smoking in public. If you removed their chance to show off in front of people, he was certain, they would quit the awful habit. Emporia had a similar ordinance for years, he noted, and it "has been more or less rigidly enforced." If that city's experience was similar to that of many Kansas towns, the "less" part would be more descriptive.<sup>9</sup>

The *Wichita Eagle's* headline observed that "Boys Must Stay At Home Or Go Into The Woods If They Want To Smoke Or Chew Tobacco—Have No Chance To Learn Filthy Habit." "About the only way for a boy to get tobacco" under this strict law, the editor concluded, was "to steal it, and then he is liable under some other law." "All is Lost Save the Habit," reported the *Kansas City Star*. Since the law was passed, "cigarettes have become scarcer and scarcer, until this morning there was hardly a store" where

3. John C. Burnham, *Bad Habits: Drinking, Smoking, Taking Drugs, Gambling, Sexual Misbehavior, and Swearing in American History* (New York: New York University Press, 1993), 91; Cassandra Tate, *Cigarette Wars: The Triumph of "The Little White Slaver"* (New York: Oxford University Press, 1999), 6. Tate lists the fifteen states that ultimately enacted a ban and the twenty-two others that considered prohibitory laws during this national crusade. Robert Smith Bader, *Prohibition in Kansas* (Lawrence: University Press of Kansas, 1986), 172, observed that the Woman's Christian Temperance Union "aided materially in pushing to successful conclusions" the cigarette and White Slave laws.

4. *Kansas Laws* (1889), ch. 256; *Kansas House Journal*, January 16, 1889, 115, January 17, 1889, 173, February 12, 1889, 679–80; *Kansas Senate Journal*, February 26, 1889, 811. Tate, *Cigarette Wars*, 159, lists Washington as the first state to enact a cigarette ban in 1893, while on 167 n. 57 notes the action taken in Kansas in 1889, without realizing her inconsistency.

5. *Kansas Laws* (1903), ch. 217; *ibid.* (1905), ch. 211.

6. *Ibid.* (1909), ch. 31; *Kansas House Journal*, February 1, 1909, 292, March 3, 1909, 821.

7. *Topeka State Journal*, February 26, 1909.

8. *Ibid.*, February 27, 1909; *Kansas Senate Journal*, February 26, 1909, 441, March 8, 1909, 635.

9. *Emporia Gazette*, March 8, 1909.

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“makins” or “tailor made Turkish” could be “bought, stolen or begged.” Smokers’ legal choices were now only cigars or pipes. Showcases that formerly displayed cigarettes now contained candy in the shapes of cigarettes or cigars. “Dealers not sorry,” a subheadline read, “but they would have liked time to unload” their cigarette stock. The *Kansas City Times* reporter talked to wholesalers who reported they did not yet know the law’s effect. “It is the first time such a drastic law was ever passed and we have no precedent to judge by.” Another wholesaler called it “freak legislation” and observed that “cigarettes have always been made the scapegoat for the sins of erring boys.”<sup>10</sup>

In 1917, on the eve of American entry into World War I, the anti-tobacco forces emerged again in full strength, and Kansas extended its tobacco prohibitions drastically. One proposal sought to prohibit smoking any tobacco product in any car or vehicle used in public transportation, on streets, in public buildings, “or any place where children are kept.” The House Committee on Public Welfare, however, recommended against it, and the proposal died for lack of support. Another house measure would have denied a license or teaching certificate to any person who used liquor or tobacco products, but the Committee on Education reported it with a negative recommendation, and it also expired. Crusaders were successful, however, in extending the 1909 bans in a severe fashion.

The *Topeka State Journal* carried the headline “Drastic Measure Goes Through Upper House Today. Friends of the Bill Fear It Unconstitutional.” The house proposal again banned the sale, barter, or giveaway of cigarettes or cigarette papers. A powerful lobby of women’s clubs, however, persuaded some senators to amend it by adding the word “use,” and the extremists were joined by the opponents to approve this change (opponents believed this might help the proposal). After one senator “branded the whole tobacco habit as a horrible thing,” the senate approved the measure thirty-seven to one. The lone negative vote came from the Pottawatomie County senator who was also the only member of the Upper Chamber to vote against the “bone dry law” earlier in the session. Other opponents used parliamentary tactics to prevent the removal of the word “use,” but this deletion was finally achieved in conference committee.<sup>11</sup>

Section one of the statute repeated the 1909 ban that no

person, company, or corporation could barter, sell, or give cigarettes to anyone. It encouraged enforcement of the various prohibitions by permitting individual citizens to swear out a complaint, and an officer could use this as a basis for searching and arresting. Possession of the illegal products was *prima facie* evidence of violation of the statute. Section two forbade advertising tobacco products in circulars, newspapers, periodicals, street signs, placards, or billboards. Section three prohibited minors under twenty-one years of age from frequenting places of business to use tobacco products and spelled out “place of business” as including “shops, stores, factories, offices, theaters, recreation and dance halls, pool rooms, cafes, restaurants, hotels, lodging houses, streetcars, interurban and passenger coaches, and waiting rooms.” Section four called for fines of twenty-five to one hundred dollars to be assessed for each offense. Section five authorized county or city attorneys to issue subpoenas and compel witnesses in the same manner as provided for in enforcing the intoxicating liquor laws. The state attorney general and his assistants were encouraged to assist these attorneys in their endeavors. Oddly enough, the *Wichita Eagle* headlined the law “KANSAS NOW BARS CIGARETTES,” leaving out the word “completely” as though this were something new, adding that the senate receded from its amendments and the measure “makes possession of them a misdemeanor.”<sup>12</sup>

These extreme measures came just before American involvement in World War I significantly altered societal attitudes toward the “little white slaver” by helping to legitimize it. Beginning with the Thirty-Years War (1618–1648), military commanders have regarded tobacco as essential to their fighting men. It helps calm frightened nerves, sedates the wounded, supplies energy, and perhaps most important for armies, provides a mood altering drug as an antidote to boredom. Military physicians encouraged the use of tobacco, and cigarettes became the most convenient form for soldiers to smoke. General John J. Pershing regarded tobacco as being as vital to his fighting men as food or bullets and requested an increase in its production during the war. As a result Congress ordered cigarettes to be included in the rations issued to soldiers. In addition, numerous groups that had been hostile to the “coffin nails” abruptly reversed themselves and helped supply cigarettes to servicemen overseas. This was done in part to divert the men from more objectionable sins, such as liquor and loose women, and partially because of stated military necessity. The YMCA, Red Cross, and Salvation

10. *Wichita Eagle*, March 9, 1909; *Kansas City Star*, March 8, 1909; *Kansas City Times*, March 9, 1909.

11. *Topeka State Journal*, March 7, 1917.

12. *Kansas Laws* (1917), ch. 166; *Wichita Eagle*, March 9, 1917.



Prior to World War I strict laws and strong campaigns tried to ban cigarette smoking. This laconic poster was probably issued around 1915.

“strike anywhere” type was dangerous. The white phosphorus heads proved hazardous to workers in factories where they were made, and they also often were fatal to children who obtained them and chewed off and swallowed the heads. The Diamond Match Company developed a safe sesquisulphide match and offered to give its patent to the United States provided that Congress outlaw the dangerous types. In 1912 Congress complied by enacting the White Phosphorus Match Act, which levied a prohibitive tax on them and drove them out of existence immediately. This modern safety match that could be struck only on the stripe on the side of the enclosed box proved to be much more convenient for lighting cigarettes, especially in the trenches or during combat. Later, of course, other safe “strike-anywhere” matches were produced.<sup>15</sup>

During the war cigarette smoking also increased among the civilian population, especially with the young. Tobacco advertisers successfully began to challenge the prewar taboo against women and young people smoking and, perhaps equally important, they masculinized cigarettes during the hostilities by diminishing the previously accepted view of the dissoluteness of smoking cigarettes. Following the 1918 armistice, the flapper of the Roaring Twenties tried to masculinize her appearance and habits and celebrated her new-found freedom in various ways, including smoking cigarettes in public with increasing frequency. This was especially true in the larger cities.<sup>16</sup>

The introduction of newer blends of milder cigarettes, including Camel, Lucky Strike, and Chesterfield in the 1920s, reduced the discomfort level for women of the stronger prewar brands. Female stars who smoked in their silent movies of the decade also promoted the habit considerably. The American Tobacco Company’s legendary slogan of the Roaring Twenties, “Reach for a treat instead of a sweet,” contributed significantly to its sales. Medical doctors, many of whom smoked, were of no assistance to the crusaders. As late as 1948 the *Journal of the American Medical Association* declared that “more can be said in behalf of smoking as a form of escape from tension than against it,” and the journal still carried cigarette advertise-

Army collected private funds to augment the government’s cigarette supply.<sup>13</sup>

The patriotic activity of providing cigarettes to overseas soldiers helped create a sense of shared purpose in the war. In doing so it somewhat united the diversity among the people before the conflict. This effort, in turn, lent the respectability of the Red Cross and other agencies to a formerly disreputable product. As the “Great Crusade” aroused a vigorous patriotism among the populace, stimulated by activities of the Creel Committee on Public Information, anticigarette crusaders soon ran the risk of having their loyalty to the war effort questioned if they challenged these efforts too vigorously. Even American popular culture celebrated the role of the cigarette in the life of the doughboy with the song lyrics, “while you’ve a lucifer to light your fag, smile, boys, that’s the style.”<sup>14</sup>

The development of a new kind of match also encouraged the widespread use of cigarettes. Friction matches were introduced in America as early as the 1830s, but this

13. Tate, *Cigarette Wars*, 65–68.

14. *Ibid.*, 68–84. The lyrics are from “Pack Up Your Troubles in Your Old Kit Bag and Smile, Smile, Smile!” a popular song during World War I.

15. R. Alton Lee, *A History of Regulatory Taxation* (Lexington: University Press of Kentucky, 1973), 90–104.

16. Burnham, *Bad Habits*, 94–97.

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*Social attitudes toward cigarettes drastically changed with the onset of World War I. Organizations once opposed to the "little white slaver" reversed their positions and supplied cigarettes to servicemen. Some cigarette companies, such as Pall Mall, seized the opportunity to tie their commodity to the noble cause.*

ments in the 1950s.<sup>17</sup>

Lucy Page Gaston, one of the most forceful members of the Anti-Cigarette Crusade, moved to Kansas following her attempt to shame President Warren Harding into quitting cigarettes. After reading a newspaper report of her letter to him, a group in Atchison sent the president a carton of cigarettes, which they had obtained in violation of Kansas law. Lucy subsequently came to Topeka to work for the Anti-Cigarette League to help bring the state into line with its prohibitory laws, but she quickly fell into dispute with leaders of the Kansas league. The latter believed its mission was to "discourage" the use of the "little white slaver," and Lucy was certain it was to "prohibit" them. "I know many people oppose the work I am doing," she said shrilly, "but I am like Jesus Christ. I will forgive and forget the past if people will try and do better in the future." "This kind of talk was too much even for Kansas," wrote Cassandra Tate in her recent book *Cigarette Wars*. In two months Gaston was fired, and she returned to Chicago.<sup>18</sup>

To cheer up patients, and partly to needle Gaston and the Anti-Cigarette League members, the capital city's American Legion post announced it would distribute twenty thousand cigarettes to veterans in the Topeka area hospitals for Christmas 1920. The legionnaires refused to declare whether they purchased the "fags" in Topeka or elsewhere in Kansas. Two days before Christmas a local newspaper reported "one of the merriest wars in Topeka in many weeks is popping and sizzling today." The Kansas attorney general ordered the Shawnee County attorney to investigate the giveaway and the source of the gifts. Hugh T. Fisher refused to obey the order because, he said, the attorney general was "grandstanding" for political purposes. He observed that he had requested the attorney general to swear out a warrant for him to raid and seize the



contraband cigarettes, but his boss had refused.<sup>19</sup>

"The cigarette war goes merrily on," the *Topeka State Journal* reported a few days later. The legislative session opened soon after New Year's Day and the state American Legion wrote Governor Henry Allen asking him to urge the legislature to repeal the 1917 anticigarette law in the coming months. Dr. William A. McKeever, a specialist in child psychology at the University of Kansas and author of the 1917 Kansas law, challenged the legionnaires to a debate: "Resolved, that the cigarette is a menace to the progress of society and should be done away with." He called for them to reject "the selfish cigarette" and "come out on the side of Christ and Kansas." He believed the veterans' "demand for an unrestrained cigarette is a piece of petty selfishness," and he requested them, instead, to fight to save "our boys and girls."<sup>20</sup>

The following day the *Journal's* headline read "To Kill the Fag Law." Senator Paul F. Kimball of Labette County, it was reported, would introduce a bill to repeal the cigarette restrictions, except for those on minors. The Woman's Auxiliary of the American Legion supported his proposal, but

17. James T. Patterson, *The Dread Disease: Cancer and Modern American Culture* (Cambridge: Harvard University Press, 1987), 206, 208.

18. Tate, *Cigarette Wars*, 130–31; Gordon L. Dillow, "Thank You for Not Smoking: The Hundred-Year War Against the Cigarette," *American Heritage* 32 (February–March 1981): 106, states that "an embarrassed Kansas Anti-Cigarette League fired" Gaston.

19. *Topeka Daily Capital*, December 22–23, 1920.

20. *Topeka State Journal*, January 3, 1921.

in a few days senators were inundated with petitions from female constituents opposing repeal. "The Pill War Begins," reported the newspaper, noting that endorsement of Kimball's measure by some legion posts across the state "does not carry the weight that the petitions do." One senator, "puffing luxuriously at the time on a bootleg pill and enjoying it," declared that "it's a good law. Let's leave it as it is." When asked about his vice, he responded "I enjoy smoking," and the legislature, along with him, remained unmoved and the laws stood intact.<sup>21</sup>

In 1925 President Marion Edwards Park of Bryn Mawr College gained national attention and opprobrium when she opened smoking rooms on campus for her students. A few liberal colleges across the nation, such as Vassar, Smith, and Stanford, had already done so or would follow Bryn Mawr's lead, but not those in the Sunflower State where anticigarette feelings still ran high. Kansas State Teachers College (Pittsburg) president William A. Brandenburg responded to President Park's action "with anger. Nothing has occurred in higher education that has so shocked our sense of social decency as the action at Bryn Mawr," he announced. Reacting to the popularity of the prohibitory laws in Kansas, a Chautauqua traveling in the state at the time "deemed it prudent to use a dairy instead of a cigarette factory as a backdrop for its production of 'Carmen'" because of the fear of adverse audience reaction.<sup>22</sup>

The problem in Kansas remained one of prohibition law enforcement, which was spasmodic and isolated at best. As one authority noted, "Easterners chided Kansans for pressing for prohibition elsewhere, while the state's anticigarette law went unenforced." It would take an army of agents to enforce the state's prohibition law or its numerous anticigarette laws. It was well known in Kansas in the 1920s that one could readily buy a drink or cigarettes, regardless of age. Most enforcement efforts "tended to be brief and concentrated in small towns rather than cities." Wichita, a Democratic stronghold, was an exception to this generalization. In 1929 the legislature gave Governor Clyde Reed forty thousand dollars to investigate the state's enforcement of prohibition. This money was quickly dissipated in trying to dry up Wichita, and he requested an additional seventy-five thousand dollars to continue the effort. In small towns, however, local public opinion often was a powerful influence, especially in keeping the "coffin

nails" out of the hands of young boys.<sup>23</sup>

As the popularity of the cigarette grew nationwide during the 1920s, state after state began repealing its ban, beginning with Nebraska and Tennessee in 1919. World War I veterans were a powerful influence on legislatures in the repeal movement. Their most telling argument was "if cigarettes were good enough for us while we were fighting in France, why aren't they good enough for us in our own homes?" Finally, Kansas became the last state to repeal its prohibition against adult use in 1927. Even so, it required several compromises on the part of sympathetic legislators to remove the proscription on adult use of cigarettes, as the Woman's Christian Temperance Union (WCTU) and other pressure groups were actively opposing repeal.<sup>24</sup>

After adding numerous guarantees against the sale of cigarettes to minors, the lower house of representatives repealed the anticigarette laws eighty-one to forty-two, almost a two to one majority. It required licenses for vendors, taxes of two cents per package as the state always needed additional revenues, and provided severe penalties for sales to minors. Responding to an opponent's argument that "Kansas don't need this dirty cigarette money," the state treasurer observed that "the question is not whether or not cigarettes are going to be sold in Kansas but whether they are going to be sold legally or illegally." As the house added each of these provisions to the measure, "it gained strength at every move" during the three-day debate there. Despite opponents' legal arguments that if a product could be sold it could not have its advertisement banned, the anticigarette forces insisted on this prohibition.<sup>25</sup>

The "Fag Bill Passes" was the report when the senate approved the bill thirty-two to five, with three not voting. The license fee was set at one hundred dollars annually in first- and second-class cities and fifty dollars in third-class ones. The prohibition against advertising proved to be "the greatest bone of contention" in the upper house because Kansas newspapers would lose a substantial annual income if it were enacted. But the senate moved to strike all of its amendments because of "a wholesome fear of what the House might do if they sent it back" containing

23. Bader, *Hayseeds, Moralizers, and Methodists*, 46; Tate, *Cigarette Wars*, 61. For a discussion of the cigarette law in a small Kansas town, see R. Alton Lee, *T-Town on the Plains* (Manhattan, Kans.: Sunflower University Press, 1999), 63.

24. "Cigaretts for Grown-up Kansans," *Literary Digest* 92 (February 26, 1927): 12.

25. *Topeka State Journal*, January 20, 1927; Tate, *Cigarette Wars*, 151.

21. *Ibid.*, January 4, 11, 12, 17, 1921.

22. Paula S. Fass, *The Damned and the Beautiful: American Youth in the 1920s* (New York: Oxford University Press, 1977), 295. For the Chautauqua story, see Dillow, "Thank You for Not Smoking," 104.

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In this 1913 photograph, Lucy Page Gaston of the Anti-Cigarette League assists while a young messenger boy "takes the cure" to eliminate the cigarette "demon." Administering the cure is Dr. D.H. Kress, general secretary of the Anti-Cigarette League.

them. "A strong desire to get the present odious law off the statute books" proved to be a more important factor than the senate's dislike of the house measure. The senators finally accepted a ban on advertising. The statute continued to prohibit persons, companies, and corporations from advertising cigarettes or cigarette papers in circulars, newspapers, periodicals, street signs, placards, billboards, store windows, showcases, or "other public places."<sup>26</sup>

News of the Kansas repeal was met with great derision across the nation. The *Literary Digest* carried a feature story entitled "Cigaretts for Grown-up Kansans," noting that newspapers in other states were satirically congratulating Kansas adults on their newfound freedom. In Kansas itself, the article reported, "there is considerable relief." Many Kansans believed the prohibitory laws' purpose was to keep the "coffin nails" away from adolescents, and the new law continued to try to achieve that. It also demonstrated that military veterans "are now influential in politics."<sup>27</sup>

The *Topeka Daily Capital* believed the repeal was a progressive step "and can be improved two years from now." The *Topeka State Journal* agreed that the law's remaining provisions on advertising, considered to be the worst, would be removed at the next session of the legislature. The *Leavenworth Times* liked the tough penalties of the new law against selling to minors, and the *Wichita Beacon* thought "it ought to be comparatively easy to enforce the law in this form." The *Kansas City Kansan* could determine little difference in current cigarette availability as everyone "has been able to get [them] all along . . . [and] the dealer can now pass out the pills across the top of the show-case instead of digging it up from the junk basket and slipping it around the corner of the counter to the customer at bootleg prices." The *El Dorado Times* explained:

the amendments that clutter up the new law were put there as sop to those who look upon cigars as the essence of all evil. Without such concessions the bill could not have mustered enough votes. The objectionable features of the new law will disappear

26. *Topeka State Journal*, February 2, 1927; *Kansas Laws* (1927), ch. 171.  
27. "Cigaretts for Grown-up Kansans," 12.



jectionable features of the new law will disappear one by one. Kansas thus has taken a step out of the freak State class.

White's *Emporia Gazette* observed that "the clause in the present law which prohibits cigaret advertising will probably be found unconstitutional; in the meantime it creates a queer situation. Cigaretts will be openly and legally sold. But they must not be displayed in newspapers, billboards, placards or show-cases." The *Dodge City Globe* believed the new law would cut down on cigarette consumption by a reverse psychology: "cigaret smoking greatly increased in Kansas while cigaret selling was prohibited. Now that the cigaret has been made respectable again, its popularity may be expected to wane." Finally, the *Coffeyville Journal* warned easterners "not to take the repeal of the anticigaret act as an indication that Kansas is wavering on Prohibition." The state "glories in that achievement" and it is "probably 85 per cent for the Eighteenth Amendment."<sup>28</sup>

The experience with cigarette smoking in Kansas is revealing in a number of ways. It demonstrates what prohibitionists can achieve if they wrap their object of attack in sufficient piety to make it a moral issue. Cigarettes were

28. The newspapers are cited in *ibid.*



When the anticigarette law was repealed in 1927, this cartoon, depicting the "seduction" of cigarette smoking, appeared on page one of the February 7, 1927, Topeka State Journal.

made a moral question in regard to use by both adolescents and adults. This was accomplished not only without the assistance of the medical profession but in spite of most doctors promoting the beneficial aspects of smoking. From the U.S. surgeon general's 1964 opinion that cigarettes are harmful to one's health, it is easy to conclude that Kansans fought the good fight almost a century before it was popular to do so. That is not the case. Crusaders primarily opposed the "little white slaver" as evil, regardless of the health effects of smoking, positive or negative.

The hypocrisy of those legislators who smoked cigarettes and fought for their legal prohibition is breathtaking but not surprising. A similar sanctimony was exhibited in congressmen drinking and simultaneously prohibiting alcoholic beverages in Kansas. The two issues went hand-in-hand, supported by the same groups of politicians and cru-

sading organizations. Carry Nation, for example, declared that "I have been beaten and whipped and kicked, but I intend to fight the great evils of drinking and smoking." Frances Willard of the WCTU concluded, after achieving national Prohibition, that banning cigarettes was the next major reform. As the popular saying went in Kansas, "the bootlegger and the Methodist went side by side to the polls to vote to continue prohibition."<sup>29</sup>

The veterans of the Great War discovered that when they attacked the anticigarette laws, their organizations had political clout. They would proceed to wield this political influence in Kansas politics to great effect in the following decades. Henceforth, being a veteran and receiving endorsement from the American Legion would be an additional requisite for a successful political campaigner.

Outlawing cigarettes in Kansas followed the same pattern as outlawing alcohol and other items in the state. Enforcement was spasmodic, users found them readily available, and the bootleggers flourished. It is exceedingly difficult to eradicate products that are widely desired, as Kansans discovered repeatedly and as the nation did in the "noble experiment," especially when purchasers fail to view their desires in moral terms. During Prohibition, workers considered drinking beer not as a moral question but as a right they should be able to enjoy after laboring all day in factory or mill. Cigarette users could see nothing immoral in enjoying their "little white slavers" along with their beer.



29. Carleton Beals, *Cyclone Carry: The Story of Carry Nation* (Philadelphia: Chilton Co., Book Division, 1962), 336. For Willard's views, see Tate, *Cigarette Wars*, 23, 28, 30, 43.