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Demon Rum, Devious Politics: the Lessons of Neal Dow's Crusade for the Maine Prohibition Law

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Demon Rum, Devious Politics:

The Lessons of Neal Dow's Crusade for the Maine Prohibition
Law

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One of the fundamental conflicts in American political history is the one that pits the need to guarantee personal liberty against the desire for the government to pass legislation that will benefit the overall good. Dating back to the very founding of our nation and the deliberations over the ratification of the Constitution, this debate has played itself out over and over again through the course of American history as politicians decide how to balance each of these important considerations. One such manifestation of this debate was the campaign for alcohol prohibition¹ in the mid-nineteenth century, a battle which raged especially intensely in Maine, as local reformers fought tenaciously to free the state of the evils they attributed to the liquor traffic.

The most famous and most notorious of Maine's agitators for prohibition was Neal Dow, a native Mainer who campaigned tirelessly against the ravages of alcohol. The quintessential example of a committed antebellum New England reformer, Dow moved slowly up through the various grassroots movements promoting the temperate consumption of alcohol. Frustrated by the slow progress of temperance, Dow adopted a policy of legislative reform, concluding that the government would have to get involved and restrict the sale of alcohol in order to save addicts from themselves if dramatic change really was to occur. Eventually this idea progressed to the point where Dow and similarly minded individuals called for an outright ban on the sale and manufacture of alcohol, arguing that this step was necessary if the evil of liquor was ever to be eliminated from the face of the earth. Dow's leadership and oratorical skills made him a

¹ Note: This paper will use the words "temperance" to describe the general movement pushing for the moderate use and some regulation of alcohol, and "prohibition" to refer to specific efforts to ban (or strictly limit) alcohol sales and consumption through law. In the real reform world of the nineteenth century the line between these two terms was blurred, as most people in favor of prohibition considered themselves "temperance men" (or women) and many individuals had beliefs that did not fit neatly into one of these definitions.

rallying point for this new movement, a man who became the widely recognized leader of the state prohibition cause. This position eventually allowed Dow to draft and present to the Maine State Legislature the first ever genuine statewide prohibition law in the history of the country.

Like most reformers, however, Dow's cause did not come without opposition: while most people agreed that liquor abuse was a grave problem, they disagreed with Dow's assertion that outright prohibition was the only answer, especially since so many individuals had no problem remaining moderate in their liquor consumption. Over the course of time many of these moderates came around to Dow's side, but most never fully endorsed Dow's denouncement of liquor as a total evil, a fact which came into play when Dow maneuvered himself into political office and obtained the power to wield ever greater governmental authority in support of his moral crusade.

Neal Dow's story is synonymous with the history of the temperance and prohibition movements in Maine in the nineteenth century. It is the story of how a skilled orator and committed activist can rise through a local political movement to national political fame. It is an example of how single issue advocates and political parties helped bring down the Second Party System and contributed to the political turmoil that led to the Civil War. And, most importantly, it is an example of how crusading reformers can single-mindedly focus on a goal to the point where they end up losing sight of the overall picture, refusing to moderate their position in order to gain the broad support needed to create lasting change.

Chapter One: The Birth of a Crusader

CO-PARTNERSHIP.

IMPORTANT NOTICE TO THE PUBLIC.

Death & Co., wholesale and retail dealers in spirits, wine and malt liquors, take this opportunity of informing their friends that they continue the trade of making freshets, whiskeys, gingers and rums, on the most reasonable terms, and at the shortest notice.

The proprietors return their sincere thanks to their numerous customers and to all the friends of the community, for the success which has attended their sale, and they hope that the many orders they are daily to be found of their services in the above line of business, will secure to them the increased support of drunkards and intemperate drinkers, as well as former slaves and socialists, those bitter enemies of their long-established, regulated and popular trade.

Death & Co. beg leave to assure the public, that the article in which they deal is the best and most genuine poison in the world, and they will warrant a certain death in every case where the medicinal properties in the use of it—Death & Co. being themselves under obligations to send more poison to the union workhouse, the prison, the gallows and the greenwood, than any other firm, and they will do it with the greatest possible dispatch. To accomplish these desirable ends it is only necessary for an individual to take a glass occasionally, till he feels first-quantity insufficient to gratify the craving appetite which it will soon create, and when this whiskey, gin, brandy, rum, wine, ale or porter appetite is formed, the person is then prepared to leave his quiet and serene repose, for the sake of another glass.

In short, Death & Co. will spare no means or expense to bring the wives and the children of their customers to misery, despair and eternal, and first to delirium and death as many as the public good require. They are constantly receiving new supplies of poison-liquor, which they sell by the glass, the bottle, the barrel, or the hogshead, for the accommodation of their numerous customers, and for the dispatch of their increasing business.

Death & Co. have appointed a sufficient number of active agents, who are stationed in every public house, beer shops and public houses. These persons, beer shops and public houses may be known by the aquino, fish, obnoxious, or many of the customers who congregated around them, as well as by the order of the persons continually poisoning the air around.

Satisfactory references can be given to county jails, houses of correction, insane asylums, hospitals, workhouses, hospitals, prisons, courts of bankruptcy, or in the wives and families of those who have had the happiness to make drunkards.

Death & Co. beg leave to caution all tipplers and drunkards against giving any food to their wives, children or friends, or to any relations of the temperate society, as those parties are enemies to their soul-and-body-destroying business. Some of Death & Co.'s agents are generally well supplied with cards, dice, dominoes, quills and rattles; they also encourage rallies, pugna flying, horse racing and prize fighting.

For further particulars see Bell's List at the Bar. A private estimate on Deaths Owing to this service.

DEATH & CO.

To many prohibitionists of the early and mid 1800s, alcohol was synonymous with the devil. Notice the child trying to get the father to leave the rumshop and come home.

² “Co-Partnership/Death and Co,” from the archives of the Maine Historical Society, image accessed online at <<http://www.mainehistory.org/rum-riot-reform/1820-1865/gallery1/index.html>>.

The son of devout Quakers, Neal Dow was born on March 20, 1804, in Portland. From an early age Dow's parents drilled into him the importance of moderate living, hard work, and righteousness: in his autobiography Dow recalled being taught to "look upon useful employment as not only tributary to health and strength, but as a divinely appointed safeguard from many otherwise inevitable misfortunes."³ Dow took this advice to heart, working tirelessly throughout his life for the causes he believed in. As befitting a descendent of Hate-Evil Hall (Dow's maternal great-grandfather), Dow focused most of his life's energies on extinguishing what he saw as the world's greatest evil: alcohol consumption in any and all of its forms.

Dow's biography is full of moral anecdotes from his childhood that reflect the path his later life would take. As a young child around the age of six, Dow once climbed up on a chair to take a look at his father's silver watch, which was hanging barely out of reach on a hook on the wall. While positioning himself to remove the watch, Dow lost his balance and fell to the floor, breaking the watch in the process. When Dow's father tried to punish him for the broken watch, young Neal responded by turning the blame around, explaining that his dad was the one who tempted him in the first place, by leaving the watch in plain sight. This story prefigures one of Dow's later arguments for prohibition, as he took a similar stance on why it was necessary to remove the temptation of liquor all together in order to end its consumption.⁴

Dow also recalled being greatly impressed at a young age when his father told a story at the dinner table of witnessing a valuable tract of land being transferred to a saloon proprietor because the original owner of the land, a family acquaintance, was in

³ Neal Dow, *The Reminiscences of Neal Dow*, (Portland: The Evening Express Publishing Company, 1898), 30-31.

⁴ Dow, *Reminiscences*, 37.

great debt due to alcohol abuse. A devout Quaker, Dow's father said of the sad scene, "At last poor Friend...has drunk up his land!"⁵ Another incident from later in Dow's childhood also left a lasting imprint in Dow's mind: a schoolmate of Dow's became a drinking man soon after they had both completed their education. One night this friend left a liquor shop in an advanced state of intoxication with an acquaintance that turned up dead the next day. Dow's schoolmate had no recollection of the events of the previous night and was tried and convicted for murder, only to be exonerated several years later when the owner of the liquor store confessed on his death bed to having committed the murder himself. Dow's friend emerged from prison "broken in health and spirit," though the man did abstain from liquor for the rest of his days.⁶

Besides these personal anecdotes, Dow's general descriptions of growing up in Maine in the early 1800s show that alcohol pervaded almost all aspects of society, even during working hours. The two biggest industries in the state at the time were fishing and logging. Both relied heavily on manual labor and required that workers spend long stretches of time away from home, either on fishing boats or in logging camps. The primary diversion from this backbreaking work was liquor, as men drowned their sorrows in the comfort of the bottle, sometimes even taking breaks for rum rations during the workday. As Dow explained:

The prevalent opinion that liquor was a panacea for all complaints, a protection in all forms of exposure, a relief for fatigue and pain, and for all other discomforts incident to hard labor and extremes of heat and cold, made its use general among fishermen and lumbermen....the excitement of drink took the place of the comforts of life, and, the appetite being thus created, excess naturally followed....The boys imitated the elders, until indulgence in drink almost everywhere was the rule.⁷

⁵ Dow, *Reminiscences*, 204-205.

⁶ Dow, *Reminiscences*, 38.

⁷ Dow, *Reminiscences*, 169.

In the eyes of observers like Dow, many residents of Maine were trapped in an unending cycle of abuse, one that would have to be broken if these individuals (and the state as a whole) were to improve their condition.

There is strong evidence to suggest that the anecdotal examples Dow provided of alcohol abuse in Maine during his childhood were symptomatic of nationwide trends. In the early 1800s Americans drank massive quantities of liquor: for the period between 1800 and 1830, the average American over the age of fourteen consumed the equivalent of 6.6 to 7.1 gallons of pure alcohol each year, two and half times the modern average of around 2.8 gallons.⁸ The working classes usually received daily rations of rum (in some cases up to a pint) which they drank while on the job.⁹ This trend was exacerbated by an increasing tendency towards industrialization: previously, when men had been employed in small artisan shops, they could hope that their hard work would eventually lead to their own businesses. As mechanization and industrialization took off in the 1820s and 1830s, these opportunities for independence began to disappear, and men began to resort to drinking as a way to affirm the liberty they were supposed to have as citizens of the United States, and to drown the sorrows caused by their demanding jobs as employees of others. Indeed, while most Americans drank heavily in the first few decades of the 1800s, men contributed disproportionately to the abuse of alcohol: estimates are that adult working class males (about a quarter of the population) drank two thirds of the total amount of distilled spirits consumed by the entire country in the late 1820s.¹⁰

⁸ Thomas Pegram, *Battling Demon Rum: The Struggle for a Dry America, 1800-1933* (Chicago: Ivan R. Dee, 1998), 7.

⁹ Pegram, *Battling Demon Rum...*, 8.

¹⁰ Pegram, *Battling Demon Rum...*, 10-11.

Clearly, then, Dow's lifelong hatred for alcohol abuse did not arise out of nowhere: it came both from his parents' piety and from personal experience with (and observations of) the dangers of alcohol abuse. Dow did not just object to alcohol on a theoretical level, he objected to it as a great evil that took over people's lives, destroying their own fortunes and often the fortunes of their families and loved ones along with them.

The earliest temperance groups were generally founded in the 1810s and 1820s to fight the growing problem of alcohol abuse. Dow's father joined one of these nascent temperance organizations: the Cumberland Society for Suppressing Vice and Immorality, which first met at the Quaker Meeting House in Portland in April 1812.¹¹ Comprised mostly of middle-class lawyers, ministers, and tradesmen, groups like the one Dow's father joined focused heavily on promoting familial responsibility and general morality. This goal is reflected in the fourth annual report of the committee, which concluded with the members,

...expressing their ardent wish that the time may soon come when a due sense of the evils we deplore will be duly felt by all who now (perhaps thoughtlessly) encourage them—when the blessed effects of good order and sobriety will be experienced—and when we shall have the satisfaction to reflect that we may have been in some degree in producing them.¹²

Early temperance organizations of this kind did not call for (and did not want) prohibition; instead, they simply wanted individuals to spend their money on providing for their families instead of wasting their earnings on intoxicating liquors. Moderate drinking in social settings was perfectly acceptable to these groups, who attacked things

¹¹ Frank L. Byrne, *Prophet of Prohibition: Neal Dow and His Crusade* (Madison: Department of History, University of Wisconsin, 1969), 5.

¹² Anonymous, *Report of the committee of the Society in Portland for Suppressing Vice and Immorality, made at the fourth annual meeting of the Society...April 27, 1816* (Portland, Me: A. and J. Shirley, 1816), 9.

like drinking on the job and public drunkenness in trying to curb alcohol abuse in their communities. Furthermore, these campaigns were often part of a national trend that promoted community well-being through moral regulation. Restrictions on alcohol consumption and public drunkenness were the cornerstone of this general campaign for morality, which also focused on curbing sins like swearing, gambling, sexual deviancy, and Sabbath-breaking.¹³

It is worth delving deeper into the historical background of these moral advocacy groups to paint a broader portrait of the culture of reform that pervaded New England especially (along with the rest of the country more generally) in the first half of the nineteenth century. As befitting their Calvinist background, the Puritan founders of the New England colonies actively regulated their communities in order to ensure that citizens lived in accordance with their society's high expectations of moderation, chastity, and hard work. Indeed, some of these figures viewed the regulation of morality as the fundamental purpose of government, as one Boston clergyman wrote in 1734:

Since sin has broke in upon the world...there is but so much more Reason and Necessity for Government among Creatures that are become so very weak, and depraved; to restrain their unruly Lusts, and keep, within due Bounds, the rampant Passions of Men, which else would soon throw humane Society into last Disorder and Confusion.¹⁴

While this preoccupation with avoiding sin would abate somewhat as New England moved away from its Puritan roots, the tradition of using government to improve society through restrictions on what was viewed as “immoral behavior” lived on. Indeed, as Dow was growing up during the first few decades of the early nineteenth century, this

¹³ Ian R. Tyrell, *Sobering Up: From Temperance to Prohibition in Antebellum America* (Westport, Connecticut: Greenwood Press, 1979), 40-44. William J. Novak, *The People's Welfare: Law and Regulation in Nineteenth Century America*, (Chapel Hill: The University of North Carolina Press, 1996), 151-171.

¹⁴ Novak, *The People's Welfare...*, 151.

tendency combined with the religious revivalism of the Second Great Awakening to spark a new wave of social activism that included attempts to improve the community through the promotion of morals. The campaign for temperance was but one aspect of this overall movement of moral perfectionism that included many other campaigns for ensuring the morality of individuals for the betterment of society.¹⁵

This movement for moral improvement illustrates the fundamental battle between individual liberty and community well-being discussed in the introduction of this study. Freedom was very important to Americans of the early national period, as the newly independent country was created out of the desire for the colonies to govern their own affairs without the intrusion (or the taxes) of the English. Along with this desire for national freedom came an expectation for some individual freedoms (as shown particularly in the Bill of Rights), as many individuals wished to ensure that the new government would let them govern their lives as they pleased. However, this independence was not absolute: at a certain point an individual lost the right to engage in actions that negatively affected society as a whole. To Dow and his fellow reformers, one individual's lack of principles most definitely brought down the community, justifying attempts to legislate morality. Indeed, as one later nineteenth century legal scholar explained: "The experience of all mankind condemns any occupation that tempers with public morals, tends to idleness and the promotion of evil manners, and anything that produces that result...is universally regarded and condemned by it as a public nuisance."¹⁶ Dow, his fellow temperance men, and other nineteenth century reformers saw transgressions against morality as detrimental to the point where the

¹⁵ Novak, *The People's Welfare...*, 152-157.

¹⁶ Novak, *The People's Welfare...*, 158.

individual's right to govern his (or her) own life was superseded by society's interest in promoting its well-being.

In the historical context of this overall movement towards moral reform and his own father's involvement with groups advocating morality, Dow focused on completing his education, attending school locally in Portland before being shipped off at the age of thirteen to the Friends' Academy, a Quaker school in New Bedford, Massachusetts. Finishing up his secondary school education at the age of 16 in 1820, Dow wished to attend college, but was forced to remain at home because his parents worried that going away to college could lead to sin. As Dow explained, their opposition "was largely owing to the impression at that time prevailing to some extent in the religious society of which my parents were members, that a college education was a device of the adversary, and was to be obtained only at great peril to the immortal soul."¹⁷ Instead of going away to college, Dow began working for his father's tannery business while continuing to pursue knowledge on the side through the consumption of any and all literature he could get his hands on.¹⁸

Dow's personal encounters with the dangers of alcohol, his lifelong devotion to hard work, and the general spirit of reform pervading New England at this time caused him to get involved with the temperance movement at an early age. In 1827 Dow joined the newly formed American Society for the Promotion of Temperance (commonly called the American Temperance Society) and the Maine Charitable Mechanic Association (a professional group devoted to curbing alcohol abuse among the working classes). These organizations attempted to draw attention to the dangers of alcohol abuse and promoted

¹⁷ Dow, *Reminiscences*, 56.

¹⁸ Dow, *Reminiscences*, 52-58.

the “improvement” of the working poor and sailors through the donations of bibles and other educational tracts.¹⁹ The Charitable Mechanic Association particularly focused on curtailing drinking on the job, as it sought to remedy the problems caused by intoxicated employees. Years later, Dow explained that the members of this particular association were well versed in the problems caused by alcohol abuse:

Its members had unusual opportunities to see the evil effects of the liquor-traffic and the drinking habits of the day....They paid out a large portion of the money distributed as wages for skilled, as well as unskilled, labor, and they had constantly before them the evidence that no inconsiderable proportion was expended for liquor. They saw, too, in the resulting indisposition to work, in the loss of time from drinking, and the impairment of energy, capacity and health by debauch that the money thus spent was more unwisely used than if thrown into the sea.²⁰

It is important to reiterate that, at this stage in the temperance movement, most groups were relatively moderate in their views and sought only to discourage alcohol abuse and drunkenness. Arguments for outright prohibition were still many years away: most groups only required their members to abstain from drinking hard liquor, while moderate consumption of less intoxicating beverages was common and accepted. Dow himself recalled drinking wine regularly during his early twenties and would not personally commit to total abstinence until the late 1820s.²¹

Dow quickly became an active and respected leader in the local temperance community. In July 1829, Dow gave one of his first major public speeches on the temperance issue: the primary address at the Fourth of July celebration for the Maine Charitable Mechanics Association. In the speech, Dow outlined the primary arguments he would continue to develop throughout the rest of his lifelong fight against the evils of

¹⁹ Byrne, *Prophet of Prohibition...*, 12-13.

²⁰ Dow, *Reminiscences*, 207.

²¹ Dow, *Reminiscences*, 192-195

liquor. Dow began by calling upon his fellow middle-class businessman to join him in the promotion of temperance out of their own self-interest. Most members employed at least a few unskilled laborers who were the “principle [sic] sufferers” of intemperance. Dow continued by arguing that liquor abuse was the biggest threat that society had ever known, telling the assembled crowd that the “practice of drinking ardent spirits...results in greater misery and suffering to more individuals than any other custom, which has ever existed.” Dow concluded his speech by arguing that he and his listeners had a Christian duty to help educate those who abused alcohol, and he contended that fighting drunkenness would help improve society as a whole, not just the lives of those who were saved from alcohol.²²

Dow continued to participate in temperance organizations throughout the 1830s, though during this period of his life he devoted the majority of his time to his business dealings, which by the end of the decade had made him a considerably wealthy man. Indeed, by 1836 Dow was earning an income of over \$1800 a year from the family tannery business and various other ventures (including a large number of real estate holdings along Congress Street, where his house was located). During this time Dow became a well-known figure in Portland society, winning membership to a number of small political organizations and election as the chief engineer of the city’s fire brigade in 1839 (Dow had served as a volunteer fireman for a number of years). Dow also settled down and started a family in the 1830s, marrying Cornelia Maynard, with whom he had nine children.²³

²² Neal Dow, *An Oration Delivered Before the Maine Charitable Mechanic Association, at their Triennial Celebration, July 4, 1829* (Portland: Printed at the Argus Office by Th: Todd, 1829), accessed online at <<http://www.assumption.edu/ahc/Dow1829oration.html>>.

²³ Dow, *Reminiscences*, 84-88. Byrne, *Prophet of Prohibition...*, 16-22.

Despite his attention to his business dealings, Dow remained active in the temperance cause, sometimes participating in dramatic ways. In his biography Dow related a story that occurred during the late 1830s which reflects the proactive role he took in fighting liquor. One day while walking out of a bank meeting, Dow saw an intoxicated country boy about 18 or 19 years old who had been swindled out of a horse by a notorious cheat, who told the boy he just wanted to hitch the horse to his wagon for a few minutes to see how well the horse responded to pulling a cart. Dow personally set off in search of the offending party, whom he found a few miles away. With the help of an employee, Dow grabbed the bridle from the thief and demanded that he give the horse back to the boy, which the thief did, but not before showering Dow with curses and threats. Dow supposedly refused payment from the grateful teenager upon returning the horse, only demanding that the boy promise him that he would never drink again.²⁴

Whether or not this tale is true in all its parts, it is useful because it provides an instructive view of how Dow perceived his role in the fight against liquor. Dow thought of himself as a kind of crusader, a “white knight” who was battling the evil of liquor and intoxication for the good of all humanity. In many ways this was an admirable trait, as Dow considered it his own personal responsibility to campaign hard against alcohol abuse, even if that meant getting involved with people he had no other connection with. However, as will become clear, this trait would also cause Dow to accumulate numerous enemies, as his puritanical bearing, self-congratulatory tendencies, and enthusiastic pursuit of anyone he deemed a “rummy” caused many people to despise him. A small time criminal’s hatred would do Dow little harm, but when, in his later years, Dow

²⁴ Dow, *Reminiscences*, 96-97.

brought his crusading ways to bear on his political foes, his propensity for creating strong enemies would come to haunt him.

Besides his consistent agitation for the temperance cause, Dow became a full-fledged member of the Whig Party in the 1830s. Dow's father had been a Federalist and a huge admirer of Alexander Hamilton, meaning that Dow had grown up in the tradition of a strong national government that involved itself in promoting the nation's economy. Dow's progress into adulthood coincided with a revival of competitive politics in the country, as the ascension of the Jacksonian Democrats in the late 1820s marked the emergence of the Second Party System. Dow campaigned strongly for the incumbent John Quincy Adams in the 1828 presidential election, and was very disappointed when Andrew Jackson came out triumphant, writing fifty years later, "even now I feel disposed to say that...it is questionable if any administration in the history of this country has so disregarded the avowed pledges and principles upon which it sought support from the people as did that of Jackson."²⁵ Despite Dow's support for the Whig system of economic improvement, he refused to vote for its most vocal national advocate, the Senator Henry Clay of Kentucky. Dow took exception to Clay's supposed affinity for dueling and his support for slavery and voted for third party candidates whenever Clay was the Whigs' preferred candidate for president. This early approach to choosing candidates foreshadowed Dow's later political career, when Dow became known as someone who would only support candidates, even members of his own party, if they shared his position on the issue of temperance.²⁶

²⁵ Dow, *Reminiscences*, 129.

²⁶ Dow, *Reminiscences*, 132-139.

The political background of the 1820s, 1830s, and 1840s plays a key role in understanding the course the temperance movement would ultimately take, so it is worth looking deeper into the divisions between the Democrats and the Whigs to see why Dow was a natural Whig and how temperance fit into his overall political vision. Democrats of this era generally embraced the individual side of the personal liberty vs. societal well-being debate, as befitting the party's Jeffersonian origins. As historian Henry L. Watson explains: "for Democrats, a republic was not possible without a virtuous and independent citizenry, and political independence could not exist without a basis in economic independence."²⁷ The Jacksonian Democrats therefore generally resisted attempts to extend government authority over individuals. As the popular party of the independent rural farmer, the Democrats worked to ensure that constituency's right to do what it pleased, including owning slaves, drinking, and not paying (what the Democrats viewed as unnecessary) tariffs and taxes.²⁸

Whigs, on the other hand, promoted the benefits of progress (both economic and moral), as exemplified by John Quincy Adams's assertion that "the spirit of improvement is abroad upon the earth."²⁹ Whigs were willing to sacrifice some personal liberty in the name of this improvement, giving up certain rights if it led to increased commerce and benefited society as a whole. Along with this willingness to sacrifice came a desire to promote the overall morality of America, as one historian writes: "Inspired by evangelical piety, [the Whigs] gave generously to and served actively in missionary societies, reform associations, temperance unions, and, significantly, anti-slavery

²⁷ Henry L. Watson, *Liberty and Power: the Politics of Jacksonian America* (New York: Hill and Wang, 2006), 237-238.

²⁸ Watson, *Liberty and Power...*, 238-245.

²⁹ Watson, *Liberty and Power...*, 244.

societies.”³⁰ Dow fit perfectly into this Whig mold as a rich merchant greatly involved in the nation’s campaign for both economic and moral improvement.

Riding the general popularity of the Whig moral improvement campaign at this time, the various local temperance organizations began to get better organized during the 1830s as they coordinated with national groups such as the American Temperance Union and the American Temperance Society, the latter of which Dow had joined at the beginning of the decade. Problematic for Dow was the fact that, on the state level, the Maine chapter of the American Temperance Society still supported the moderate use of wine, a custom which Dow’s local Portland chapter had opposed since the beginning of the decade. This disagreement came to the surface at the organization’s 1837 state meeting, when the society’s president, ex-governor William King, argued that wine was “essential to the intercourse of gentlemen.”³¹ In response to this statement, a group of members (including Dow) led by General James Appleton, a state legislator from Portland, split off to form the Maine Temperance Union, an organization devoted to complete abstinence from any and all alcohol beverages. General Appleton, who represented Portland in the state legislature, organized a committee in that body which devoted itself to the question of how alcohol might be better regulated by legislation. Appleton urged a new law banning the sale of strong liquor in quantities any less than 28 gallons by anyone other than druggists or doctors. If enacted, this law would have effectively ended the sale of alcohol to the general public, as the average consumer would not have the means of purchasing such a large quantity of liquor at one time.

Unfortunately for Dow and Appleton, however, this proposal was tabled by the other

³⁰ Watson, *Liberty and Power...*, 245.

³¹ Dow, *Reminiscences*, 232-233.

members of the legislative committee, who were opposed to such a strict limitation on alcohol sales.³²

This split marked a major turning point in the Maine temperance movement. In the past, most organizations had focused on “moral suasion,” encouraging the public to refrain from drinking by pointing out the negative effects of alcohol abuse on individuals, families, and society as a whole. While these organizations did call for some restrictions on the sale of alcohol, they focused the majority of their efforts on discouraging consumers from imbibing in the first place. By the late 1830s, however, many temperance advocates (including Dow) had become frustrated by continued alcohol abuse and decided to try a different tactic: attacking the sale of liquor through legislation. Instead of relying on moral suasion to encourage individuals to resist liquor, temperance groups increasingly sought to remove the temptation of alcohol all together by banning the sale of intoxicating spirits. Dow remembered well the story from his childhood about his father’s watch: foreseeing that addicts would inevitably attempt to drink if they had access to liquor, Dow wanted to entirely remove alcohol from their sight, preventing them from breaking their lives as he had broken the watch.

Indeed, the defection of the faction of the Maine Temperance Society in favor of complete abstinence, and the formation of the Maine Temperance Union, marked the beginning of the prohibition phase of the temperance movement in Maine. Over the next two years, from 1838 to 1840, Appleton continued unsuccessfully to try to enact a legislative ban on the retailing of distilled spirits. Other members of the new Maine Temperance Union attempted to encourage some type of prohibition on a more local level: the Maine Charitable Mechanic Association (led by Dow) requested that the

³² Byrne, *Prophet of Prohibition...*, 23-24. Dow, *Reminiscences*, 233-235.

Portland City Board of Aldermen hold a referendum on the question of ending liquor-licensing, a move that would be a major step towards outright Prohibition. The referendum was defeated 599-561. This vote proved that many of Dow's fellow Portlanders desired more restrictive liquor laws; however, it would be some time before the city was ready for outright prohibition.³³

These sorts of setbacks at the end of the 1830s, however, proved to be temporary, as the temperance cause would soon be revitalized by a growing national movement: the Washingtonians. Organized in 1840 in Baltimore by a group of reformed drunkards who had taken pledges to stop drinking and decided to try and urge others to do the same, the movement quickly spread across the North, claiming 200,000 members by the end of 1841. The Washingtonians differed from earlier temperance groups in a number of key ways, most notably their emphasis on reforming already addicted drunkards (who were considered to be a lost cause by many traditional temperance leaders); their reliance on communal meetings; and a grassroots following that contained a much higher percentage of working-class members than the older temperance groups, which tended to consist mainly of middle and upper-class members.³⁴

The spirit of the Washingtonians was welcomed by Dow, who thought that the new movement provided a needed shot in the arm to the Maine Temperance Union, which had been lagging because of the failed attempts to legislate restrictions on liquor sales since its split from the state Temperance Society in 1837. Dow was especially impressed by the high numbers of reformed drunkards who participated in the Washingtonian movement, who he thought provided authentic insight into the evils of

³³ Byrne, *Prophet of Prohibition...*, 26.

³⁴ Tyrell, *Sobering Up...*, 160-161.

rum-peddlers. This admiration, however, went only so far: Dow also observed that the Washingtonians “brought into the meetings more zeal than culture,” and he commented on the fact that their attempts at public speaking “were characterized by more earnestness than elegance of diction.”³⁵ Dow enjoyed the energy that the Washingtonians provided to the temperance cause, but his patrician tendencies prevented him from becoming too enamored of the reformed working-class drunkards.

Nevertheless, the energy provided by the Washingtonians recharged the Maine Temperance Union’s desire for full-scale prohibition. By 1846 the movement’s renewed strength led leaders to once again call for the legislature to pass a bill banning the sale of small quantities of liquor. Dow had become a major player in the state’s anti-liquor lobby at this point: on June 25, 1846, he spoke before the legislative committee on liquor licensing to argue in favor of the prohibitionist law. At this time the Maine Temperance Union also submitted a petition, signed by 3,800 citizens of Portland, calling for legislation greatly restricting alcohol sales. The work of activists like the Washingtonians had paid off: the prohibitionists finally had the public support they needed to get a bill through the legislature, as the state House and Senate passed the bill banning the sale of spirits and wine in small quantities.³⁶ The bill was signed into law by Governor Hugh Anderson on August 7, 1846, causing a jubilant Dow to predict in September that all the liquor shops in Portland would shut their doors by the end of the year.³⁷

Unfortunately for Dow and the prohibitionists, the legislature ignored their recommendation that the new law contain strict penalties for those caught violating it, instead imposing only small fines on individuals successfully prosecuted for selling

³⁵ Dow, *Reminiscences*, 255.

³⁶ Byrne, *Prophet of Prohibition...*, 37-38.

³⁷ Byrne, *Prophet of Prohibition...*, 38.

alcohol in small quantities. Moreover, even these minor penalties were often ignored by local governments, which refused to enforce the law out of fear that the restrictions would curtail commerce.³⁸ An enraged Dow managed to get the Portland City Board of Aldermen to hold hearings on individuals accused of illegally selling liquor, but the cases were thrown out when the dealer's lawyers attacked the witnesses brought forward by the prohibitionists as being "pimps and spies" in the employ of Dow.³⁹

In 1847, Dow's frustrations at getting the city of Portland to enforce the 1846 law caused him to get involved in electoral politics as a potential candidate for the first time. In September of that year Dow was visited by Phineas Barnes, a fellow Whig and a former state representative who opposed the Temperance Law but who wanted Dow to support his attempt to win back one of Portland's three seats in the Maine State House of Representatives. Unfortunately for Barnes, party affiliation mattered little to Dow (as evidenced by his past decisions to vote for third-party candidates over Henry Clay), and instead of giving his support to his fellow Whig, Dow entered the campaign himself as a pro-Prohibition candidate.⁴⁰ Barnes had widespread support, obtaining a large plurality of the overall vote, and would have easily won election except for the fact that some prohibitionist Whigs threw their support to Dow, preventing Barnes from reaching the required 50% threshold to obtain direct election. Dow stubbornly refused to give up the fight throughout the late fall and early winter, putting Barnes through five more elections because a few hundred hardcore Prohibitionists remained loyal to Dow. Only in January,

³⁸ Dow, *Reminiscences*, 253-254.

³⁹ Byrne, *Prophet of Prohibition...*, 39. Dow, *Reminiscences*, 299-300.

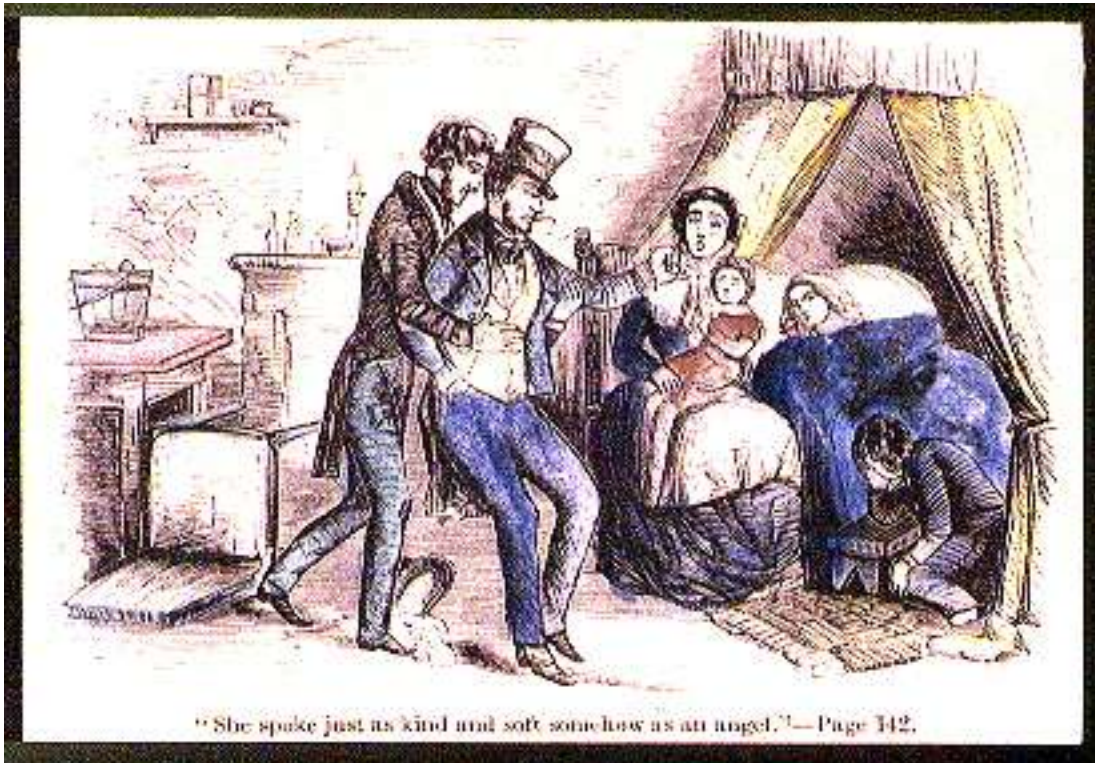
⁴⁰ Dow, *Reminiscences*, 316.

after Barnes finally reached the needed 50% threshold on the sixth ballot, did Dow finally give up.⁴¹

Dow's stubbornness won him admirers among the city's prohibition men, but it also earned him a life-long enemy in Barnes, who would contribute greatly to Dow's political demise a decade later. For now, however, Dow had learned some valuable lessons in political campaigning, and after taking two years off to recharge his fighting spirit, Dow returned with a vengeance in 1850 to lead the prohibitionists to their greatest triumph yet: the passage of the first genuine statewide prohibition law.

⁴¹ Byrne, *Prophet of Prohibition...*, 40-41.

Chapter Two: The Passage of the Maine Law



An illustration showing an intoxicated father terrorizing his family. Images such as this one were used by advocates like Neal Dow to demonize liquor and extol the benefits of prohibition.

⁴² "The Sedley Family or the Effect of the Maine Liquor Law," Boston, 1853, from the archives of the Maine Historical Society, accessed online at <<http://www.mainehistory.org/rum-riot-reform/1820-1865/gallery1/index.html>>.

Dow returned to spearhead a renewed prohibition offensive in 1850. That year, the battle began in Portland, where nearly 800 leading citizens signed a petition demanding that the Temperance Law of 1846 be better enforced and suggesting that the state legislature pass a tougher prohibition law.⁴³ Such a law had indeed been passed by the Democratic controlled legislature in late 1849, but Democratic Governor John Dana was able to ignore the bill until the next legislative session because it was passed within three days of the legislature's adjournment for the winter. Then, when the bill surfaced again during the new legislative session of May 1850, Governor Dana vetoed it, calling the law "an ill digested outrage upon almost every right of our citizens."⁴⁴ Dana disapproved of the idea that the state could legislate morality for its citizens, as befitting the "hands-off" attitude of many Democrats towards government that dated back to the days of Jackson.⁴⁵ The battle lines had been drawn: it was time for Dow to jump back into the political fray.

In response to Dana's veto, Dow renewed his political efforts, winning the presidency of the Maine Temperance Union in the summer of 1850 and using the political clout of that position to campaign against anti-prohibitionist lawmakers in the September 1850 legislative elections. Partially as a result of these efforts, the legislature that took office in early 1851 contained many more members receptive to prohibition, leading Dow and his supporters to believe that any potential veto of his proposed prohibition law could be overridden by the newly elected representatives who were sympathetic to the cause.⁴⁶

⁴³ Dow, *Reminiscences*, 318.

⁴⁴ Byrne, *Prophet of Prohibition...*, 42-43.

⁴⁵ Dow, *Reminiscences*, 319.

⁴⁶ Byrne, *Prophet of Prohibition...*, 44.

Dow continued this new political offensive by winning the nomination of the Whig Party for the office of the Mayor of Portland in the spring of 1851, putting himself into a position to enforce his (hopefully) soon-to-be-passed prohibition law. Dow's nomination was somewhat surprising: as has already been made clear, Dow was a prohibition man first and foremost and only supported the Whigs because they were generally more receptive to the prohibition movement than the Democrats were. Dow had always been willing to support any and all politicians who favored prohibition, as evidenced by his support for some prohibitionist Democrats in the legislative election the year before and his decision to run against Barnes, the anti-prohibitionist Whig, in 1847. Indeed, one historian points out that, "because of his lack of party loyalty and his prohibition program, most of Portland's Whig leaders did not consider [Dow] to be an acceptable candidate."⁴⁷ Dow himself admitted that the Portland Whig leadership "had a sound enough objection from a party point of view to urge against me. I was not a 'reliable' Whig."⁴⁸ Despite these concerns, however, Dow received strong enough support from the prohibitionists in the party, who approved strongly of his tireless campaigning for a strengthened liquor law, to capture the nomination.⁴⁹

The weeks before the election proved divisive, as members of the Whig leadership in some districts distributed sample ballots which included a candidate who was a more loyal Whig than Dow, and the Democrats campaigned against Dow's support for abolition and his crusade against liquor.⁵⁰ Even so, Dow received a plurality of votes in the election, but because of the presence of the other Whig candidate on the ballot,

⁴⁷ Richard R. Wescott, *New Men, New Issues: The Formation of the Republican Party in Maine* (Portland: Maine Historical Society, 1986), 89.

⁴⁸ Dow, *Reminiscences*, 323.

⁴⁹ Dow, *Reminiscences*, 326.

⁵⁰ Dow, *Reminiscences*, 326.

Dow did not reach the required majority threshold and was forced into a runoff against his Democratic opponent, George F. Shepley.⁵¹ In the runoff election held on April 21, however, Dow triumphed over Shepley, 1332 votes to 986, winning election to his first major political office.⁵² Dow hailed this election as an endorsement of his glorious battle against alcohol, later writing:

I had now been elected mayor by a larger vote than any other candidate had ever received, and that without having abated any of my zeal, or changed any of my methods in laboring for the cause to which I had for years been devoted. In view of that fact, my election was most convincing evidence that something had been accomplished toward the creation of a healthy public sentiment with reference to the great evil I had been so long combating.⁵³

Dow was ready to get tough on alcohol.

In May 1851, Dow (now mayor) traveled to Augusta to lobby the legislature to pass the latest version of his anti-liquor bill. Working together with Democratic Senator William R. Porter and Whig Representative Noah Smith Jr., Dow successfully steered the bill through a special legislative committee appointed to review the need for a new liquor law. On May 27th Smith submitted Dow's bill to the House, and on May 29th it passed by a vote of 81-40, as a majority of both Whigs and Democrats supported the measure.⁵⁴

The bill then moved on to the Senate, where it was subject to stricter scrutiny by opponents of prohibition. The attack on the law was led by Senator Shephard Cary, a Democrat from Aroostook County who accused Dow of wanting to overturn the democracy of the state so he and his temperance cronies could rule Maine as tyrants.

⁵¹ Byrne, *Prophet of Prohibition...*, 44.

⁵² Byrne, *Prophet of Prohibition...*, 44-45.

⁵³ Dow, *Reminiscences*, 327.

⁵⁴ Dow, *Reminiscences*, 336-338.

Cary also bemoaned the fact that his fellow Democrats (many of whom had crossed party lines to support the bill) were under the “reign of niggerism and fanaticism...”⁵⁵

It is worth delving deeper into Cary’s attack to highlight some of the political and social conflicts that existed in Maine at this time (and still remain, to some extent, to this day). Historically, Maine had allied itself strongly with the Democrats: as a largely rural state whose economy was largely based on agriculture, lumbering, and sea trade, Mainers had little interest in the Whig platform of government sponsored economic improvement. Beginning in the 1830s, however, as Maine began to rapidly industrialize, the Whig platform of improvement began to grow in popularity as men like Dow launched factories and the population of towns like Portland and Bangor exploded. Growing cities and factories needed infrastructure like railroads, roads, and canals in order to speed the shipment of goods; all of these things cost money and resulted in somewhat higher taxes for all Mainers, even the farmers and rural dwellers who benefited least from these new projects. Exacerbating this rift was the fact that the new development was largely confined to the central and southern portions of the state, producing tensions between the rapidly industrializing south and the rural and agrarian north (including Senator Cary’s Aroostook County district).⁵⁶

Many Whigs’ support for the Maine Law can be understood as part of their general program for the improvement of society: if men were not drunk, they reasoned, than they would be better workers and stop wasting their money on booze. In response, many Democrats like Cary denounced Dow’s prohibition law as yet another attempt by

⁵⁵ Quoted in Dow, *Reminiscences*, 338-339.

⁵⁶ Richard R. Wescott and Edward O. Schriver; “Reform Movement and Party Reformation 1829-1861,” in *Maine: the Pine Tree State from Prehistory to the Present*, ed. Edwin A. Churchill and Joel W. Eastman (Orono: University of Maine Press, 1995), 196-198.

the rich men of the south to infringe on the rights of the frontiersmen of the north. This is shown in part of Senator Cary's speech attacking Dow's prohibition law, as he sarcastically described Dow as "a pretty little dapper man, [who] goes well dressed, wears a nice blue jacket and a fancy vest and his hat cocked on one side of his head."⁵⁷ Underlying this insult was the idea that Dow represented the urban merchants of the south who exploited the hard working, plain-dressing men of the rural north who only wished to be free of governmental interference and have a drink when they wanted one. This debate would be similarly reflected in the national debate over prohibition, as the urban middle class tended to support increased regulation of liquor, while working-class immigrants and rural farmers generally spoke out against governmental attempts to regulate alcohol.

Despite Cary's attack, Dow's bill passed the Senate by an 18-10 vote the following day. Dow personally carried the bill from the Senate to Democratic Governor John Hubbard's office; Hubbard signed the bill into law on June 2, 1851.⁵⁸ Hubbard's decision to sign the law was somewhat surprising to Dow, as the governor had not expressed an opinion on the issue of prohibition previously. The governor, however, decided that the bill had been passed by a legislature and senate comprised of "representatives of the people," meaning that the people themselves must have approved of the bill. Dow later learned that there were some private machinations that nearly prevented the bill from being signed into law: a group of Democrats who had voted for the bill made a last-second visit to Hubbard to urge him to veto it. The representatives claimed to have only voted for the bill because prohibition was strongly supported in

⁵⁷ Dow, *Reminiscences*, 338.

⁵⁸ Dow, *Reminiscences*, 339-343.

their districts and they feared that their constituents would vote them out of office if they publicly came out against the bill. These representatives wished for the governor to solve their dilemma by allowing them to publicly save face while privately killing Dow's liquor bill. Fortunately for Dow and the prohibitionists, this last ditch effort failed.⁵⁹

The new bill contained a number of key provisions that made it stronger than any previous law passed in Maine (or in any other state) up to that date. Among these were a complete ban on all alcohol production or sale except for "medicinal and mechanical purposes and none other" (most previous laws had included an exemption for religious use); mandatory jail time for individuals caught repeatedly trying to sell alcohol; mandatory jail time and fines for anyone caught trying to manufacture alcohol; and various provisions giving law enforcement personnel unprecedented leeway in seeking out and destroying any unauthorized liquor in the state.⁶⁰ The latter was one of the key provisions of the law, as previous laws had only allowed law enforcement authorities to punish those illegally selling or manufacturing alcohol after the fact. Dow's law allowed authorities "to attack the liquor itself" on the theory that, "If there is no rum the drinker cannot drink nor the dealer agitate."⁶¹ Now that Dow finally had his law, he was determined to use the political and legal power of the Portland Mayor's office to launch a war against the evils of "demon rum" and any and all participants in the liquor trade.

Dow launched his offensive against liquor in Portland on June 5, 1851, publishing a notice in the Portland daily papers informing liquor dealers that they should get rid of their supplies of alcohol promptly if they did not wish to be prosecuted under the new

⁵⁹ Dow, *Reminiscences*, 341-342.

⁶⁰ Dow, *Reminiscences*, 345-353.

⁶¹ Central Executive Board of the Massachusetts State Temperance Convention, *The Maine Law: Its Constitutionality, Successful Operation and Good acceptance* (Boston: Printed and Published by George C. Reed, 1851), 11.

law. The notice signaled Dow's intention to give merchants with existing liquor stocks time to dispose of them by shipping them out of state while it simultaneously threatened immediate retribution if any dealer was found trying to sell off liquor locally.⁶² Dow's first opportunity to follow through on his threat came on June 12th, as a city marshal informed him that he had proof that a liquor-seller had sold some rum. Dow ordered the seller's liquor confiscated and accompanied three police officers to the dealer's shop in order to oversee the seizure of his liquor stores.⁶³

Similar scenarios played out in smaller towns across the state as local government officials and liquor merchants generally complied with the law. In late June the Bath City Board of Aldermen passed a resolution decreeing "that the mayor be instructed to give notice to dealers that the act for the suppression of drinking houses and tippling shops will be enforced."⁶⁴ By early July the *Waterville Eastern Mail* (a supporter of prohibition) published an editorial declaring "that the new law for restraining the rum traffic seems to be growing in public favor, especially in sections where it has been enforced."⁶⁵ At least in the towns and urban centers of Maine, Dow's law appeared to be working, as most of those involved in the liquor trade went along with the new prohibitions.

Because of events and sentiments such as these, according to Dow, the law was an immediate success, and by the end of the summer he claimed that the law and its enforcement had closed almost all of the major liquor merchants in Portland, though even Dow admitted that traffic continued among underground dealers and smugglers (a trade

⁶² Dow, *Reminiscences*, 365.

⁶³ Dow, *Reminiscences*, 378-379.

⁶⁴ *Waterville Eastern Mail*, June 26, 1851.

⁶⁵ *Waterville Eastern Mail*, July 10, 1851.

which Dow attributed primarily to Portland's Irish community).⁶⁶ Dow bragged about this success and hinted at the dissenting nature of Irish immigrants in a quarterly mayoral report issued in September 1851, writing:

At the time of its passage, there were supposed to be in this city from 200-300 shops and other places where intoxicating liquors were openly sold to all comers. At the present time, there are no places where such liquors are sold openly, and only a few where they are sold at all....These places, with no—possibly two—exceptions, are of the lowest character....The shops which I allude to, are kept almost exclusively by foreigners, and the few persons who are now brought to the lockup in the watch house, are the customers of those places, and are themselves foreigners, almost without exception.⁶⁷

This passage highlights the self-congratulatory nature of Dow's crusade: only four months after the law's passage he had already proclaimed it a complete success, with only a few exceptions apparent which Dow attributed to the "foreign" presence in his city.

Despite Dow's dismissal of their significance, the Irish comprised a large and growing segment of Portland's population at this time: 11% of the city's residents identified themselves as foreign-born Irish in the 1850 census (a figure that does not include the many second and third generation Irish who resided in the city at this time).⁶⁸ Most of these immigrants were poor, unskilled laborers (72% of Irish immigrants living in Cumberland County identified themselves as such in the 1850 census) and they tended to congregate in urban areas where their actions were more easily noticed by Dow and other city officials.⁶⁹ The economic situation and settlement patterns of the Irish population in Portland helped exacerbate tensions between the immigrants and

⁶⁶ James H. Mundy, *hard times, hard men: Maine and the Irish 1830-1860* (Scarborough, Maine: Harp Publications, 1990), 89-90.

⁶⁷ Neal Dow, *Quarterly Report of the Mayor of Portland* (Portland: Published by the Mayor's Office, September 1851).

⁶⁸ Mundy, *hard times, hard men...*, 79-80.

⁶⁹ Mundy, *hard times, hard men...*, 20-21.

temperance-minded civic leaders, as many poor laborers saw illegal liquor sales and manufacturing as a great way to supplement their meager incomes. This trade proved especially seductive when Dow's increased enforcement resulted in higher prices for those who could successfully evade capture.⁷⁰ Increasing the visibility of Irish opposition was the fact that many Irish workers could only afford low quality liquor sold in underground saloons and bars, a fact which made them a much easier target than established citizens who could safely enjoy a few glasses of brandy in the comfort of their offices or homes.⁷¹

It is worth delving deeper into the role the Irish played in the overall national political scene at this time to show why the new immigrants tended to antagonize Dow (and vice-versa). Neither national party was particularly welcoming towards Irish immigrants. However, the Democrats tended to be much more tolerant of the new arrivals than were the Whigs, who feared that the foreignness of the Irish (and of other immigrants) might corrupt the great American experiment in moral and economic improvement. Indeed, many Whig prohibition reformers who campaigned against the "invasion" of the mind and body by alcohol used that same metaphor to rally against what they saw as an invasion of America by Irish Catholics. Furthermore, many reformers at this time were active in both the temperance and nativist movements, leading to a common fear of Irish infiltration shared between the two groups. As one historian explains: "Just as the nativist American Republican party...warned Protestants to arm in preparation for a violent uprising of Catholics in favor of papal invasion, temperance activists imagined that immigrants were ready to throw their support behind a

⁷⁰ Mundy, *hard times, hard men...*, 99-100.

⁷¹ Mundy, *hard times, hard men...*, 100-101.

government led by the liquor trust.”⁷² As a Whig, Dow was already predisposed to distrust the Irish: as a prohibition man, it was highly likely that the mayor would butt heads with these new arrivals at some point in the near future. Indeed, as will be seen, Dow’s ongoing battle for prohibition in the 1850s was, to a great extent, a battle between Dow and Portland’s Irish population.

Despite the activities of the Irish and the illicit underground, in late 1851 the prohibition law appeared to be working as Dow and his supporters had claimed it would. In a letter to the Portland City Board of Aldermen in January 1852, Dow highlighted a number of encouraging trends which he attributed to the enactment and enforcement of the liquor law. Among these were a dramatic decline in those committed to the city watch-house (152 for the second half of 1851, compared with 332 for the second half of 1850, before the law passed); a general increase in overall commerce in the city; and a decrease in the number of requests for assistance received by local aid agencies.⁷³

These reported successes made Dow nationally famous, as like minded civic officials hoped to replicate Dow’s results in Portland in their own cities and states. Similarly minded temperance groups organized conventions around the country with the hopes of passing something like the Maine Law in their own states: one Vermont convention was quoted in a January 1852 newspaper as passing a motion resolving that, “we know but one attempt at legislation against this immense evil which has not proved itself to be essentially defective; and we turn to that law—the law of Maine—as our only

⁷² Quote and discussion of the invasion metaphor in Elaine Frantz Parsons, *Manhood Lost: Fallen Drunkards and Redeeming Women in the Nineteenth-Century United States* (Baltimore: The Johns Hopkins University Press, 2003), 128-129

⁷³ Neal Dow, “Operation of the liquor law in Portland,” *Maine Temperance Watchman*, Vol. 1 No. 23, Jan 17, 1852.

hope in this emergency.”⁷⁴ Another Vermont paper reprinted a speech given by Reverend Elder Peck (a close friend of Dow) at a temperance convention in New York hailing the success of the Maine Law. In the introduction to the speech the paper wrote, “there are some ideas advanced in this speech which certain politicians in this latitude might ponder upon with profit.”⁷⁵ The so called “Maine Law” movement would grow in popularity and strength across the northern United States in the next few years, especially in the other states in the North East with similar political inclinations to Maine, such as Massachusetts and New Hampshire.

Dow enthusiastically supported these attempts in other states to pass laws based on the Maine law. In particular, Dow pushed for the passage of a version of the Maine Law in Massachusetts, communicating continually with Edwin Jackson, a friend and a leader of that state’s temperance movement. In 1851 the Massachusetts State Temperance Convention (which counted Jackson as a member of its Executive Board) had published a pamphlet highlighting the success of the Maine Law that included testimonials by Dow and other prominent Maine citizens. Among the more interesting portions of the pamphlet was a section that put forward questions that citizens might have about the Maine Law: these questions were then answered by Dow and other citizens. A typical question and answer was as follows: “Has the law been in any way mingled with political party movements, or is this likely to occur?” Dow’s response to this question read, “No political party dare say a word against the law; death to such party would follow.”⁷⁶ Dow’s hubris won him support from temperance reformers across the country.

⁷⁴ “The Temperance Demonstration,” *Barre Gazette* (Vermont), Jan 30, 1852.

⁷⁵ “Temperance,” *The Semi-Weekly Eagle* (Brattleboro, Vermont), Sept 29, 1851.

⁷⁶ Central Executive Board of the Massachusetts State Temperance Convention, *The Maine Law...*, 11.

At the same time, however, it made him a high profile target in the eyes of anti-prohibitionists, as Dow was becoming synonymous with the prohibition cause.

The virulence with which Dow pursued his crusade against liquor is shown in some of his personal letters to Edwin Jackson from this period. In one from January 1852, Dow responded very negatively to an earlier Jackson letter mentioning Jackson's decision to insert a religious exemption into Massachusetts's version of the Maine Law, writing: "I am sorry you are leaving religious purposes in your bill...it will in my judgment weaken its moral power amazingly. The whole thing is based on the idea that intoxicating liquors and wines are the devils drink...and what drunkards and rowdys [sic] find it hard that they can't have what is good for religious purposes?"⁷⁷ When Jackson's law was later made even more tame in a legislative committee, Dow recommended that he scrap the effort completely, writing: "I received today...a copy of the Bill, with the amendments, as the Senate calls them...I had only a moment before the closing of the return mail, to write a line...expressing the opinion that you had better let the bill die, than to adopt it in mutilated form."⁷⁸ These letters reflect Dow's vision of the anti-liquor crusade as an all or nothing moral war: any exemption to his bill had to be treated as a dangerous loophole that could potentially undo all the social good his law was supposed to be creating.

Dow's growing nationally popularity led him to travel far and wide during his first term as mayor of Portland as he basked in the recognition of the national temperance community and campaigned in support of other local prohibition movements across the

⁷⁷ Neal Dow to Edwin Jackson, January 12, 1852, Portland, in Neal Dow Papers, George J. Mitchell Special Collections, Bowdoin College, Brunswick, Maine. (Note: underlines in quote are included in Dow's letter).

⁷⁸ Neal Dow to Edwin Jackson, March 6, 1852, Portland, in Neal Dow Papers, George J. Mitchell Special Collections, Bowdoin College, Brunswick, Maine.

country. In February 1852, Dow attended a banquet in New York thrown in his honor by the National Temperance Society of the United States. Among those present were Horace Mann, who hailed Dow as “the moral Columbus,” and the society’s president, General Sam Houston of Texas. Not to be outdone, the American Temperance Union commissioned author John Marsh to write a biography hailing Dow as a national hero. As one passage typical of the book’s general attitude states:

With the meekness of a Christian philanthropist and the firmness of a Roman warrior, Mr. Dow stands at his post, discharging daily his important duties and witnessing the fulfillment of his long cherished hopes, not only in the city over where he presides but over his beloved state.⁷⁹

Dow thanked the temperance community for all of this positive publicity and recognition by making numerous speeches at meetings with local temperance leaders around the Northeast in late 1851 and early 1852.⁸⁰

National temperance organizations also took advantage of Dow’s popularity by publishing pamphlets written by local moral leaders extolling the benefits of Dow’s law. One pamphlet typical of this style was authored by Albert Barnes, a leading temperance advocate from Philadelphia. In the pamphlet Barnes critiqued most previous temperance laws as erroneous because they had attempted to moderate the evil of drinking instead of banning alcohol outright. Barnes took issue with this more limited approach because he believed that any attempt to regulate or moderate an evil through legislation would inevitably be perverted and would help propagate the very evil the law was trying to

⁷⁹ John Marsh, *The Napoleon of Temperance: Sketches in the Life and Character of the Honorable Neal Dow, Mayor of Portland, and author of the Maine Law*, (New York: American Temperance Union, 1852), 14.

⁸⁰ Byrne, *Prophet of Prohibition...*, 48-49.

control.⁸¹ Barnes approved of Dow's Maine Law because it fulfilled his requirement that any attempt to legislate against the evil of drinking must ban it completely if were to be at all successful.⁸² In this pamphlet Barnes also argued against those who disapproved of the Maine Law on personal liberty grounds, making the point that society has the right to protect itself from evil even if removing that evil requires the destruction of private property (as happened to many Maine residents who had their liquor seized and destroyed under Dow's law).⁸³ Barnes concluded by endorsing the Maine Law as an opportunity for society--or at least Pennsylvania--to protect itself "from one of the greatest—if not the very greatest, evils ever inflicted on humanity."⁸⁴

Despite the growing national popularity of Dow and his law, however, many individuals remained opposed to the Maine Law on account of its severity and the ways in which it infringed on the individual rights of Maine's citizens. An article by an anonymous author published in the *United States Magazine and Democratic Review* in May 1852 highlighted some of these concerns, arguing that:

Drinking! Why, does it not belong to the same category with eating, sleeping, walking, fashion of dress, cut of hair, choice of pursuit, amusements, and associates, laughing, crying, sneezing, sweating, and winking?...The freedom of the gullet cannot be distinguished in any classification of rights from freedom of the windpipe, of the heart, and of the brain. To invade the citizen's larder and cellar is to invade his library and his sanctuary. To legislate for his palate is no better than to control his tongue, regulate his thoughts, and explore his conscience.⁸⁵

Clearly some individuals were concerned about Dow's prohibition law infringing on citizen's civil liberties. This article continued by dismissing the principle of the

⁸¹ Albert Barnes, *The Throne of Iniquity, or Sustaining Evil by Law: A discourse in behalf of a law prohibiting the traffic in intoxicating drinks* (New York: American Temperance Union, 1852), 3.

⁸² Barnes, *The Throne of Iniquity*..., 4-5.

⁸³ Barnes, *The Throne of Iniquity*..., 9-15.

⁸⁴ Barnes, *The Throne of Iniquity*..., 20.

⁸⁵ Anonymous, "Arguments Against the Maine Law," *United States Magazine and Democratic Review*, May 1852, in the Annals of American History online database.

legislation of morality, arguing that humans are fallible by nature, and dismissing the idea that government can justly and wisely impose morality on its citizens for their good. Furthermore, the article pointed out that the idea that morality could be legislated relied on the false assumption that governmental officials themselves could be morally incorruptible, which, being human, they definitively could not be.⁸⁶

Other opponents of the Maine Law argued against the more tangible results highlighted by Dow, insisting that the rosy picture of a liquor-free Portland was far from being a reality. One such pamphlet was authored by an anonymous writer from Massachusetts who claimed to be a moderate temperance man: supportive of the overall cause, but eager to see temperance pursued through private methods instead of public legislation. This author questioned the increasingly active role temperance and prohibition advocates were taking in politics and argued that bringing the moral question of temperance into the public sphere destroyed all the moral high ground that temperance advocates could previously claim. Finally, the author attacked Dow's assertions about the success of the prohibition law in Portland itself, writing that he had traveled extensively in Maine since the passage of the prohibition law and found that "intoxicating liquors are as readily obtained...and as extensively consumed...as when the traffic was unrestricted."⁸⁷

Another pamphlet of this type was authored by an individual writing under the pseudonym "Henry Williams," who claimed to have personally worked under Dow as a spy assigned to locate illicit liquor sales from suspected underground dealers in Portland. "Williams" further claimed that when he expressed his moral qualms about lying in order

⁸⁶ Anonymous, "Arguments Against the Maine Law"

⁸⁷ Anonymous, *A resurrection of the Blue-Laws; Maine Reform in Temperate Doses by a primitive Washingtonian* (Boston: William Chadwick, 1852), 14.

to find liquor salesmen, Dow had told him that the “ends justified the means.”⁸⁸ These qualms and the author’s failure to successfully find any liquor dealers (who, he claimed, all easily determined he was a spy) led the author to quit his post and publish the pamphlet exposing Dow’s methods to the world.⁸⁹

The general theme coming out of these competing pamphlets is the idea that, by late 1852, the fight over temperance in Portland, across the state, and across the nation had become increasingly bitter and divided as proponents and opponents of prohibition fought over the all or nothing nature of the Maine Law. Because of his national recognition as a leading prohibition figure and his continued national lobbying for his law, Dow had transformed himself into a symbol for temperance. As such, he became a lightning rod for the prohibition debate, a man whom individuals either despised or glorified, depending on their view of the issue. Indeed, Dow was even burned in effigy (along with then Governor George S. Boutwell of Massachusetts, also a temperance advocate) on Boston Common in the late spring of 1852, proof that even outside Maine people identified Dow as one of the leading figures in the anti-liquor cause.⁹⁰ Dow’s uncompromising personality contributed to his notorious status, as his “with us or against us” attitude sharply divided his supporters and detractors.

Moreover, back at home, Dow faced increasingly intense local opposition to his zealous enforcement of the liquor law as his first term as mayor progressed. As early as July 1851 (less than three months after he had taken office), pamphlets appeared critiquing Dow’s methods of enforcement. One such example proclaimed the 4th of July

⁸⁸ Henry Williams (pseudo), *Confession from Neal Dow’s Carpet Bag: Divulging Interesting Information of the machinery of the Maine Liquor Law* (Boston: Henry Williams, 1852), 5.

⁸⁹ Williams, *Confession from Neal Dow’s Carpet Bag*..., 6-7.

⁹⁰ *New Hampshire Patriot and State Gazette*, June 2, 1852.

1851 as a day of celebration “by order of Deal Now, Committee of Pimps...” and promised a program of “the Right worshipful of the Great I, mounted on a jackass, holding in his hand a certain marshal” (references to Dow’s enforcement brigades).⁹¹

Other local opposition manifested itself in a less humorous and more practical manner, especially over the issue of Dow’s intrusive searches for hidden contraband. In January 1852, Dow authorized city officials to make regular searches of boats and trains entering Portland even though his law contained no authorization for this measure.⁹² This practice hurt some of Portland’s merchants and businesses: in an April 1852 letter published in the Portland *Eastern Argus* (a Democratic-leaning newspaper) a merchant from New Hampshire wrote that he and many of his fellow merchants had stopped shipping their goods through Portland even though it was cheaper than other routes because the searches ordered by Dow damaged and needlessly held up their goods.⁹³ Other letters from earlier in the month from Portland merchants had expressed a similar sentiment, calling for Dow’s removal because his enforcement of the liquor law was hurting Portland businesses.⁹⁴ In a letter of response Dow blamed some of these seizures on the fact that, in the past, sealed boxes containing alcohol headed to New Hampshire through Portland had been taken off of trains by Irish laborers before reaching the border. These workers then illegally resold the contraband alcohol in Maine, circumventing Dow’s inspections in Portland.⁹⁵ Seeking to capitalize on the growing unrest with Dow’s administration and enforcement tactics, the Democrats nominated

⁹¹ *A Spurious Celebration*, handbill from the Maine Historical Society archives printed in Mundy, *hard times, hard men...*, 179.

⁹² Citizen’s Committee, *Review of the Testimony Taken Before the Second Inquest on the Body of John Robbins*. (Portland: Bearce, Starbird, Rich, and Co., 1855), 3

⁹³ J.B. Brown, Letter to the *Portland Eastern Argus*, April 15, 1852.

⁹⁴ *Portland Eastern Argus*, April 2, 1852.

⁹⁵ *Portland Eastern Argus*, April 5, 1852.

Albion K. Parris, a former governor, congressman, and judge, to oppose Dow in the April 1852 mayoral elections.

It is important to pause here to distinguish between the growing unrest with Dow and the wide support the prohibition law still enjoyed. Despite the pamphlets cited above, most Mainers viewed the law positively. It decreased crime and positioned Maine as a moral leader in the nation. Indeed, proof of this support is found in the pro-liquor law stance of Dow's opponent, Albion Parris. Parris promised to continue to enforce the Maine Law but vowed to do it in a less intrusive manner than had the previous administration.⁹⁶ Closing saloons and citing large-scale liquor salesmen was one thing, but breaking into merchants' goods in order to search for illicit alcohol was too much for many citizens to stomach.

Dow tried to argue that only he had the moral fiber to effectively enforce the law.⁹⁷ However, this charge was dismissed by the Democrats, who rhetorically asked voters why Dow was really needed if the law was as logical and morally straightforward as the temperance men claimed. As the Democratic-leaning *Eastern Argus* explained:

If the law has not merit enough to stand by itself, [Dow] cannot sustain it....The value of the law is not in him....His system of executing it is only part of his own, and that has been, whether rightfully or wrongfully, constantly attacked and never successfully defended, as a system odious and oppressive, sustained by secret political societies, by hired spies and purchased witnesses, and in its results, of most doubtful legality and validity."⁹⁸

Final proof that most Portland residents responded favorably to the Democrats' promise of moderate enforcement of the prohibition law is found in the results of the 1852 Mayoral election: Dow went down in defeat, earning only 1400 votes to Parris's 1942.

⁹⁶ *Portland Eastern Argus*, March 30, April 2, April 3, 1852.

⁹⁷ *Portland Eastern Argus*, April 3, 1852 (quotes *Portland Advertiser* from the previous day).

⁹⁸ *Portland Eastern Argus*, April 3, 1852.

Despite the genuine opposition to Dow's overaggressive enforcement of the Prohibition Law, Dow predictably blamed his defeat on vague conspiracies and other supposedly uncontrollable factors. In his autobiography, for example, Dow accused Boston liquor sellers and foreign immigrants of stealing the election from him, pointing out that the Democrats had turned out an abnormally large vote (nearly double what his competitor had achieved the previous year). Dow also highlighted the fact that there were widespread allegations that naturalization papers were acquired in Boston and illegally given to immigrants in Portland who overwhelmingly voted for Dow's opponent.⁹⁹ Despite these concerns and allegations, Dow left office peacefully and his law remained in place. As the *Eastern Argus* explained two weeks after the election: "It is proper here to repeat...that the merits of the Maine liquor law were not, in any sense, involved in the [election] issue. Large numbers in its favor, voted for Mr. Parris, as a known and publicly avowed temperance man."¹⁰⁰ Dow continued to advocate for prohibition and continued to play an active role in Maine politics in the years ahead.

Newspapers in states as far away as Texas and Virginia also published accounts of the 1852 mayoral race, a reflection of both national interest in the prohibition debate and national recognition that Dow was a leader of the movement. The *Richmond Whig* commented that, "the Maine Temperance Law has received sundry severe blows recently...its originator, Mr. Neal Dow, has been defeated as Mayor of Portland," and noted that, "the law contains provisions which cannot be enforced without violating personal freedom to an extent not to be endured."¹⁰¹ Closer to home, the *New Hampshire Patriot and State Gazette* concluded that, "a few more such results will teach the federal

⁹⁹ Dow, *Reminiscences*, 425-426.

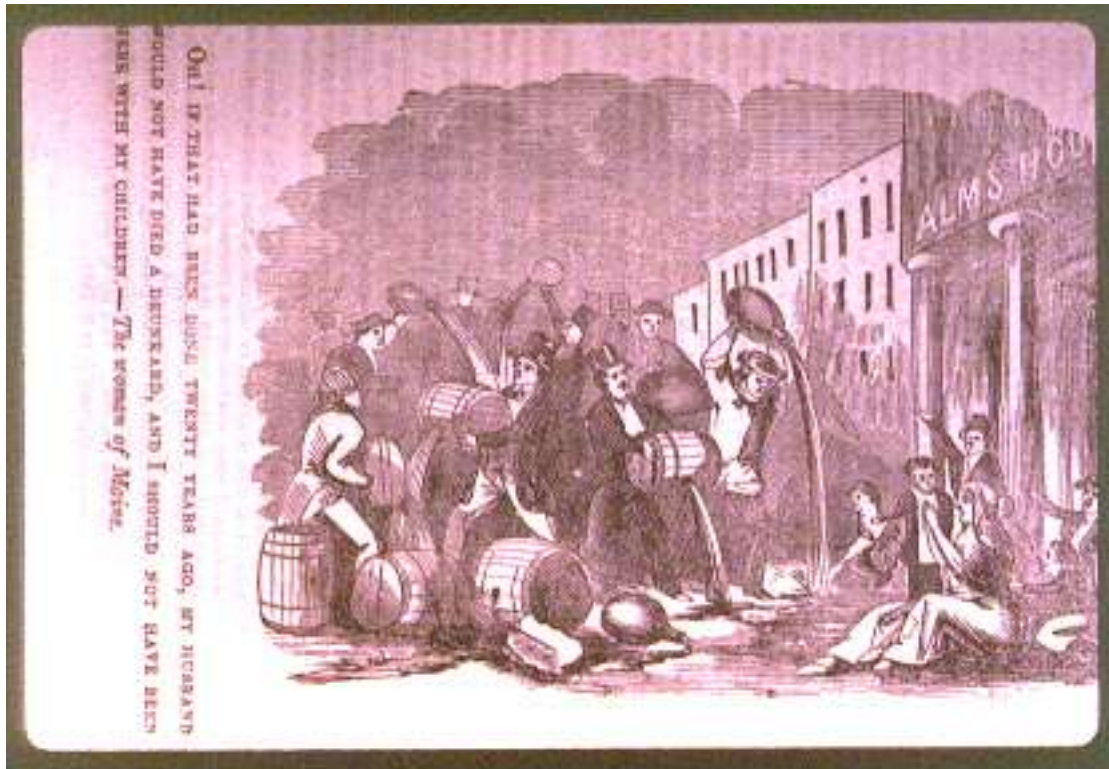
¹⁰⁰ *Portland Eastern Argus* quoted in *Waterville Eastern Mail*, April 22, 1852.

¹⁰¹ *Richmond Whig* quoted in the *Galveston Weekly Journal*, May 21, 1852.

and abolition factions that nothing is to be made by mixing up the temperance question with politics.”¹⁰² Despite his defeat, the firebrand from Portland remained nationally identified as the leader of the prohibition movement. Dow may have lost this particular battle, but he tenaciously vowed to continue the war.

¹⁰² *New Hampshire Patriot and State Gazette* [Concord], April 14, 1852

Chapter Three: Party Realignment and the National Fight for Prohibition, 1852-1855



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A dramatic portrayal of prohibitionists emptying liquor into the streets. The caption reads: “Oh! If that had been done twenty years ago, my husband would not have died a drunkard, and I should not have been here with my children” and is signed by “the women of Maine.”

¹⁰³ Unknown illustration in support of prohibition, accessed online at <<http://www.assumption.edu/ahc/Dow1829oration.html>>.

The three year period following Dow's electoral loss in 1852 witnessed a great transformation in both the local, state, and national political scenes. For twenty five years preceding the early 1850s, national politics had been dominated by the competition between the Whigs and the Democrats. Dow's Whigs had been the party of economic progress and strong national government, while the Democrats had generally represented rural and state interests and those concerned with keeping the federal government as small as possible. These issues framed political debate throughout the 1830s and 1840s; however, with the dawn of the 1850s (and especially the presidential election of 1852), two issues greatly complicated the political fray: abolition and prohibition.

These issues had been around for years before the 1850s and were especially visible in the New England states where the spirit of moral improvement was strongest. Nonetheless, the passage of Dow's Maine Law and the Compromise of 1850 (and the subsequent passage of the Kansas-Nebraska Act in 1854) forced the issues of temperance and slavery into the mainstream of national political discourse. The divisive nature of the Maine Law has already been discussed, but the Compromise of 1850 had a similar—indeed, in most states, greater—disruptive effect on politics. By admitting Texas as a slave state, allowing for the possibility of slavery in the newly created New Mexico territory, and requiring that northerners (even ones strongly opposed to slavery) help return fugitive slaves to their owners in the South, the Compromise of 1850 had reignited the debate over slavery. All-or-nothing abolitionists campaigned hard against the Compromise because they viewed it as unwanted extension of a great evil. Meanwhile anti-abolitionists demanded that the abolitionists stop agitating against what they saw as issue to be decided locally by individual states. Prohibition advocates from the North

like Dow tended to support the abolitionists (though not unanimously), seeing slavery as a moral evil in the same way they viewed alcohol as a moral evil.

Further complicating the 1850s political scene was the emergence of nativism as a national issue. Like slavery and prohibition, nativism had been around for a long time, but a wave of German and Irish immigrants in the 1840s caused many Americans to become concerned about the intrusion of “foreign” ideas and culture into the United States. Many Whigs were especially worried about the new arrivals’ Catholicism and poverty, as they feared that these traits would hurt their overall campaign of moral and economic improvement. This fear caused some individuals with especially strong nativist sentiments to form the Know-Nothing Party in the mid-1850s, after it became clear that the national parties were unable to make any progress towards resolving the immigration issue.

The increased prominence of these three issues tested the traditional parties greatly, as activists like Neal Dow were quite willing to cross party lines if they felt that a candidate was more likely to strongly support their preferred cause. Indeed, the very existence of the Democrats and Whigs was challenged in the 1850s, as questions arose as to whether or not either of the parties could come to a consensus on these divisive issues and remain viable as national parties. Indeed, by the middle of the decade, the Second Party System came to an end as the Whig coalition fractured entirely and the Democrats split along largely sectional lines. Supporters of abolition, prohibition, and nativism, most of whom previously identified as Whigs but some of whom (especially in the North) had considered themselves Democrats, coalesced and formed the new Republican Party,

which found itself opposed by a Democratic Party that had lost nearly all of its pro-prohibition and pro-abolition members.¹⁰⁴

In Maine these issues began to play out during the lead up to the 1852 governor's election, as Dow and other strong prohibitionists threw their support behind the incumbent Democratic governor John Hubbard, a strong supporter of prohibition and an opponent of the Compromise of 1850. It might be somewhat surprising for a Democrat to agree with Dow on the issues of prohibition and slavery, but Dow's endorsement of Hubbard illustrates the difficulties surrounding the national parties at this time, as these issues drew both support and opposition from Whigs and Democrats alike. The race pitted Hubbard against two other primary candidates: William Crosby, a Whig and mild supporter of prohibition; and Anson P. Chandler, a Democrat who opposed the Maine Law and strongly supported the Compromise of 1850.¹⁰⁵ Dow's endorsement of Hubbard was therefore quite important in an increasingly chaotic Maine political scene, where many pro-temperance and pro-abolition Whigs decided to support the Democrat Hubbard because of his stance on prohibition and his opposition to the Compromise of 1850 as an unwelcome extension of slavery. Simultaneously, many anti Maine-Law and anti-abolitionist Whigs chose to support Chandler as party lines in Maine and across the country disintegrated over the issues of slavery and prohibition.¹⁰⁶

The end result of the campaign was that Hubbard won the popular vote over Crosby and Chandler. Out of more than 93,000 votes cast, Hubbard received 41,999, nearly double the votes received by his closet competitor, the anti-Maine Law Democrat

¹⁰⁴ For a general discussion of American Politics during this period, see William Gienapp, *The Origins of the Republican Party 1852-1856* (New York: Oxford University Press, 1987), 13-69.

¹⁰⁵ Dow, *Reminiscences*, 437-438.

¹⁰⁶ Dow, *Reminiscences*, 437-441.

(Chandler) who received 21,774 votes.¹⁰⁷ However, in what was a familiar story in Maine during this period, Hubbard did not reach the 50% threshold required to be directly elected to the governor's office. Maine election law stipulated that in the event the popular election failed to provide a candidate with 50% of the vote, the task of electing a new governor would fall to the State House and Senate. Each member of the house could vote for two of the four highest polling candidates; the two highest vote getters in this round of voting would be submitted to the Senate, which would then choose one of these two finalists as the new governor.¹⁰⁸ The house contained a majority of Democrats, suggesting that the two Democratic candidates (Chandler and Hubbard) among the top four vote getters should have been sent to the Senate if all of the representatives voted strictly on party lines. However, because of the split nature of the Democratic Party, the anti-Maine Law Democrats switched their votes to the Whig candidate, William Crosby, to give Hubbard a better chance of being defeated in the Senate. This move proved to be prescient, as a few anti-Maine Law Democrats in the Senate switched to the Whig side and voted for Crosby, delivering him the governorship despite Hubbard's domination of the popular vote.¹⁰⁹ Dow was furious at the result of this election, pointing out that the Democrats who voted for Crosby "loved their party less than they hated Prohibition" (an ironic statement considering Dow's own support of a candidate who did not belong to his party). Dow concluded his analysis of the election by offering a witty comparison of the effects of alcohol on individuals and on politics,

¹⁰⁷ Wescott, *New Men, New Issues...*, 98.

¹⁰⁸ Wescott, *New Men, New Issues...*, 98-99.

¹⁰⁹ Dow, *Reminiscences*, 445-447.

observing that, “Thus had liquor wrought the same havoc in the Democratic party of Maine that is has in many another once united family.”¹¹⁰

Over the next two years these issues became the new dividing wedge in Maine politics: previous party alignments seemed to count for nothing as voters crossed party lines to support candidates whose views on slavery, nativism, and prohibition best reflected their own. Needless to say, political commentators were perplexed by this new development, as one newspaper explained: “The Maine-Law question has caused such a derangement of parties as to make it difficult to draw any conclusion what-ever from the votes....”¹¹¹

Despite the political setback of Hubbard’s defeat, Dow continued to promote the Maine Law in a number of locales all over the country through speaking tours and letters. The issue of his earlier mayoral defeat was brought up by some who used it to question the desirability of the Maine Law: if the law was so great, how come Dow had been voted out of the mayor’s office? Dow’s supporters in Massachusetts (where the legislature was deliberating on its own version of the Maine Law) responded to these queries by issuing a statement distancing the question of the effectiveness of the Maine Law from Dow’s defeat by highlighting the support the Maine Law received among Dow’s political opponents in Maine. These supporters admitted that Dow might have “gone beyond the law in stringent measures, and especially in searching for liquors *in transitu*,” but they upheld the Prohibition Law as something that at a vast majority of Mainers supported and enjoyed.¹¹² Dow’s 1852 mayoral election loss may have hurt his ability to directly

¹¹⁰ Dow, *Reminiscences*, 447.

¹¹¹ Unnamed paper (probably the *Portland Eastern Argus*) quoted in Dow, *Reminiscences*, 440.

¹¹² State Temperance Committee (Massachusetts), *To the members of the Massachusetts Legislature* (Boston: Printed at the Office of the *Massachusetts Life Boat*, 1852).

enforce his law in Portland, but it did not diminish his ability to advocate on behalf of prohibition and on behalf of political candidates who supported it.

In 1853, Dow returned to the local political scene to lobby hard for a strengthened version of the Maine Law, which was being deliberated on by the new House and Senate at the beginning of that year's legislative session. Among the more controversial aspects of this bill were a clause allowing warrants to be issued to search any premises or property if three people claimed that liquor was present (a streamlining of the search and seizure clause of the earlier bill) and a clause stating that alcohol possession by a merchant was proof in of itself that a sale had taken place at some point.¹¹³ Despite the conflict during the 1852 governor's election, the law easily passed the House and Senate, as various officials expressed their opinion that large numbers of Mainers endorsed the law. As legislator George P. Sewall (a Democrat who had voted against the original 1851 prohibition law) explained: "I shall vote for the bill...I believe a majority of this house are in favor of the Maine Law; I believe four-fifths of the people will vote for the law if submitted to them."¹¹⁴ The support the bill enjoyed in the House and Senate reflected the large support given to pro-prohibition candidates during the governor's election, as 70,000 votes out of 90,000 were cast for candidates who expressly endorsed the Maine Law (with Chandler being the only major candidate to come out against the law).¹¹⁵ The strengthened Maine Law was signed into law by Governor Crosby on March 31, 1853.¹¹⁶

¹¹³ Maine State Legislature, *Laws for the Suppression of Drinking Houses*, (Augusta: William T. Johnson, 1853), 15-16; 22-24.

¹¹⁴ Dow, *Reminiscences*, 450-451.

¹¹⁵ Dow, *Reminiscences*, 442.

¹¹⁶ Dow, *Reminiscences*, 451-452.

Despite the successful passage of the tough new liquor law co-authored by Dow, there were signs that he had in fact overestimated the importance of prohibition to Maine voters and the overall support the Maine Law enjoyed during this period. During the 1852 election Dow had also campaigned hard for the Whig Candidate for President, Winfield Scott, and expected that Scott's support for prohibition and for restrictions on slavery would lead the candidate to an easy victory in the New England states where those issues enjoyed their strongest support. As Dow explained in a letter to Senator William H. Seward (a leading Whig from New York): "The Temperance feeling is strong throughout all the free states...the voters of many of them, will turn upon that point. With that fact properly established, Scott will certainly carry Maine, and probably New Hampshire."¹¹⁷ Dow's hopes aside, the presidential election of 1852 was one of the biggest landslides in American political history, as the Democratic candidate Franklin Pierce carried all but four states, including Maine and New Hampshire. Dow's support for prohibition blinded him to other issues: the Maine Law did enjoy wide support, but most voters did not support candidates solely on the basis of whether they were pro-or anti-prohibition. Furthermore, the fighting over the Compromise of 1850 had scared many moderate voters, who wished to go back to "politics as usual" and supported Pierce because he promised to keep the slavery issue on the back burner. Dow's single-minded focus on prohibition caused him to assume that voters sympathetic to prohibition would automatically support a prohibition candidate, while in reality most voters chose Pierce based on his overall moderation and popularity, despite his anti-prohibition stance.

¹¹⁷ Neal Dow to William H. Seward, September 25, 1852, Neal Dow Papers, George J. Mitchell Special Collections, Bowdoin College, Brunswick, Maine

After the hard campaigning on behalf of Winfield Scott in 1852, Dow embarked on a speaking tour across the eastern United States and Canada during the first few months of 1853, journeying as far north as Quebec, as far west as Illinois, and as far south as Virginia.¹¹⁸ During this tour Dow spoke at temperance meetings and rallies, typically addressing the benefits of the Maine Law as seen in his home state and urging those present to push for the passage of similar laws in their own states.¹¹⁹ The campaigning of Dow and other activists on behalf of prohibition laws proved at least somewhat successful: by the end of 1853 Vermont, Rhode Island, and Massachusetts had passed anti-liquor laws similar to Maine's, and Michigan and the Canadian province of New Brunswick had passed laws greatly restricting the sale and manufacture of alcohol.¹²⁰ The labors of Dow and other prohibition activists continued to prove successful over the succeeding years: by 1855 Connecticut, Delaware, Illinois, Indiana, Iowa, Nebraska, New Hampshire and New York had also passed statutes modeled on the Maine Law.¹²¹

Close to home Dow stayed active politically as well in 1853, so much so that his supporters nominated him to be the possible Whig candidate for Mayor of Portland again in April of that year. The official nomination meeting descended into chaos, however, because delegates split over the issue of Dow's character: many Whigs were virulently opposed to Dow's nomination because of his lack of party loyalty and because of the zeal with which he had enforced the Maine Law during his first term in office.¹²² As a result of the chaos generated during the nomination meeting, the decision was deferred until a

¹¹⁸ Byrne, *Prophet of Prohibition...*, 53.

¹¹⁹ Dow, *Reminiscences*, 456-460.

¹²⁰ Byrne, *Prophet of Prohibition...*, 54.

¹²¹ Novak, *The People's Welfare...*, 179.

¹²² Dow, *Reminiscences*, 461-463. Byrne, *Prophet of Prohibition...*, 54-55.

later date when a larger group of party members could meet to vote on a potential candidate. This subsequent “citizen’s meeting” chose to nominate James B. Cahoon, the city’s mayor from 1849-1850 and a supporter of the Maine Law. Clearly prohibition continued to enjoy considerable support in Portland, even if Dow’s popularity was less certain. Cahoon would go on to win the next two elections and served until 1855.¹²³

Despite Dow’s failure to secure the Whig nomination for mayor of Portland in 1853, he (and his law) continued to be the subject of numerous attacks in the local press. Dow’s national fame had not declined, and he still provided his enemies with a large and vocal target. Writer John Neal was one of Dow’s most vocal critics (despite being Dow’s cousin), attacking him repeatedly in local newspapers: in September 1853 the Democratic-leaning *State of Maine* reprinted an earlier letter from Neal that alleged that there was “now more intemperance and more drinking [in Portland] than at any other time for twenty years.”¹²⁴ The letter was picked up by a number of newspapers around the country as proof that the Maine Law did not actually work, an attack which Dow’s supporters parried by circulating various letters and petitions denying Neal’s allegations as “miserable representations concerning the operations of the Maine Law.”¹²⁵

The political turmoil in Maine (and nationally) continued throughout 1853 and 1854 as the Whigs and Democrats continued to squabble over the issues of prohibition and slavery. The 1853 Maine gubernatorial election again saw a split vote as the incumbent Whig, Crosby, ran against Anson Morrill, supported by Dow and the pro-Maine Law Democrats; Albert G. Pillsbury, supported by the anti-Maine Law Democrats,

¹²³ Dow, *Reminiscences*, 55.

¹²⁴ *State of Maine*, September 3, 1853, in Byrne, *Prophet of Prohibition...*, 55.

¹²⁵ W.H. Hadley, *Facts from Maine!! John Neal’s Charges Refuted!* (Portland: Office of the Ministry at Large), September 6, 1853, in the *American Broadsides and Political Ephemera* Online Archive.

and Ezekiel Holmes, the Free-soil (strongly abolitionist) candidate and a strong supporter of the Maine Law.¹²⁶ Pillsbury was the leading vote getter but did not reach the 50% threshold required for direct election, again throwing the vote to the House and Senate, which again elected Crosby as governor. More important than Crosby's reelection, however, was the fact that many pro Maine-law men began to realize that the splitting of the Maine Law vote among many candidates from different parties was hurting their cause and greatly increased the chances of an anti-prohibition candidate reaching office despite the overwhelming popular support the law enjoyed.¹²⁷ This recognition helped speed along the break up of the Whig Party in Maine, which collapsed because of the inability of its members to come to an agreement on what the party's stance should be on the slavery and prohibition issues. This collapse also directly led to the formation of the Fusionist Republican Party, which united pro-Maine-law Whigs, Democrats, Free-Soilers, and Know-Nothings under one powerful new party banner. As one local newspaper explained: "The repeal of the fugitive slave law, the restoration of the Missouri Compromise, and the application of the prohibition principle...are, it is evident, to become the rallying cry of a powerful organization in this city."¹²⁸

The need for a new party fusing together the supporters of these various issues was becoming evident on the national stage as well during this period. Many Americans (and particularly New England reformers) became upset with the inability of the traditional parties to get anything done on the issues of abolition, prohibition, and immigration. This frustration manifested itself in the emergence of new third parties:

¹²⁶ Wescott, *New Men, New Issues...*, 110-111.

¹²⁷ Wescott, *New Men, New Issues...*, 108-113.

¹²⁸ Bangor *Whig*, June 16, 1854. In Lewis Clinton Hatch, *Maine: A History*, (New York: The American Historical Society, 1919), 385.

most notable among them the Free-Soilers (who stood against the spread of slavery to the territories) and the anti-immigrant American (more commonly known as the Know-Nothing) Party. These parties were strong enough to win some electoral successes: nationally the Free-Soilers elected two senators and fourteen congressmen in 1848 and the Know-Nothings swept the Massachusetts state electoral elections in 1854. However, the Free-Soilers and the Know-Nothings were too strongly centered on one issue to form the broad coalitions needed to compete in national politics. For this reason their various factions (along with the prohibitionists, who tended to also be pro-abolition and, to a large extent, anti-immigrant) began to coalesce in 1854, forming the new Republican Party.¹²⁹

The first step towards the union of these various factions locally in Maine occurred during the build up to the 1854 state elections. Uniting under the idea that “slavery, rum, and foreigners” were “three allied powers” and represented the “the worst foes of our liberties,”¹³⁰ advocates of prohibition, abolition, and nativism joined forces in order avoid a repeat of the split vote that had complicated their election chances the previous few years. Pro-Maine-Law Democrats and many pro-Maine-Law Whigs supported the strong prohibition candidate, Anson P. Morrill (formerly a Democrat), under the so-called “Fusion” ticket.¹³¹ Joining these factions in support for Morrill was the Free-Soil Party, which declined to submit its own candidate because of the lack of

¹²⁹ For a discussion of the factors at play in the formation of the national Republican Party see the following:

Michael Holt, *Political Parties and American Political Development from the Age of Jackson to the Age of Lincoln* (Baton Rouge: Louisiana State University Press, 1992), 237-265.

Gienapp, *The Origins of the Republican Party...*,

Mark Voss-Hubbard, *Beyond Party: Cultures of Antipartisanship in Northern Politics before the Civil War* (Baltimore: The Johns Hopkins University Press, 2002), 178-215.

¹³⁰ *Kennebec Journal*, December 1, 1854, in William Gienapp, “Nativism and the Creation of a Republican Majority in the North,” *Journal of American History* Vol 72, No 3, 531, in the JSTOR Online Archive.

¹³¹ Wescott, *New Men, New Issues...*, 118-119.

support the party had generated in previous elections, stating at their 1854 convention that, “the signs of the times are auspicious...To elect for governor that incorrupt patriot, Anson P. Morrill.”¹³² This alliance proved successful, as Morrill came a thousand votes short of the majority needed to win outright election but still managed to navigate the Maine state House and Senate successfully to win the governor’s chair.¹³³ Previous party alliances in Maine had been obliterated and replaced, as a newspaper quoted in Dow’s biography makes clear:

It is now a fixed fact that so far as Maine is concerned the old parties are broken up, and they can never be reorganized upon the old issues that once divided them....There is no reason why these men should not continue to act together, indeed there are many cogent reasons why they should hereafter constitute one party....¹³⁴

Indeed, these factions officially fused to form the Maine Republican Party in February 1855, finally providing the prohibitionists--as well as the nativists and the abolitionists--with a party that explicitly supported their cause. The party adopted a platform which condemned slavery, called for a repeal of the Compromise of 1850, strongly endorsed the Maine Law and endorsed legislation designed to prevent immigrants from engaging in political activities.¹³⁵

It is worth highlighting the importance of the Know-Nothings as an element in the formation of the Maine Republican Party, especially because of the role the Irish played in the state’s politics and in Portland specifically. Forming out of the growing nativist sentiment that accompanied increased German and Irish immigration to the United States in the 1840s and 1850s, the Know-Nothings were a secretive organization that drew their

¹³² Edward O. Schriver, “Antislavery: The Free-Soil and Free Democratic Parties in Maine, 1848-1855,” *The New England Quarterly*, Vol 42, No 1, 93.

¹³³ Wescott, *New Men, New Issues...*, 121.

¹³⁴ Unknown newspaper (probably the *Portland Advertiser*) quoted in Dow, *Reminiscences*, 516.

¹³⁵ Wescott, *New Men, New Issues...*, 130.

membership largely from “native-born adult male Protestants who were willing to cast off former party ties...to stand vigil against the enemies of the republic, chief among whom were the Pope and the immigrant.”¹³⁶ In Maine, the party drew its support predominantly from the cities where Irish immigrants were increasingly congregating, especially Bangor and Portland. Because of their identification with the middle-class Protestant elite, many Know-Nothings also supported the cause of prohibition as something necessary to stop the “drinking classes” (of which the Irish were typically considered prominent members). Dow recognized the importance of the Know-Nothings at a very early stage: in a letter to Edwin Jackson in March 1854, Dow wrote admiringly of the effect the new group was having on local politics, writing: “The Know-Nothings...are spreading in Maine, with the purpose of crushing the old political factions....these factions are so thoroughly under the influence of Rum and slavery that nothing good can come from them.”¹³⁷ In his later biography Dow would downplay his affinity for the Know-Nothings, but admitted that they played a large role in the election of Governor Morrill in 1854, writing that “opposition to the Democracy was in the saddle of the order, and just prior to the election its endorsement of Mr. Morrill was secured, much to the disgust of the Democratic contingent.”¹³⁸ By the time Dow was writing these words fifty years later the Know-Nothings had become associated with bigotry and Dow distanced himself from their support, but at the time Dow hailed the fact that the organization was a natural ally of the prohibitionists because of their opposition to the (perceived) hard-drinking Irish.

¹³⁶ John R. Mulkern, *The Know-Nothing Party in Massachusetts: the Rise and Fall of a People's Movement* (Boston: Northeastern University Press, 1990), 61.

¹³⁷ Neal Dow to Edwin Jackson, March 24, 1854, Neal Dow Papers, George J. Mitchell Special Collections, Bowdoin College, Brunswick, Maine

¹³⁸ Dow, *Reminiscences*, 514.

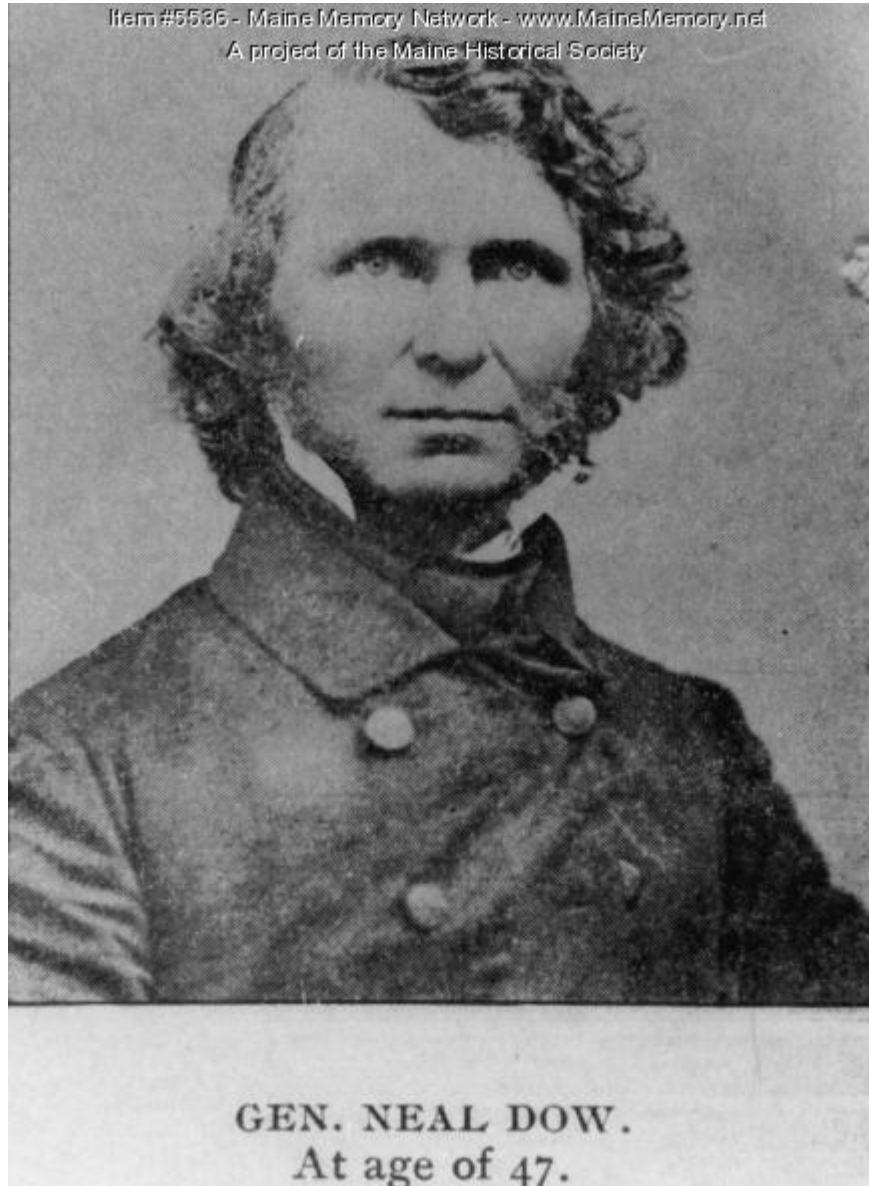
This new synergy between the Know-Nothings and the traditional alliance between temperance men and the abolitionists was also observed by outside commentators. In early 1855, a newspaper in Macon, Georgia, responded to the rhetorical question, “Are Know-Nothings of the North identified with the Abolitionists,” by writing, “they who cannot see the connection are as blind as bats,” and alleged that “the anti-slavery element has controlled the machinery of [the Know-Nothings] in every non slaveholding State in the Union.” The article went on to claim that many of the new Republican congressmen-elect owed their electoral victories to the Know-Nothings, stating that, “a large number of anti-Nebraska men will take their seats in the next Congress who but for the order, could not have been elected.”¹³⁹ A reference to the 1854 Kansas Nebraska Act (which allowed those territories to vote on whether or not they would permit slavery), the paper pointed out that many of the anti-slavery politicians who formed the backbone of the newly created Republican Party would never have been elected to their positions if it had not been for the support of the Know-Nothings.

The formation of the Maine Republican Party was important for two reasons in relation to the study of Neal Dow and the Maine Law. On the one hand, it allowed the prohibitionist members of the new party to concentrate their electoral power in order to elect candidates they knew would support their views, as in the past shifting party allegiances had distributed their votes among pro-prohibition Whigs, Democrats, and the Free Soilers. Indeed, the newly elected state legislature included a majority of Republicans, who wasted little time in passing legislation reflecting the party’s platform of prohibition, abolition, and nativism. On the other hand, the flip side of this electoral

¹³⁹ “Are Know-Nothings of the North identified with the Abolitionists?” *Macon Weekly Telegraph*, January 2, 1855.

strength was the fact that Dow's allegiance with the Republicans gave his political opponents a clear target at which to aim and identified Dow closely with the Know-Nothings who had supplied a large portion of the new party's support. In the past, anti-prohibitionists could campaign against Dow or against the candidates he endorsed, but the fact that he campaigned for both Whigs and Democrats prevented his enemies from targeting any one political organization as the party of prohibition. Now, however, the Republicans were clearly identified with Dow's crusade, a fact which soon made the new party itself an easy target when Dow's political career took its turn for the worse in 1855.

Chapter Four: The Portland Rum Riot



The man himself as photographed in 1851.

¹⁴⁰ “General Neal Dow,” from the collections of the Maine Historical Society, accessed online at <<http://www.mainememory.net/bin/Detail?ln=5536&supst=enlarge>>.

The climax of the fight over prohibition in mid-nineteenth-century Maine was the Portland Rum Riot of June 2, 1855, which provided a release for years of festering resentment against the more extreme aspects of Dow's enforcement of the prohibition law. The immediate path to the riot began with the state legislature's passage of two strict new naturalization laws in March 1855. One law stipulated that state courts could not get involved in matters of naturalization. This piece of legislation meant that citizens who felt they had wrongfully been removed from voting rolls could not appeal to state courts and instead had to go to the federal government. In the past, the state courts had helped streamline cases of individuals wrongly removed from voting rolls (something that happened quite frequently as the rolls were controlled by appointed officials with strong party ties). With the removal of this appeals system, however, those banned from voting (who were usually immigrants and tended to vote Democratic) were not able to sort out their cases in time to vote in upcoming elections. The other law constituted a similar attempt to restrict immigrant voting, requiring that immigrants present their naturalization papers to local election officials at least three months before an election to get on the voting rolls, meaning that nearly all new immigrants to Portland would not be able to vote in the upcoming April mayoral election.¹⁴¹ These laws were bitterly opposed by the Democrats: the Portland *Eastern Argus* described the twin pieces of legislation as a "bold attempt to disenfranchise voters" and decried the bills as "the work of Dow...and Co., who have evidently made up their minds to rule the state at all hazards."¹⁴² Dow and the Republicans may have ascended into the majority, but at the

¹⁴¹ *Portland Eastern Argus* March 30, 1855.

¹⁴² *Portland Eastern Argus*, March 29, 1855.

cost of becoming synonymous in the eyes of the Democratic opposition not just with prohibition, but also with the anti-immigrant Know-Nothings

Such was the political climate for Neal Dow's campaign for a second term in the Portland mayor's office in 1855. Now running as a proud Republican after completely abandoning his Whig roots, Dow faced off against James T. McCobb, a Democrat supported by business interests. McCobb was friendly to the Maine Law, but was not interested in pursuing it as zealously as Dow, who was portrayed by the Democratic press as a tyrant hell-bent on ruling Portland as his own personal police state. It is important once again to stress that the general idea of a prohibition law still enjoyed widespread support even after four years of being on the books: the *Eastern Argus* published an article two days before the election stating the following: "Let us be understood. We do not object to the enforcement of the Maine Liquor Law....We desire to see the sale of liquor in this city as a beverage cease." However, the Democrats did disapprove of the nature of Dow's enforcement of the law during his previous term. As the article continued: "we do protest against such a mode of executing the Maine Law, or any other law, as shall infringe upon the private rights of citizens of this and other states..."¹⁴³ It was not prohibition *per se* that riled Dow's opponents, it was the idea of him once again having personal control over the law's enforcement. Many of these opponents genuinely approved of most aspects of the prohibition law, but they did not to witness a return to the invasive spies, searches, and seizures that characterized the law's enforcement during Dow's first term as mayor.

¹⁴³ *Portland Eastern Argus*, April 3, 1855.

It is hard to overstate the hatred Dow elicited from his opponents during the 1855 mayoral campaign. A week before it published the more reasoned article quoted above, the *Argus* had published an editorial asking Portland voters to distinguish between “temperance and Neal Dowism” so that they could “defeat the latter in order that we may promote the former...untrammelled by the headstrong egotism and despotic indiscretions of Neal Dow.”¹⁴⁴ Even Dow’s supporters recognized that he was a divisive figure. In February 1855 lawyer and Dow-ally Allen Haines reported to a Canadian prohibition group investigating the success of the Maine Law that Dow had made a great many enemies, “as every man who undertakes to reform a great abuse, invariably will.”¹⁴⁵

Both candidates in the mayoral election resorted to desperate tactics during the campaign: concerned about corruption among Dow’s supporters, a Dow opponent on the Board of Aldermen returned to take office despite having moved to Boston several months previously, solely to ensure that new Irish immigrants would remain on the voting lists. At the same time, Dow’s supporters worked to take new immigrants off the voting lists in an attempt to enforce the naturalization law and prevent a recurrence of the 1852 mayoral election in which Dow’s opponents allegedly sent immigrants with fake papers up from Boston to vote for the Democratic candidate.¹⁴⁶ In the end Dow prevailed, but by a slim margin of forty-six out of 3,742 total votes cast.¹⁴⁷ It is clear that the Know-Nothings played a key role in this election: in an 1856 biography of Dow author Henry S. Clubb wrote of this mayoral race, “the lodges of the Native American

¹⁴⁴ *Portland Eastern Argus*, March 27, 1855.

¹⁴⁵ A.P. Farewell and G.P. Ure, *The Maine Law Illustrated: being the result of an investigation made in the Maine Law States* (Toronto: Lowell and Gibson, 1855), 42.

¹⁴⁶ Byrne, *Prophet of Prohibition...*, 59.

¹⁴⁷ Dow, *Reminiscences*, 527.

[Know-Nothing] party happened to contain a majority of temperance men, and consequently they all joined in the support of Neal Dow, and in opposition to the foreigners and Catholics who were mostly on the side of rum.”¹⁴⁸ Indeed, in an ironic reversal of the 1852 campaign (when Dow claimed he had lost because of unfair voting practices), the Democrats accused Dow of voter fraud, highlighting the difficulty many legitimately naturalized citizens had experienced in voting in the election because of the nativist voting laws passed by the Republican controlled state legislature earlier in the spring.¹⁴⁹

In classic Dow fashion, the newly elected mayor decided to ignore his narrow margin of victory and saw his triumph as proof that the town of Portland was completely behind his crusade against “Demon Rum” and the zealous enforcement tactics he had pursued during his earlier term as mayor. In the past, Dow had tended to overestimate the political support enjoyed by prohibition, as evidenced by his incorrect predictions about the 1852 presidential election and the various anti-temperance politicians who had been elected despite his claim that speaking out against the Maine Law was political suicide. Despite these past rebukes, however, Dow laid down the gauntlet for his opponents in his inaugural address, expressing his clear intent to fight against alcohol as virulently as he had during his first term in office:

I consider the object of that law...the annihilation of the rum-traffic, as one of very great importance to the prosperity of the city in all its various interests, and to the welfare and happiness of all her people. I shall not fail, therefore, to employ all the power which the law has put into my hands, and which you may

¹⁴⁸ Henry S. Clubb, *The Maine Liquor Law: Its Origin, History, and Results, including a life of the Honorable Neal Dow*, (New York: Fowler and Wells, 1856), 29.

¹⁴⁹ *Portland Eastern Argus*, April 5, 1855.

entrust to me, to the accomplishment of the purpose contemplated by the legislature.¹⁵⁰

In his inaugural address in April, Dow also hinted at some form of retribution for the elements he considered responsible for his electoral defeat the last time he had run for Portland mayor, suggesting that action “should be taken to restrain the right of suffrage, now exercised by our foreign population, and to prevent their overawing and controlling our elections, as they have done.”¹⁵¹ Dow’s close friend Elder Peck went farther, hailing the election as “a victory over Rum...Catholicism, and Corruption.”¹⁵² Statements such as these acknowledged the support Dow had received from the Know-Nothing element of the Republican Party and contributed to the Democrats’ and Irish community’s resentment of Dow and the prohibitionists.

Upon taking office Dow upheld the promises he had made in his inaugural address, sending police officers to seek out the those who he felt were simultaneously the most likely to ignore his liquor law and the most responsible for his electoral defeat three years before. Things had gotten off to a bad start with Dow’s inaugural speech and an article published in the Republican-leaning *Portland Advertiser*, which described anti-Maine Law voters as “Irish cattle.”¹⁵³ Things degenerated further as Dow continued the virulent war on liquor that had characterized his first term, sending out repeated raids to search and seize alcohol from suspected manufacturers and dealers.¹⁵⁴ Another leading prohibition opponent, John A. Poor, compared Dow’s enforcement tactics to the biblical

¹⁵⁰ Dow, *Reminiscences*, 528.

¹⁵¹ *Portland Advertiser*, March 30, April 4, 1855, in Wescott, *New Men, New Issues...*, 132.

¹⁵² Mundy, *hard times, hard men...*, 180.

¹⁵³ *Portland Advertiser* quoted in the *Portland Eastern Argus*, April 5, 1855.

¹⁵⁴ Mundy, *hard times, hard Men...*, 180.

plagues, writing: “Mayor Dow has everything he can ask in the way of authority. He dashed into this man’s house and that man’s stable. He sends his policemen like the frogs of Egypt into any man’s kneading trough and cupboard, croaking for liquor.”¹⁵⁵

As a result of these measures, Dow hit a new low in terms of his popularity among the relatively small but vocal group of individuals completely opposed to the Maine law. As he later wrote, “it is probable that at no time in the history of the temperance movement in Maine, or of my connection with it, had the liquor interest honored me with so intense a dislike as at the time of my re-election to the mayoralty.”¹⁵⁶ For now Dow’s position as mayor was safe, as the Maine Law (if not Dow’s enforcement tactics) still enjoyed support among most of Portland’s citizens, despite the growing strength of the vocal opposition. Nevertheless, his opponents began to look for any and all excuses to challenge Dow’s authority.

Dow’s fatal mistake came in the late spring of 1855. Part of the 1851 statute stipulated the following exception to the prohibition on liquor sales, whereby towns could appoint an individual to purchase and distribute a limited supply of alcohol for medicinal purposes. As the statute reads:

The selectmen of any town, and mayor and aldermen of any city, on the first Monday of May annually, or as soon thereafter as may be convenient, may appoint some suitable person as the agent of said town or city, to sell at some central or convenient place within said town or city, spirits, wines, or other intoxicating liquors, to be used for medicinal and mechanical purposes and no other...¹⁵⁷

¹⁵⁵ *State of Maine*, November 18, 1855, in Mundy, *hard times, hard men...*, 180.

¹⁵⁶ Dow, *Reminiscences*, 528.

¹⁵⁷ Dow, *Reminiscences*, 345.

In May 1855 Dow appointed himself as a member of a committee to arrange for the selection of a liquor agent to carry out the duties described in this section of the statute. Unfortunately for Dow, he then made the ill-fated decision to order a supply of liquor from a New York wholesaler under his own name before the committee actually appointed a liquor agent, a technical violation of his own law.¹⁵⁸

Unknown to Dow at the time, a member of the city council opposed to Dow had discovered the technical error in Dow's liquor purchase and reported these facts to members of the mayor's political opposition, including the editors of the Democratic-leaning *State of Maine* and the *Eastern Argus*. The *Eastern Argus* then published the following attack on Dow in its issue of June 2, 1855, and distributed copies of the editorial as handbills throughout the city:

While the city authorities are busy searching private houses for demijohns and jugs of liquor, it is, perhaps not strange that they should overlook wholesale importations into the city of what are probably impure liquors intended for sale. Why doesn't the marshal seize and destroy? The mayor of the city has no more right to deal in liquors without authority than any other citizen. Where are our vigilant police, who are knowing to the above facts, and who think it their duty to move about in search of the poor man's cider, and often push their search into private houses, contrary to every principle of just law? We call upon them by virtue of Neal Dow's law to seize Neal Dow's liquors and pour them into the street. The old maxim reads: '*fiat justitia ruat coelum*,' which means, 'Let the lash which Neal Dow has prepared for other backs be applied to his own when he deserves it.'¹⁵⁹

Dow's apparent hypocrisy and abrasive personality were seized upon by his enemies as they called for him to suffer the same treatment he so zealously applied to violators of his

¹⁵⁸ Mundy, *hard times, hard men...*, 181.

¹⁵⁹ *Portland Eastern Argus*, June 2, 1855.

law in the past. In response to these articles, many residents of Portland headed for City Hall, hoping to see Dow humiliated and arrested for violating the law he had supported for so long.

Starting in the afternoon of June 2, 1855 (ironically the four year anniversary of Dow's bill being signed into law by then-governor John Hubbard), a crowd began to gather outside Portland's City Hall. According to most testimony, the crowd was relatively small and mild-mannered at first: most of those present were more interested in seeing if the police would actually arrest Dow than in inciting any violence of their own.¹⁶⁰ Between the hours of 7 and 9, however, the crowd got progressively larger and more unruly, swelling from a small group of curious onlookers into an unruly mob of between 1500 and 2500 individuals. In response to this growing mob, Dow ordered a group of ten police officers to stand guard inside the room in City Hall containing the alcohol to prevent the mob from unlawfully accessing the room and seizing the liquor. In anticipation of requiring backup, Mayor Dow also contacted two local militias (the Light Guards and the Rifle Guards) and ordered them to muster at the city armory so they could arm themselves and reinforce the police officers if things got out of hand. Some members of the militia were uneasy about this order: Sergeant William A. Winslip later testified that he had asked Dow if loading the militia's guns with blank cartridges was not a better idea than loading them with live rounds, because firing over the crowd's heads

¹⁶⁰ Citizen's Committee, *Review of the Testimony...*, 17.

would surely disperse the mob.¹⁶¹ According to Winslip, Dow responded to this suggestion by telling the sergeant, “We know what we are about sir, we’ve consulted the law sir.”¹⁶² Uneasy about Dow’s orders, Winslip refused to accompany the rest of the Light Guards and remained at the armory as the rest of the company marched off towards City Hall.

Tensions increased throughout the evening hours as members of the mob began to launch stone and brick missiles at the door to the building in what became increasingly brazen attempts to access the liquor room.¹⁶³ At 10 the first of the militia companies (the Light Guards), commanded by a Captain Green, arrived with Dow outside City Hall and backed up the mayor as he read the official riot act to the assembled mob and ordered them to disperse. The crowd responded to this order with a barrage of debris, injuring several of the soldiers and provoking Mayor Dow to order the soldiers to fire in an attempt to disperse the rioters. The request to fire was not preceded by any order to arm bayonets or fire blanks or do anything else to attempt to disperse the crowd without violence: Captain Green later testified that Dow did not request him to resort to any other “military expedient [sic]” before the order to fire on the crowd was given.¹⁶⁴

In response to the order to fire, Captain Green demurred, asking the mayor if he was sure about the wisdom of ordering Green’s small company of around twenty men to

¹⁶¹ Citizen’s Committee, *Review of the Testimony...*, 7-8.

¹⁶² Citizen’s Committee, *Review of the Testimony...*, 8.

¹⁶³ *Report of the Committee Appointed by the Board of Aldermen of the City of Portland to Investigate the Causes and Consequences of the Riot on the Evening of June 2, 1855*, (Portland: Benjamin D. Peck, City Printer, 1855), 16-23.

¹⁶⁴ Citizen’s Committee, *Review of the Testimony...*, 11.

fire on a large and unruly crowd comprised of over a thousand individuals. Green suggested instead that the Light Guards retreat and meet up with the Rifle Guards before moving in as a larger unified force and scattering the crowd.¹⁶⁵ This suggestion was accepted by Dow; however, the sight of the company leaving the area in retreat emboldened the rioters, who increased the pace of their attack and continued to launch debris at the Liquor Room.¹⁶⁶

Events culminated a little after eleven that evening when John Robbins, a sailor from Deer Isle, Maine, succeeded in breaking a hole in the door to the Liquor Room and unlocking the door, exposing the police officers inside to the furies of the crowd outside. Now fearing for their lives (and not just the protection of public property), the officers fired several volleys at the door, killing Robbins. After a brief pause, the mob renewed its attack on the police officers, only to be subdued by the timely arrival of the Rifle Guards (reinforced by some of the Light Guards), who managed to finally break up the mob by continuing to fire volleys at the crowd for an additional twenty minutes after Robbins had been killed, injuring several other individuals.¹⁶⁷

Before considering the response to the riot, it is worth pausing to place this disturbance in historical perspective. Rioting and mobs had always been a part of American life and American politics. However, in the late 1820s and early 1830s there was a dramatic trend towards more disturbances because of the large number of newly

¹⁶⁵ *The Death of John Robbins of Deer Isle...*, 10-11.

¹⁶⁶ *Report of the Committee Appointed...*, 28-29.

¹⁶⁷ *Report of the Committee Appointed...*, 30-39.

enfranchised voters, the coming together of the Democratic and Whig coalitions, and the general increase in electoral competition. These early riots were usually associated with elections: the Whigs or Democrats would actually recruit supporters to attack their opponents' polling places and party activists, intimidating voters and provoking an equally violent response from members of the opposing party. Things settled down greatly after the parties entrenched their positions after the early part of the 1830s: only one major political riot would occur between 1834 and the early 1850s.¹⁶⁸

The onset of the 1850s, however, witnessed a new spike in political mobbing and rioting associated with the political upheaval caused by the issues of prohibition, abolition, and, especially, immigration. Of particular interest here are the riots associated with nativism, as this wave of political violence peaked in the three year period between 1854-1856, directly coinciding with both the zenith of the political power of the Know-Nothings and the Portland Rum Riot. Indeed, of the twenty-two political riots involving the Know-Nothings that occurred in the 1850s, three quarters of them took place between 1854 and 1856.¹⁶⁹ The majority of these Know-Nothing related riots were sparked by party demonstrations that turned ugly when members marched through immigrant neighborhoods or attacked immigrant counter-demonstrations.¹⁷⁰ Furthermore, most of these disturbances did not relate (at least specifically) to the prohibition issue: liquor

¹⁶⁸ David Grimsted, *American Mobbing, 1828-1861*, (New York: Oxford University Press, 1998), 199-203. Paul A. Gilje, *Rioting in America*, (Bloomington: Indiana University Press, 1996), 59-75. Race riots and food riots occurred frequently between 1834 and 1850, but riots motivated by specific political activity were relatively uncommon during this period.

¹⁶⁹ Grimsted, *American Mobbing...*, 226.

¹⁷⁰ Grimsted, *American Mobbing...*, 220-228.

restrictions helped explain some of the underlying antagonism between the two groups, but the enforcement of liquor regulations did not directly spark most of these riots.

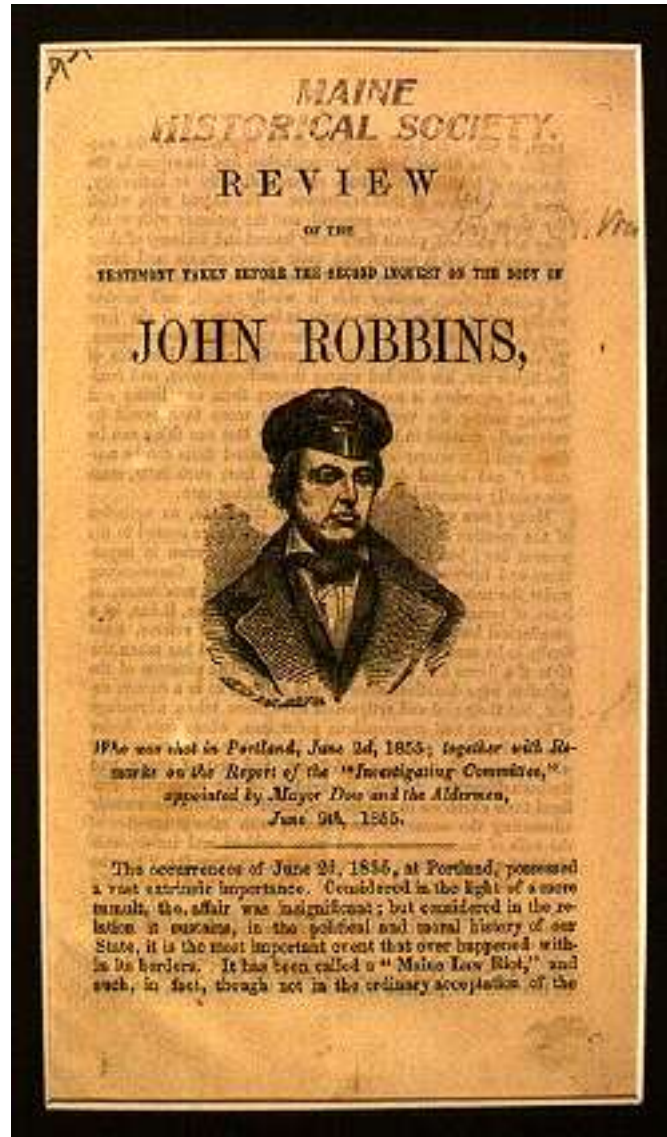
However, there was at least one other riot from this period that unequivocally resulted from a governmental attempt to restrict alcohol. This particular incident occurred in Chicago in late April 1855, only a month and a half before the Portland riot. The Chicago disturbance began when newly elected mayor Levi Boone (a Know-Nothing) decided to dramatically increase saloon license fees and enforce Sunday closing laws. The day after this announcement, a coalition of saloonkeepers and immigrants (most of whom were German but a few of whom were Irish) organized a parade that resulted in the arrest of some of the marchers. When, later that day, some members of the parade marched to City Hall to demand the release of their compatriots, the Chicago police responded with force, resulting in a riot that left one protestor dead and multiple police officers and demonstrators severely injured.¹⁷¹

The theme that arises out of these other examples of political violence in the antebellum period is that the Portland riot was but one example of a nationwide spike in political violence that characterized the middle years of the 1850s. However, the Portland riot is particularly noteworthy in how it differed from most of the other instances of rioting that occurred during this period. Whereas most of the other riots were sparked by general nativist sentiment, the Portland riot was one of only a few that occurred specifically because of the prohibition issue. Furthermore, it is highly likely that none of

¹⁷¹ Grimsted, *American Mobbing...*, 227-228

the other riots were as tied to the conduct of one individual as Portland's was to the overzealous enforcement of Neal Dow.

Chapter Five: The Aftermath and Political Repercussions of the Riot



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The cover of the published report issued by the anti-Dow "Second Inquest" in the wake of the Portland Rum Riot. The riot's lone fatality, John Robbins, is pictured on the cover.

¹⁷² "Review of the Testimony of John Robbins...." Portland, 1855, from the archives of the Maine Historical Society, image accessed online at <<http://www.mainehistory.org/rum-riot-reform/1820-1865/gallery3/index.html>>.

Back in Portland, the popular response to Dow's heavy-handed putting down of the riot was immediate. On June 4th the Democratic newspapers came out with articles condemning Dow's actions. Among other things, the papers claimed that the crowd was not violent and had only wished to see Dow's liquor spilled in the street as his own law prescribed. The articles also suggested that no attempts had been made to arrest anyone in the crowd before the militia companies commenced firing, and that Dow and his soldiers had inflamed the crowd by continuing to attack them even after the mob had begun to disperse. The papers also blamed the entire episode on pent up aggression that resulted from Dow's overzealous enforcement of the prohibition law.¹⁷³

These claims were contradicted by the *Portland Advertiser*, the leading pro-Republican newspaper, which portrayed the crowd as a violent mob intent on destroying public property and which came out strongly in support of Dow's actions. As that newspaper explained: "Here was question not merely whether a quantity of liquor should be destroyed...but whether law should be vindicated and triumphant...whether mob violence should not...trample upon law and order, and break down the great barrier which protects the life, the property, and the happiness of our people."¹⁷⁴ These competing interpretations of the events of June 2nd reflected the preexisting political divisions in Portland and contributed heavily to the later establishment of committees set up to determine the "true facts" of the riot.

¹⁷³ *Portland Eastern Argus*, June 4, 1855.

¹⁷⁴ *Portland Advertiser*, June 4, 1855, in Hatch, *Maine: A History...*, 386.

Unfortunately for the mayor's side of the story, the anti-Dow newspapers published in the morning and the *Advertiser* in the afternoon following the riot. This meant that newspapers all over the country picked up the anti-Dow stories as their version of the events and spread the news that Portland had experienced a riot when its puritanical mayor had flaunted his own anti-liquor law. As the *Ohio Statesman* (a Democratic-leaning newspaper) explained:

Relying, as we are compelled to do, upon the telegraph and newspaper reports of the Eastern cities, for the recent bloody doings in Portland, Maine, where Neal Dow exercises power as Mayor, we can look upon that shooting down of citizens as nothing short of cruel and malicious butchery.¹⁷⁵

Even sympathetic newspapers took a negative view of Dow's actions in the riot: the pro-temperance *New York Times* published an article commenting on the negative publicity the riot had given to the temperance cause. The article stated that Dow would "have to bear a fearful responsibility for his rash riot" and worried that Dow had "done more to injure the great cause of temperance reform than any good he may have accomplished will compensate for."¹⁷⁶ Whether Dow was guilty or not, his opponents scored a major public relations victory over the mayor with the intense negative national coverage surrounding the riot and Dow's reaction to it.

The first legal obstacle Dow faced in the immediate aftermath of the riot was a trial on the original charges that launched the incident in the first place: possessing liquor with intent to make an illegal sale. Aiding Dow in the case was the fact that the presiding

¹⁷⁵ "A Wanton Butchery," *The Ohio Statesman* (Columbus), June 13, 1855.

¹⁷⁶ *New York Times* quoted in the *Portland Eastern Argus*, June 11, 1855.

judge, Henry Carter, was a strong Dow supporter whom Dow had appointed upon taking the mayor's office two months before (a fact which the Democratic papers took great pains to point out repeatedly over the course of the trial).¹⁷⁷ Representing Dow was Republican Senator William Pitt Fessenden, while the case was prosecuted by Nathan Clifford, a Democrat, former United States Attorney-General, and future United States Supreme Court Justice.¹⁷⁸ Clifford argued that Dow had broken the Maine Law by making an unauthorized purchase of liquor before the city agent was formally chosen and established. In Dow's defense, Fessenden argued that the mayor was innocent because the liquor had never actually been in his physical possession and was stamped with the address of the City Liquor Agency.¹⁷⁹ After a one-day trial Dow was acquitted by Judge Carter, a fact which again caused great unrest in the Democratic papers.¹⁸⁰

Regrettably for Dow, his trial in the court of public opinion was just beginning. As shown in the conflicting articles published in the *Advertiser* and the *Eastern Argus* in their first issues after June 2nd, there were two widely differing interpretations of the events surrounding the riot. The mayor's opponents claimed that he had unfairly and harshly cracked down on a crowd that only wanted to see the law faithfully applied; Dow's supporters' argued that the mayor had correctly diffused a dangerous threat to the rule of law that had threatened to spiral out of control. These incompatible interpretations manifested themselves in two separate committees that were formed in the

¹⁷⁷ *Portland Eastern Argus*, June 6, 8, 11, 1855.

¹⁷⁸ Byrne, *Prophet of Prohibition...*, 65.

¹⁷⁹ Byrne, *Prophet of Prohibition...*, 65.

¹⁸⁰ *Portland Eastern Argus*, June 6, 11 1855.

immediate wake of Dow's acquittal that sought to determine who was at fault for the riot: the committee appointed by the City Board of Aldermen, which largely endorsed Dow's side of the story, and the so-called "Citizen's Committee," an independently organized body that was largely comprised of Dow's opponents and which put much of the blame for the riot on Dow himself. Although legally powerless, each committee hoped to persuade the public to believe its interpretation of the events and causes of the riot. Both committees interviewed many witnesses to the events of the night of June 2, and both predictably came to conclusions that reflected their preexisting biases and political leanings.

Dow himself refused to appear before either committee, but he did issue a statement blaming the riot on a vague conspiracy of influential men who supposedly wished to incite a mob to embarrass him. Dow also fingered Robbins (the only individual killed in the riot) as the ringleader of the mob, claiming that he was an Irish immigrant sailor who had left Boston only a few days before the riot in order to escape an arrest warrant and suggesting that Robbins had also participated in the King riot, a civil disturbance in Portland in 1850.¹⁸¹ These charges were echoed in the Portland

Advertiser, which wrote: "Irish people of Portland were the principal actors in the so-

¹⁸¹ Neal Dow, "Mayor Dow's message on the riot," June 9, 1855, in Citizen's Committee, *Review of the Testimony...*, 109-11. The King Riot was a fascinating 1850 incident that began when a group of young sailors stole a six-pound cannon and started firing into a Portland warehouse run by an African-American named King. A week later the sailors returned to begin a new barrage on the house, only to be met by return fire from King, an exchange which drew a large crowd of onlookers and resulted in several injuries and the arrest of King and five of his female employees. While King was in jail an angry mob descended on the neighborhood and destroyed the remains of King's house (as well as a few liquor shops in the largely Irish neighborhood where King's business had stood). For a description of this riot see Mundy, *hard times, hard men...*, 124-126.

called mob of Saturday night.”¹⁸² While many Irish were certainly involved in the mob, they were by no means the only participants in the crowd, and Robbins himself was born in the United States. These facts were all corroborated in testimony given to the Citizen’s Committee, in the course of which many witnesses, including a woman Robbins was supposedly engaged to, testified that Robbins was a resident of Maine, had never had any run-in with the law, and that the riot had no leaders, only a group of individuals who were more active than most.¹⁸³ The *Eastern Argus* also quoted a co-worker of Robbins who described him as a “steady, honest man, remarkable for his good nature and peaceable disposition.”¹⁸⁴

The pro-Dow report issued by the committee appointed by the City Board of Aldermen on July 9, 1855, predictably exonerated Dow and all other city officials from public wrongdoing. This panel was described by Dow “as a non-partisan committee...consisting of seventeen highly respected citizens,” a dubious claim based on committee’s findings and the fact that most of its members were allied with Dow politically.¹⁸⁵ The report highlighted the fact that the issue of Dow’s technical violation of the law was small in comparison with the threat to public order that the mob presented, and as a result it endorsed Dow’s response to the riot. As the report stated: “the Committee, on a careful and laborious investigation of the whole case, are satisfied that the Mayor and other executive officers of the city did no more in the emergency, than

¹⁸² *Portland Advertiser* quoted in the *Portland Eastern Argus*, June 6, 1855.

¹⁸³ Byrne, *Prophet of Prohibition...*, 66. Citizen’s Committee, *Review of the Testimony...*, 32, 40, 105

¹⁸⁴ *Portland Eastern Argus*, June 7, 1855.

¹⁸⁵ Dow, *Reminiscences*, 539.

their duty and the public service required; and that they would have proved unfaithful to their trust had they done less.”¹⁸⁶

The anti-Dow committee decided in almost the exact opposite manner, ruling that Dow had ordered out the militia companies illegally and unnecessarily, and that this fact made him responsible for the death of John Robbins, who they claimed was shot by the militia companies (most evidence actually suggested that the bullet that killed Robbins actually came from a pistol, which only the police could carry). The committee also ruled that Dow had ordered the militia companies to use excessive force, suggesting that attempts to arrest the more unruly individuals in the crowd should have been made before Dow ordered the militia companies to open fire.¹⁸⁷ Finally, the committee blamed the spirit of the riot on Dow’s overzealous enforcement on the Maine law and the fact that, during his terms as mayor, the city “was overrun with pimps and self-constituted police.”¹⁸⁸ In predictable fashion, Dow and his supporters denounced the Citizen’s Committee as biased against the mayor and the Maine Law. Dow quoted an unknown newspaper sympathetic to his side (probably the *Portland Advertiser*) as describing the Citizen’s Committee as “a band of conspirators against the welfare of society, a set of shameless profligates...a perfidious junta of civil pirates such as rarely infest any community.”¹⁸⁹

¹⁸⁶ *Report of the Portland City Board of Aldermen...*, 49.

¹⁸⁷ Citizen’s Committee, *Review of the Testimony...*, 4-5; 106-108.

¹⁸⁸ Citizen’s Committee, *Review of the Testimony...*, 4.

¹⁸⁹ Dow, *Reminiscences*, 539.

An outside investigation into Dow's role in the events of the riot was conducted by Charles Davies Stewart, a lawyer who launched an investigation into the legality of Dow's actions that night in an article published in the *Monthly Law Reporter* later in 1855. The article was written as an attempt to provide a dispassionate, legalistic review of the events of the riot. Stewart recognized that the riot originated in certain people's intense hatred for the Maine Law and Dow, writing: "There can be no doubt that the excitement had its origin in opposition to the severe principles and despotic provisions of the Maine Law; and that it was brought to a point by the election of its principal champion in the office of Mayor of Portland."¹⁹⁰ Despite recognizing the importance of Dow's ardent enforcement of the Maine Law in bringing on the riot, however, Davies came down strongly on Dow's side in terms of his actions during the event. Davies argued against many of the points made by the anti-Dow Citizen's Committee, suggesting that arrests were impossible to make given the unruly nature of the crowd, and arguing that Dow acted in perfect accordance with the law in calling out the militias.¹⁹¹ Davies concluded by strongly endorsing Dow's response to the riot, claiming that the mayor's actions prevented the riot from escalating further out of control.¹⁹²

Sadly for Dow, his exoneration by one of the two committees (and by Stewart) did little to help his own career or the temperance cause in the wake of the riot. Indeed, most individuals believed that Dow was at least partially responsible for the death of John

¹⁹⁰ Charles Davies Stewart, "The Law of Riot: the Portland Riot," *The Monthly Law Reporter*, Vol. VIII, No. VII (Nov. 1855), 361.

¹⁹¹ Stewart, "The Law of Riot...", 375-377.

¹⁹² Stewart, "The Law of Riot...", 387.

Robbins and that he was overzealous in his putting down of the crowd.¹⁹³ Dow further compounded this problem by refusing to apologize or acknowledge any wrongdoing on his part in the unfortunate affair. Indeed, in his autobiography, Dow blamed the riot on a vague conspiracy of “liquor-interests” who wanted to bring him down, writing:

This hostility to me manifested itself in a variety of ways, extending from mere petty and insulting personal annoyances to overt acts clearly violative of law, which culminated in what has since been known as the June riot, for some time foreshadowed in threats, some vague, and others more specific. Though having no direct connection with the enforcement of Prohibition, this was made through misrepresentation and consequent misunderstanding, the pretense with the aid of which a covert attack was made upon that policy, so far successful as to result in the repeal of the Maine Law, and the return, for a brief period, to the system of license. Aside from its direct effect in that particular, the riot demands notice here as fitly illustrating the straits to which the liquor-interest had been driven within four years after the enactment of the original Maine law.¹⁹⁴

Dow’s fighting attitude did not help him or his Republican allies: the fallout from the riot would contribute heavily to the outcome of the upcoming 1855 state elections.

The riot was not the end of Dow’s troubles with Maine Law enforcement in the summer of 1855: a month after the riot, a territorial dispute involving the illegal distribution of liquor broke out in Munjoy Hill, a predominantly Irish neighborhood in Portland. After police arrived to break up the fight and arrest those present, a group of sixty to seventy Irishmen, some of whom reportedly were chanting “kill the damned police,” swarmed the officers, inciting a massive brawl that quickly drew in reinforcements on both sides. The episode ended when the twelve policemen present managed to escape to the city jail with two or three of the demonstration’s ringleaders.

¹⁹³ Mundy, *hard times, hard men...*, 184-185.

¹⁹⁴ Dow, *Reminiscences*, 529.

However, the next day Dow woke up to more negative reports in the city newspapers, including accounts of broken windows and bullet-riddled houses in the neighborhood where the altercation had occurred.¹⁹⁵

Dow also experienced political setbacks throughout the summer after the riot as the Democrats campaigned hard against him, his party, and his Maine Law. In a politically charged speech on the Fourth of July in Paris, Maine, Democrat F.O.J. Smith called for Dow to be held responsible for Robbins's death, stating that: "Dow ought to be hanged, and if we succeed this fall, he will be hanged."¹⁹⁶ Attacks such as these continued throughout the lead up to the September 1855 state elections, as the Democrats tried to equate any and all Republican candidates with the unpopular Dow. This goal was made easier by Republican support for Dow: Governor Morrill sent a letter supporting Dow to a judge in New York, telling the judge, "Mayor Dow and those true men who aided him in quelling on the mob on that trying occasion merit and will receive the support and approbation of all good citizens."¹⁹⁷ This letter was published extensively in local newspapers, providing the Democrats with an easy means of linking the Republicans to Dow's unpopularity on a statewide level. Indeed, the Democrats explicitly told voters that a vote for Morrill was synonymous with a vote for Dow and a justification for his actions during the riot.¹⁹⁸ This idea was further supported by the

¹⁹⁵ *Portland Advertiser*, July 7, 1855, in Mundy, *hard times, hard men...*, 185.

¹⁹⁶ *Portland Daily Advertiser*, July 12, 14, 1855, in Wescott, *New Men, New Issues...*, 133.

¹⁹⁷ Anson P. Morrill, Personal Letter to Edward C. Delevan, June 11, 1855, in Dow, *Reminiscences*, 542.

¹⁹⁸ Byrne, *Prophet of Prohibition...*, 66.

circulation of handbills depicting officers shooting women and children and spreading other false rumors about Dow's conduct during the riot.¹⁹⁹

The Democratic attacks on Dow and the Republicans worked as they were designed to. The Democrats recaptured the state House from the Republicans and firmed up their control of the Senate. The Democratic candidate for governor, Samuel P. Wells, increased his vote total by 20,000 over the Democratic candidate from the year before, but still fell 3,000 short of the incumbent Republican Morrill. Once again, however, the leading vote-getter failed to receive a majority of the total votes cast, throwing the election to the now Democratically-controlled House and Senate, which wasted little time in electing Wells the next governor of Maine.²⁰⁰ It was reasonably clear that Dow and the riot played an important role in handing the election to the Democrats: the Democratic *State of Maine* wrote of the election returns,

The result shows an uprising of the people against arbitrary and unjust laws. The principle of prohibition is completely repudiated, the Maine liquor law advocates thrust aside forever....The Portland massacre—the attempts to whitewash the guilty conduct of Neal Dow...all combined to produce the present result.²⁰¹

Further supporting Dow's role in the Republican defeat was the fact that the Democrats scored their heaviest gains in Cumberland and York counties, home to Portland and the center of Irish settlement in Maine.²⁰² Additional proof of the importance of the Irish vote to the success of the Democrats in 1855 came in the form of editorial published by

¹⁹⁹ Dow, *Reminiscences*, 551-552.

²⁰⁰ Wescott, *New Men, New Issues...*, 137-138

²⁰¹ *State of Maine* quoted in the *Ohio Statesman*, September 19, 1855.

²⁰² Wescott, *New Men, New Issues...*, 139.

the Republican-leaning *Kennebec Journal* after the newly elected legislature had relaxed the restrictions on immigrant voting passed the previous year: “The legislature in both branches...did their best to give Paddy McShane the privilege of using Teddy O’Neil’s naturalization papers about election time.”²⁰³

The newly elected state legislature and governor immediately set about undoing the work of Dow and the Republicans. Dow’s old foe Phineas Barnes introduced a bill to replace Dow’s prohibition laws with a licensing system, once again legalizing the sale and manufacture of alcohol in Maine.²⁰⁴ Later described by Dow as a “total abstainer from conviction,” Barnes successfully steered the bill through the Democratically controlled house and Senate, ending Maine’s five-year experiment with Prohibition.²⁰⁵ Dow greeted the news in dramatic fashion, writing “it’s all over” to friend Edwin Jackson in a rare moment of despair.²⁰⁶

Dow’s political career would never be the same in the wake of the Rum Riot: he did not run for reelection in 1856 and generally retired from local politics. He continued to advocate prohibition around the country and around the world, journeying to England in the late 1850s to argue in support of prohibition legislation there. Dow journeyed back to Europe several more times after the Civil War on similar speaking tours.²⁰⁷

²⁰³ *Kennebec Journal*, unknown date, In Hatch, *Maine: A History...*, 392.

²⁰⁴ *Portland Eastern Argus*, April 10, 1856.

²⁰⁵ Dow, *Reminiscences*, 558/

²⁰⁶ Neal Dow, letter to Edwin Jackson, April 7, 1856, in the George J. Mitchell Special Collections Department and Archive, Bowdoin College Library.

²⁰⁷ Dow, *Reminiscences*, 570.

Despite the negative publicity surrounding the riot, Dow's name and cause were hardly forgotten, as Maine reenacted prohibition in 1858. Without Dow's watchful eye, however, the reinstated law was not well enforced as the now entrenched Republican leadership of the state mostly used the law to keep the local Irish population in check. As one local prohibition supporter decried, the authorities "prosecuted only...the keeper of an Irish rumhole" while sparing "the Republican proprietors of fashionable drunkeries."²⁰⁸ Another temperance editor bemoaned the fact that "grogshops swarm all over the city...and there is no attempt at concealment on the part of the occupants...."²⁰⁹ Such complaints categorized the state of prohibition in Maine for the rest of Dow's life, as authorities turned a blind eye to all but the most blatant offenders. Prohibition remained on the books in Maine throughout the nineteenth century, but for bulk of that time the law was enforced extremely lightly (if at all).

In keeping with his crusading personality, Dow volunteered for the Union Army at the outbreak of the Civil War in 1861 despite his advanced age (nearly sixty) and large personal wealth. Commissioned as a colonel in the 13th Maine Infantry in 1861, Dow fought admirably in a string of battles and was promoted to Brigadier General. Unfortunately for Dow, he was captured by Confederate soldiers during the siege of Port Hudson in June 1863 (Dow was the highest ranking Union officer to be captured by the

²⁰⁸ Byrne, *Prophet of Prohibition...*, 77.

²⁰⁹ *Maine Temperance Journal*, September 16, 1858, in Byrne, *Prophet of Prohibition...*, 77.

Confederates during the war), and remained in enemy hands until February 1864 when he was traded for a nephew of Robert E. Lee who had been captured by the Union.²¹⁰

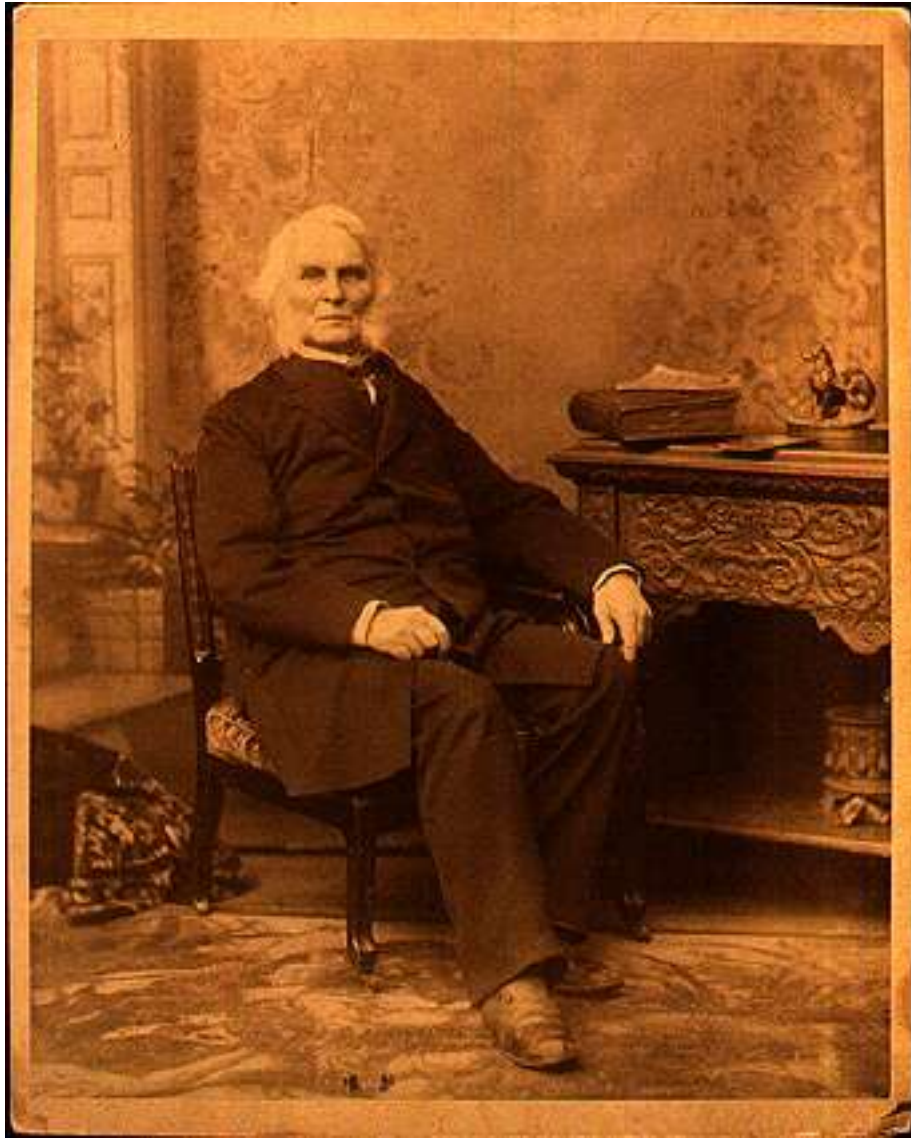
Dow experienced something of a political renaissance when he returned to Maine following his time in Confederate captivity. Upon arriving in Portland, Dow was greeted with a hero's welcome; one paper described the gathering as follows: "In the annals of Portland there has never been such a gathering of people on any occasion, as there was last evening at the City Hall to welcome General Dow."²¹¹ His health degraded by his time in prison, Dow resigned from the army and refocused his attention on prohibition, founding the National Temperance Society and Publishing House in 1865, an organization that would print millions of copies of books and pamphlets supporting the temperance cause over the next sixty years. Dow also ran for president of the United States as the Prohibition Party's candidate in 1880, though he was not a real contender and he and his running mate (Henry A. Thompson) received barely more than 10,000 votes. Dow would never reach the level of national recognition he enjoyed at the height of the Maine Law movement's popularity in the early 1850s, but Dow continued to write and campaign for prohibition (including completing his 700+ page autobiography), living to an impressive 93 years of age before dying in 1897.²¹²

²¹⁰ Herbert Adams, "Enemy of Rebels and Rum Lovers," *Civil War Times Illustrated*, Vol. 25, No.1 (March 1986), 46-51. Dow, *Reminiscences*, 694-703.

²¹¹ Dow, *Reminiscences*, 735.

²¹² Adams, "Enemy of Rebels and Rum Lovers," 51.

Conclusion: The Lessons of Neal Dow



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Dow in 1880

²¹³ “Neal Dow 1804-1897,” from the archives of the Maine Historical Society, accessed online at <<http://www.mainehistory.org/rum-riot-reform/1820-1865/gallery3/index.html>>

Neal Dow's story is instructive; it has been repeated many times by other reformers throughout American and world history. The same crusading devotion that allowed Dow to build the Maine Law movement in the first place led to his undoing when Dow tried to go too far in his campaign with his exceedingly strict enforcement of prohibition, alienating the moderate support that was essential to spreading his cause beyond the most hardcore prohibitionists. Dow worked his entire life to free Maine and the country as a whole from the evils of alcohol, but, in the end, his uncompromising personality ended up setting back the very cause for which he had worked so hard. Dow refused to acknowledge the fact that most Mainers supported a more moderate interpretation of the law than his own and objected to his intrusive enforcement practices. As Dow biographer Frank L. Byrne notes:

Neal Dow had both fertilized and blighted the Maine law myrtle....By his fanaticism during the Portland Riot, he had darkened his political future and had weakened the roots of his cause across the nation. And, through his bargain with the Republican leaders [a reference to the support of the Know-Nothings], he had temporarily forestalled himself from even regaining the ground lost in his own state.²¹⁴

Like another reformer from this period, the radical abolitionist John Brown, Dow overestimated the support for his cause, assuming that his strong moral convictions alone would be enough to overcome all opposition and lead America to a glorious triumph over a national evil (in Brown's case, the evil was slavery). While Dow did not end up being hanged for this miscalculation, his political career did go down in flames, as Portlanders,

²¹⁴ Byrne, *Prophet of Prohibition...*, 69.

Mainers, and many temperance advocates across the country became fed up with the conflict that his fanaticism provoked.

Another lesson that can be gleaned from Dow's story is the need to carefully choose partners when forming broad coalitions to support moral reforms, as the end goal of furthering a cause can become lost in the desire to gain widespread political support. Dow's alliance with the Know-Nothings helped him get reelected to the mayor's office, as the group helped boost the nascent Republican Party and put Dow in a position to once again have personal control over the enforcement of his law in Portland. However, that alliance made Dow a huge target in the eyes of Portland's Irish community, which tended to oppose prohibition even before the supporters of liquor restrictions openly aligned with the nativist Know-Nothings. The Irish would almost certainly never have supported Dow or his cause, but the political situation in Portland in the early summer of 1855 would not have been as explosive as it was if it had not been for Dow's alliance with the Know-Nothings. In battling "Demon Rum," Dow sold his soul to the devil of nativism, an evil which ended up overcoming the good cause of fighting alcohol abuse that Dow hoped to accomplish and promote.

In the end, Dow's story provides an instructive look at the dilemma faced by moral reformers in the American political system. Any real change requires broad support, but broad support requires moderation, as most individuals are reluctant to endorse massive shifts in the nation's moral conscience. Reformers must try and strike a

very delicate balance to see their movements through to national success. Along the way they have to accept some compromises and keep the big picture in mind: it is better to gain some ground than to take an all-or-nothing attitude that ends up undermining the cause all together. Dow failed precisely because he was blind to the reality that most individuals only supported a moderate version of prohibition: his career provides an instructive lesson regarding the temperate path reformers must follow if they are to be ultimately successful, and the hazards they face if they walk the path of extremism.

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