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# THE ANTI-SALOON LEAGUE WAGES WAR IN PHOENIX, 1910

## The Unlikely Case of Frank Shindelbower

by

H. David Ware

ON A LATE NOVEMBER DAY IN 1910, an unlikely hero rode into Phoenix on the afternoon train from Florence. After serving seven months in Arizona's territorial penitentiary, eighteen-year-old Frank Shindelbower was at last headed for home. A few months earlier, the amiable but unremarkable boy had been at the center of a controversy born of urban reformers' efforts to improve the moral tone of Arizona's capital city. The ensuing courtroom fight was yet another skirmish in the saloon wars waged in many western cities during the early years of the twentieth century. Frank Shindelbower served as a pawn in the contest between anti-liquor crusaders and bar owners. Caught in the middle of a larger fight, he won his fifteen minutes of fame, but ended up taking the fall.

To appreciate Shindelbower's case and its implications, it is necessary to envision Arizona as it entered the second decade of this century. What began as a rough, hazardous aggregation of bonanza camps was a much different place by 1910. Although tough mining districts still abounded, Arizona's major cities largely resembled the rest of the nation. They were a bit hotter and drier, perhaps, but they featured most of the amenities, social enthusiasms, and characteristics of similar urban centers in Pennsylvania, Oregon, or Ohio.<sup>1</sup>

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Temperance was one of those characteristic movements in Arizona and throughout the West that garnered support from popular opposition to another characteristic feature of frontier settlements—the saloon. Saloon districts formed the social, economic, and even geographic centers of most early Arizona cities and towns. Bars were often the first businesses to open in Arizona boom towns; hence, they claimed prime real estate. As years passed and town economies diversified, the saloons—which once were the multifunctional hearts of their communities—became just another class of business, their roles reduced, their proprietors socially marginalized, and their trade increasingly hemmed in (at least on paper) by territorial and local regulations.<sup>2</sup>

Saloons' declining prestige owed much to the efforts of such organizations as the Good Templars and the Woman's Christian Temperance Union that had been active in Arizona since the early 1870s and 1880s, respectively. The pressure that these groups brought to bear led to the passage in 1901 of the territory's first local-option law, which enabled individual electoral districts to vote on whether or not liquor licenses would be issued within their boundaries. Like elsewhere in the nation, Arizona's rural areas, with heavily evangelical Protestant or Latter-day Saint populations, easily voted themselves dry. Cities, on the other hand, sporting large ethnically, culturally, and religiously mixed populations, resisted the anti-saloon advocates. Phoenix proved particularly frustrating. By 1910 three local-option elections had failed to dry up either the city or the surrounding county.<sup>3</sup>

Arizona's failure especially troubled local members of the Anti-Saloon League of America. The League had grown from midwestern anti-drink activism during the 1890s into the dry *wunderkind* of the early twentieth century. It expanded into Arizona in 1906, when New Mexico League superintendent W. W. Havens visited the territory and established several local leagues, including chapters in Yuma, Tucson, and Phoenix. Made up mainly of businessmen, professionals, and Protestant clergy, they operated largely independent of one another for several years, sponsoring local-option elections but apparently having little other contact.<sup>4</sup>

In 1909, national A. S. L. organizer George W. Young set up a territory-wide league for Arizona, headquartered in Phoenix.

Young promised to send a “live organizer” from the East to vitalize the Arizona anti-saloon fight. The national League redeemed Young’s promise later that year when Dr. William Maxwell Burke, a Columbia University history Ph.D., arrived in Phoenix. As Arizona superintendent, Burke focused on lobbying the territorial legislature, trying to influence the upcoming state constitutional convention, and editing the *Arizona Issue*, a monthly dry newspaper filled with homilies and statistics as well as pungent commentary on local politics. Burke neither dissolved the existing local leagues nor truly integrated them into the A. S. L.’s organizational hierarchy. Although the new superintendent worked closely with Maricopa League leaders such as physician Harry Hughes, attorney J. H. Langston, and local probation officer and dog-catcher J. W. Canning, the local chapter was left to do as it pleased while Burke planned larger strategy.<sup>5</sup>

Frustrated by previous local-option failures, in the fall of 1909 the Maricopa County Anti-Saloon League looked for other methods to close Phoenix saloons. Launching a “strict enforcement” campaign, they pressured local authorities to enforce fully such laws as the mandatory revocation of licenses of establishments that violated closing hours or served women and minors. Phoenix had first adopted these ordinances in the early 1880s and regularly revised them, but enforcement was spotty. Because few police or sheriff’s deputies were available for undercover work, the Maricopa Anti-Saloon League decided to take on the task themselves in the hope of bagging as many saloon licenses as possible.

The first fruits of their resolve appeared in November, when county League vice-president J. W. Canning announced that he had evidence of twelve Phoenix saloons selling liquor to minors. He also claimed to have as many as ten witnesses for some of the violations, including youths who had made the purchases. The witnesses included two brothers, Frank and Charlie Shindelbower, the eldest children in a large, impoverished family that was trying to make a go of farming on the outskirts of town. By the end of the month, the twelve complaints had been boiled down to two. In the end, only one saloon lost its license, a frustratingly small yield from so large an effort.<sup>6</sup>

Hoping for more success in the new year, in March of 1910 the county League brought suit against several other Phoenix



*Palace Saloon, c. 1900. (Arizona Historical Foundation)*

saloons, again relying upon the testimony of young men like Frank and Charlie Shindelbower. This time, three joints were denied automatic license renewals: the Midway, on the northwest edge of town, and the Casino and the Palace on Washington Street in the heart of downtown. To retain their licenses beyond the end of March, proprietors would have to collect signatures of support from more than half of their immediate neighbors. The owner of the Palace, the oldest and once the fanciest resort in town, simply decided to let his license lapse. The Casino's Phil Wharton busily collected enough signatures, and on March 31 the county supervisors re-issued his license. The same tactic backfired on the Midway's owners; supervisors denied their request for renewal after more than half the saloon's neighbors (including its landlord) submitted a petition opposing the Midway's continued operation.<sup>7</sup>

These actions alerted Phoenix saloonkeepers that they had been set up by Canning, Hughes, and the county's Anti-Saloon League. Like their adversaries, the saloon men collected evidence, looking for a weak spot in the dry case. And, they found it. In late April, the Phoenix Amusement Company, which operated

*The Anti-Saloon League Wages War in Phoenix, 1910*

the Casino, filed perjury charges against Frank Shindelbower. Maricopa County League president Harry Hughes informed the press that he fully expected that “every grand jury that has on it a member of the Royal Arch [the informal saloonkeepers’ fraternity] will try to start [Shindelbower] for the penitentiary.” The county grand jurors fulfilled Hughes’s predictions by binding the teenager over for trial before district court justice Edward Kent on May 3. The *Phoenix Arizona Gazette* predicted a bitter contest.<sup>8</sup>

Shindelbower’s trial began on a rancorous note. Jury selection, usually an hour’s work, took up a full day as attorneys for the boy and his saloonist opponents maneuvered to ferret out each potential venireman’s wet or dry leanings in an effort to pack the jury box in their favor. One likely candidate successfully evaded service by stating that he would not vote to convict Shindelbower if it could be proved that the Anti-Saloon League had put him up to his whiskey-buying forays.<sup>9</sup>

Attorneys finally began arguing the case on May 4. From the beginning, the Phoenix Amusement Company presented the stronger case. Lawyers for the saloon men showed that Shindel-

*Interior of the Palace Saloon. (Arizona Historical Foundation)*



bower's testimony against the Casino had been vague about such details as when he had bought the liquor, who had sold whiskey to the boys and so forth. The prosecution responded with testimony from two young men who affirmed that Shindelbower had begged them to buy him a bottle of whiskey. They had complied, delivering a four-bit flask to the boy as he waited outside the saloon. Casino bartenders further eroded Shindelbower's credibility when they told the court that they had previously ejected Frank and Charlie Shindelbower from the resort because both boys were obviously underage. The bar men claimed that the Shindelbowers had not entered the Casino again.

The most damning testimony, however, came from George Gladue, a Phoenix teenager who claimed that on or about January 24 Frank Shindelbower had told him that he was about to "go up against another saloon." According to Gladue, Shindelbower admitted that "Papa Canning had offered to pay him \$1.00 for every saloon knocked out and \$2.50 per day and expenses." Although defense attorney Langston managed to throw doubt on some details of Gladue's testimony, the damage to Frank Shindelbower's credibility was done. The jury—made up of farmers, laborers, and small businessmen—took barely three hours to return a guilty verdict.<sup>10</sup>

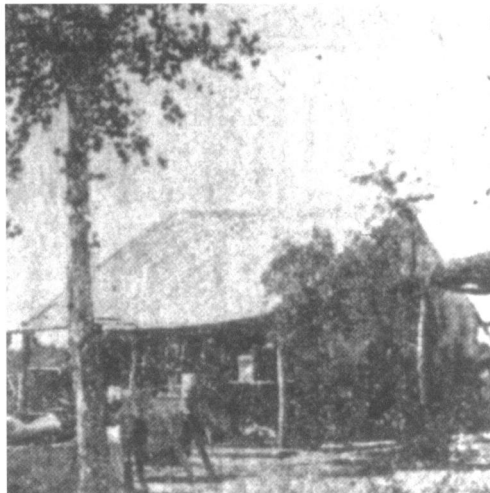
In the wake of the verdict, speculation ran high as to Shindelbower's fate and the identities of his sponsors. One Phoenix newspaper reported that there was sentiment in town to pressure Shindelbower to "open up" and implicate Hughes and, especially, Canning. "Undoubtedly this would cause great rejoicing among the saloon element for they have been after Canning's scalp for some time," the paper predicted. At the same time, Phoenixians expressed considerable sympathy for the prisoner himself. Many regarded the boy as a scapegoat, and a particularly hapless one at that. Unschooling and functionally illiterate, Frank Shindelbower was the oldest of seven surviving children in a poor Appalachian farming family that had relocated to the Phoenix area after going broke in Oklahoma a few years earlier.<sup>11</sup>

The *Arizona Gazette*, in particular, took up Shindelbower's cause. The paper described for its readers a hard-pressed family living in a tent house on the edge of town, cooking over an outside wood stove. They owned two horses, an iron plow, a wagon,

*The Anti-Saloon League Wages War in Phoenix, 1910*

and not much else. Though poor, the family was proud and ambitious; they were buying their farm instead of renting. In short, the Shindelbowers were the kind of honest yeoman strivers that the territory needed.

The *Gazette* stories were most affecting when they described or quoted Frank's mother, a Tennessee hill woman of strong temperance sentiments. A photograph shows a thin, serious, almost gothic woman, slightly reminiscent of populist orator Mary E. Lease. Her plain words might have come from the mouth of Ma Joad in John Steinbeck's novel *The Grapes of Wrath*. She told reporters that women in her Tennessee home never touched whiskey. She was grateful that her good husband had never imbibed. Now, though, booze had reached into her family through her eldest son. She was not sure that prohibition would help matters much, but she was sure it couldn't hurt. In strong, plain language Mrs. Shindelbower condemned the drink trade while keeping her mind on what was most important to her: "Don't try to tell me that whiskey is a good thing for towns or business or people. I don't care for towns; I want my boy."<sup>12</sup>



*Shindelbower home.*  
(*Arizona Gazette*)



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Responding to the pathos of the young man's plight, Phoenix drys also rallied to Frank Shindelbower's defense. On May 8, the town's Protestant clergy made his case the topic of their sermons, damning the saloons and taking up collections for the boy's defense fund being coordinated by the Arizona Anti-Saloon League. On the eleventh, J. H. Langston filed a petition for a new trial, citing an affidavit from a fresh witness supporting Frank's charges against the Casino. The new witness refused to appear in court, however, forcing the judge to deny the motion. The defendant, meanwhile, cooled his heels in the county jail. He posed for newspaper photographers and struck up friendships with Ernest and Oscar Woodson, a pair of Oklahoma teenagers who, like the Shindelbowers, had come to Arizona to seek their fortunes, first as ranch hands and then as unlucky would-be train robbers.<sup>13</sup>

Finally, on the morning of May 14, Judge Kent sentenced the youth to a general term of between one and fourteen years in the territorial penitentiary at Florence. Asked if he had any words for the judge, Frank Shindelbower steadfastly asserted that "I am not guilty and I told the truth." Although the judge, like most people



*Frank Shindelbower's mother and sister. (Arizona Gazette)*

in the community, sympathized with the young defendant's hard life and fortunes, he nonetheless abhorred Frank's persistent denial of guilt. "What you have done is reprehensible," Kent lectured, "but . . . it is more so that you stick to your defiant attitude and to a concealment of the truth." The judge hoped that the young man might "in time come to a realization of the enormity of the offense and be ready to tell the truth about it. . . . When that time comes I shall be willing to join with others . . . in asking the governor for your release. Until that time I shall not."<sup>14</sup>

On the morning of May 24, Maricopa County sheriff Carl Hayden collected the teenager from jail and escorted him on the train to Florence. Frank's parents drove downtown to the county lockup to wish their son well. Mrs. Shindelbower brought her young babies, who played in the jail yard while she spoke with her son. Frank's father stayed outside the jail, content to embrace his son as the boy emerged onto the street.<sup>15</sup>

Phoenix drys did not forget Shindelbower while he languished in prison. Attorney Langston continued the search for witnesses who would corroborate the young man's story. The territory's Anti-Saloon League, meanwhile, tried to distance itself from the case and downplay its earlier involvement. League superintendent Burke managed to muddy the water a little, when he explained in the July *Arizona Issue* that:

Before the present Superintendent came to Arizona there was a Maricopa County Anti-Saloon League. It was a local affair whose main business was law enforcement. It so happened that the officials of the local league were in some instances the same as those of the Territorial League. The two organizations, however, are entirely distinct and separate. Mr. J. W. Canning, third vice-president of the county League, has been active and efficient.

Burke also took pains to point out that, apart from collecting money to see that justice was done to Frank Shindelbower, the territorial League had no connection whatsoever with the county League's activities. He went so far as to print on a subsequent page a detailed record of "Shindelbower Fund" collections and disbursements, giving the impression that the territorial League had acted as nothing more than a convenient private banker.<sup>16</sup>

While Burke tried to wash his hands of the entire affair, the county League continued to work for Shindelbower's release. After more legal maneuvering through the summer and early



*George U. Young.*  
(*Arizona Historical Foundation*)

fall, in early October Langston petitioned territorial governor Richard Sloan to pardon the boy. Sloan, whose attention was occupied by matters related to the constitutional convention then in session, took no action on the matter. During November, however, while Sloan was in Washington lobbying against Congressional approval of the proposed constitution, Langston presented Acting Governor George U. Young with a new petition signed by more than 350 Phoenicians. Young was sympathetic and, on the morning of November 28, issued a terse, even impersonal, proclamation pardoning Shindelbower. The *Arizona Republican* reported that in his first draft Young had minced no words explaining why he thought Shindelbower's punishment had been more than sufficient. He hoped that his case would be a warning to factions "whose hostility toward each other had been basically responsible for all [Shindelbower's] troubles."<sup>17</sup>

All that remained, it seemed, was to bring the boy home. The county League turned the event into a festival. On the morning of November 29, Langston stuffed the pardon in his pocket and boarded the train for Florence. Late that afternoon, he returned to Phoenix, accompanied by young Shindelbower. A

*The Anti-Saloon League Wages War in Phoenix, 1910*

crowd of well-wishers that included a brass band from the Phoenix Indian School met the pair at the depot. Although some prominent drys, including William Burke, were conspicuously absent, they were little missed. Jim Canning and Harry Hughes were there. Hughes embraced the boy, then lambasted the Phoenix saloonists, before the parade moved out toward the Shindelbower family homestead. An editorial in the *Gazette* that evening commended Acting Governor Young, who had demonstrated that he was “blessed with red blood in his veins and a heart that beats sympathetically for the poor, the suffering and the oppressed.”<sup>18</sup>

In the aftermath of the pardon, the Shindelbower case quickly faded from public memory. By late 1910, the attention of drys in Phoenix and throughout the territory was shifting from local squabbles toward questions of Arizona and nationwide prohibition. The territorial Anti-Saloon League stance in the Shindelbower pardon suggests that its leaders, especially Burke, saw bigger game afoot than the fate of one young laborer caught up in the liquor wars.

In hindsight, the Shindelbower controversy seems like a late flowering of old-style, localist anti-saloon activism in Arizona. Although the county leagues survived, thereafter they increasingly became appendages of the territorial, then state, organization. By the spring of 1911, when local option passed in Maricopa County but failed miserably in Phoenix, the Anti-Saloon League ceased making any public distinction between territorial and local organizations. After a few more rural victories, offset by one last stunning 1913 defeat in Phoenix, the League abandoned the local-option battle and focused instead on the initiative provision of Arizona’s new constitution to enact successive dry amendments in 1914 and 1916.

By the time these restrictions were enacted, most of Frank Shindelbower’s advocates remained active in Phoenix affairs and in the social debate over alcohol. J. W. Canning served well into the 1920s as Phoenix’s humane officer, the friend of animals and children alike. J. H. Langston went on to serve as assistant U.S. attorney for the Phoenix district. Dr. Harry Hughes continued to play an especially prominent role in the dry cause. He experienced his greatest triumph in 1916, when Arizona voters

overwhelmingly adopted a “bone dry” amendment. Within eight years, however, he would become a Ku Klux Klan apologist, embittered by lax prohibition enforcement and the death of his favorite son from drinking poisonous moonshine.<sup>19</sup>

The central character in this “teapot tempest,” however, proved as ephemeral as public interest in his case. Frank Shindelbower left few traces after his pardon and little is known of his later career. In the spring of 1916, his name reappeared in the newspapers when he and a couple of companions were arrested on charges of horse theft. Following this brief brush with the law, he disappeared from public record and may have left the valley. His parents are listed in Phoenix city directories through the 1920s, employed in such modest jobs as laundry maid and night watchman. For the Shindelbowers, Arizona’s golden prospects turned dim, just as the Anti-Saloon League’s vision of a bone-dry Arizona, innocent of even the memory of strong drink, faded by 1933.<sup>20</sup>

Two trends in the development of modern Arizona briefly converged during Frank Shindelbower’s fifteen minutes of fame. One was the rise of urban reformers, seeking to eliminate a cause of vice, crime, and temptation. Moving from persuasion to



*Frank Shindelbower.*  
*(Arizona Gazette)*

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coercion and from local focus to broader territorial, then national, ambitions, the actions of the county and territorial anti-saloon leagues illustrate a shift in the dynamics of reform. The other element is exemplified by the Shindelbowers, a poor but proud agrarian family looking for brighter prospects in the Valley of the Sun. They were part of a society in transition, members of a group that traditionally has been viewed as prohibition's great mainstay, yet as vulnerable as any inner-city dwellers to the snares of the saloon and of urban politics.

Frank Shindelbower's flash of fame should interest us less for its intrinsic qualities as a "good story" than for the way in which it illustrates the shifting sands of western urban politics. In this sense, it provides us with a snapshot of the culture wars that wracked American society at the beginning of the twentieth century. What seemed a clever stratagem to attain local goals backfired on the Phoenix dries, who lost a little face just as their wet opponents lost a little ground. In the end, though, the only real loser was Shindelbower himself. Recruited for a purpose, raised from obscurity, probably motivated by need, he served as a pawn and then was dropped—pardoned after wets and dries alike had moved on to other, bigger things.

The Shindelbower episode was a sideshow, and yet it deserves another look in light of more recent, bitter cultural debates. At the very least, it provides a window through which we can view a reform movement in the middle of a drastic transformation. It also encapsulates the West's long tradition of factional squabbles over the shaping of its cities and society. The Shindelbower episode is both "*The Grapes of Wrath* meets *The Age of Reform*" and a case study of the subtleties of politics and the evolution of voluntary associations in the post-bonanza days in territorial Arizona.

NOTES

1. Bradford Luckingham, *Phoenix: The History of a Southwestern Metropolis* (Tucson: University of Arizona Press, 1989), especially Chapter 3; David Berman, *Reform, Corporations and the Electorate: An Analysis of Arizona's Age of Reform* (Niwot: University Press of Colorado, 1992), pp. 13–17.
2. Elliott West, *The Saloon on the Rocky Mountain Mining Frontier* (Lincoln: University of Nebraska Press, 1979), pp. 131–40; Thomas Noel, *The City and the Saloon: Denver 1858–1916* (Lincoln: University of Nebraska Press, 1982), pp. 11–20.

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3. Nancy K. Tisdale, "The Prohibition Crusade in Arizona" (M.A. thesis, University of Arizona, Tucson, 1965), pp. 61–64. Tisdale notes that Maricopa County's June 1902 local-option election was the "first significant one in the territory," but alludes to earlier contests in the Mormon hamlets of St. Johns, Springerville, and Troy that produced easy dry victories. For an analysis of Maricopa County's first three local-option elections, see H. D. Ware, "Alcohol, Temperance and Prohibition in Arizona" (Ph.D. dissertation, Arizona State University, Tempe, 1995), pp. 22–29.
4. *Arizona Daily Star* (Tucson), March 11, 13, 1906; K. Austin Kerr, *Organized for Reform: A New History of the Anti-Saloon League* (New Haven: Yale University Press, 1985), p. 124; Tisdale, "Prohibition Crusade," pp. 79–80.
5. *Arizona Republican* (Phoenix), March 16, 1909; *Arizona Gazette* (Phoenix), February 16, 1910; *Arizona Issue*, various numbers, in Special Collections, University of Arizona Library, Tucson; Tisdale, "Prohibition Crusade," pp. 93, 101; *Comprehensive Dissertation Index, 1861–1972. Volume 33* (Ann Arbor, Mich.: Xerox Corporation, 1973), p. 621. Harry Hughes served simultaneously as leader of the Maricopa County Anti-Saloon League and first president of the territorial League, organized before Burke's arrival in Phoenix.
6. *Arizona Gazette*, November 2, 30, December 1, 9, 1909; *Arizona Republican*, December 1, 1909.
7. *Arizona Gazette*, March 30, 31, April 19, 1910.
8. *Ibid.*, April 25, 1910.
9. *Ibid.*, May 4, 1910.
10. *Ibid.*, May 5, 1910.
11. *Ibid.*, May 6, 1910.
12. *Ibid.*, May 6, 14, 19, 1910. U.S. Census schedule listings enumerated in June of 1910 provide dates and places of birth for Shindelbower family members.
13. *Arizona Gazette*, May 9, 11, 12, 13, 1910; *Arizona Republican*, May 15, 1910. Part of L. A. Bright's reluctance to testify in person seems to have stemmed from his earlier arraignment, along with Charlie "Bud" Shindelbower, on charges of chicken theft. Bright had been acquitted, thanks in part to testimony from Frank Shindelbower.
14. *Arizona Gazette*, May 14, 1910; *Arizona Republican*, May 15, 1910.
15. *Arizona Gazette*, May 24, 1910.
16. *Arizona Issue*, July 1910, pp. 4–6. This was not the first instance in which Burke had to clarify the League's money matters. On May 11, he denied having raised money to defeat Maricopa County district attorney George Purdy Ballard who, at the time, was prosecuting Frank Shindelbower. *Arizona Gazette*, May 11, 1910.
17. *Arizona Gazette*, September 16, 1910; *Arizona Republican*, November 29, 1910.
18. *Arizona Gazette*, November 29, 1910; *Arizona Republican*, November 30, 1910.
19. *Arizona Gazette*, May 31, 1916. Periodic notices in the *Gazette* and the *Republican* mention Canning rounding up stray dogs, trying to match up children with potential pets, and intervening in cases of cruelty to animals. In the autumn of 1924, Hughes published at least one issue of *The Crank*, a small newsletter devoted to Klan puffery, anti-alcohol virulence, and self-justification. See *The Crank* (September 1924), Ku Klux Klan file; *Arizona Republican*, February 16, 1924, and September 27, 1928, Harry Adams Hughes biographical file, all in James McClintock Collection, Phoenix Public Library.
20. *Arizona Gazette*, March 24, April 4, 26, 1916.

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