Lucius Polk Brown and Progressive Food and Drug Control

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2—With Brown in Tennessee:  
The Right Man, the Right Place,  
the Right Time

As the twentieth century approached, Tennessee legislators and municipal authorities directed their attention to public health matters. Mindful of the health problems that had plagued generations of Americans and receptive to the scientific expertise that might alleviate these problems, lawmakers responded to the demands of concerned citizens. By 15 January 1908, when Governor Malcolm R. Patterson named Lucius Polk Brown to the post of state pure food and drug inspector, the state had a new law outlining his responsibilities and enough socially conscious residents to support his work. Brown's professional development had kept pace with the progress of public health in Tennessee. When the state needed someone with his qualifications, he was the right man, in the right place, at the right time.

Brown's heritage was Anglo-Saxon, Protestant, and southern agrarian. He was born at Hamilton Place in Maury County, Tennessee, on 1 April 1867—the oldest of the five children of George Campbell Brown and Susan Polk Brown. John Brown, the founder of the Brown family in the United States, was an Englishman who had come to America in the eighteenth century from Northern Ireland. A Presbyterian minister, he settled in Augusta County, Virginia, and established Liberty Hall Academy, the forerunner of Washington and Lee University. Lucius Polk Brown's great-grandfather, George Washington Campbell, became secretary of the treasury under President James
Madison, first minister of the delegation to Russia under President James Monroe, and a senator from Tennessee; his grandfather, James Percy Brown, served as an attaché to the American embassy in Paris. His mother's people were the famous Polks of Middle Tennessee: his great-grandfather, Colonel William Polk of Mecklenburg County, North Carolina, fought in the Revolution; his great-uncle, Leonidas Polk, was the Confederate general and Episcopalian bishop who had once set out to make his fortune with a remedy for diphtheria; and his cousin, James K. Polk, had been president of the United States.1

As a youth, Brown lived with his parents on Ewell Farm at Spring Hill. He grew up during the difficult years of Reconstruction, but in an atmosphere of gracious country living in the southern tradition. He had the advantage of a sound preparatory education in private schools, including Montgomery Bell Academy in Nashville and a high school at Bellvue, Virginia. His family was not wealthy, but it was financially secure because of its landholdings. The Browns had managed to retain more than eleven hundred acres when a wise executor prevented the widow Elizabeth McKay Brown from investing in Confederate bonds. In 1867 this same lady, by then the wife of General R. S. Ewell, brought the first registered Jersey cow to Tennessee. Her interest in this particular breed contributed to the success of her son Campbell as a stockbreeder and farmer and to the bent of her grandson Lucius toward chemistry. As dairymen, the Browns placed high priority on production standards, and chemical analysis held the key for determining the quality of milk.2

Thus, Lucius Polk Brown turned toward chemistry. In the autumn of 1885, when he was eighteen years old, he enrolled for his first year of study at the University of Virginia. This signaled the beginning of his preparation as a professional chemist. Instead of pursuing a course of study that would have resulted in a professional or titled academic degree, he earned untitled “degrees” in chemistry and related sciences, an alternate program offered by the university at that time. His college days, however, were not all spent in the laboratory. The handsome, broad-shouldered, brown-eyed young man also played football, rowed, and boxed. Professors acknowledged his progress and recognized him as an able, conscientious student excelling in laboratory courses.3
In 1889 Brown left the University of Virginia and returned to Tennessee. For the next four years he divided his time almost equally between farming and chemical experimentation in scientific agriculture. His contacts with agrarian life had remained open during his student days, for his father wrote to him often, informing him of activities at Ewell Farm and seeking his advice on the type of stock that should be purchased to improve the bloodlines of the dairy herd and the racehorses.

Brown's return to the farm did not preclude his scientific interests; perhaps it promoted them, for he soon began laying foundations for his career as a chemist. In October 1889 he secured employment as acting chemist at the University of Tennessee Agricultural Experiment Station in Knoxville. Then in its infancy, the station itself had existed little more than two years, and the embryonic laboratory of the chemical division had been in operation only nine months when Brown became its director. His official duties included analysis of milk samples to determine butterfat content, comparison of varieties of sorghum to find the type best suited to the climate of Tennessee, and investigation of the quality of fertilizers.

The pleasant interlude of professional work soon ended. Brown resigned as acting chemist with the experiment station, effective 1 July 1890, and returned to Ewell Farm to help his father, now aged and ill. Collecting samples from the herds of his prominent Middle Tennessee neighbors, the promising young chemist continued his work with methods for determining the content of butterfat in milk, especially those that could be adapted to the needs of the dairy farmer. He also kept himself informed of the results from similar tests at other state agricultural stations. In 1893, Campbell Brown died, leaving Ewell Farm in the capable hands of his oldest son, who had been closely involved in operations there for the preceding three years. The responsibilities that Brown assumed left him little time for his chosen profession.

An ambitious man of varied interests and immense energy, Brown soon tired of the limited life of a farmer. Being an astute observer of contemporary events, he noted the rapid strides that the United States was making toward urbanization and industrialization. Neither he nor American society in the late nineteenth century could escape
completely the rural heritage or resist the lure of urban dynamism. Now in his late twenties, he decided that the time had come to advance his career.

Nashville, in close proximity to Ewell Farm, became Brown's base of operation. Tennessee's largest city and capital boasted a population of 76,168 in 1890 and served as a major commercial and wholesale market between the Ohio River and the Gulf of Mexico. The pace of life in the city slowed during the depression of the 1890s, but in spite of economic difficulties, Nashvillians could not have helped but notice the decisively urban qualities that their city reflected. The numerous buildings, the rapid suburban expansion, the business conducted, and the smoke billowing out of soft-coal furnaces legitimized claims of urbanization. Alongside the metropolitan features were holdovers from the less-sophisticated country town. Most of Nashville's inhabitants walked to work, to market, and to school; wealthier citizens had not yet fled the downtown area; and cows still grazed from 6 A.M. to 6 P.M. in certain designated places.7

To this town in transition, Brown went in search of opportunities as a professional chemist. By 1894 he had become a partner in the laboratory of Memminger & Brown, and eventually he assumed the ownership and presidency, changing the name to Lucius P. Brown & Company Analytical Chemists. From 1894 to 1908 his career advanced rapidly, and he established a reputation as an able chemist. Routine analysis consumed much of his time during these years, but his association with private companies provided him with other opportunities. For a time he served as director of both the Harley Pottery Company and the Hurricane Iron & Mining Company. His interest in geology and his involvement with these firms led to a number of mining ventures. He worked with phosphates in Tennessee and Florida over a period of several years, prospected for rutile in Virginia during 1903, and acquainted himself with the minerals of Utah, spending the summer of 1904 in that state.8

The aspiring professional at the turn of the century needed the approval of his peers. Graduate or advanced education, membership in professional organizations, and publication of articles and books offered the logical avenues to recognition. After Brown joined Memminger in Nashville, he continued his education at Vanderbilt Univer-
LUCIUS POLK BROWN

sity, where he enrolled as a graduate student in chemistry during 1897 and 1898. From 1894 to 1908 he joined such scientific organizations as the American Chemical Society and the Engineering Association of the South as well as a number of state and local societies. Later he affiliated with more highly specialized groups. He also published articles on the mining of phosphates in Tennessee, their quality, compositions, and uses.9

Changes in Brown's personal life accompanied his professional progress. In 1896 he was married to Jessie M. Roberts, the daughter of Albert Roberts, editor of the Nashville American. She died of pneumonia in 1897, leaving an infant son, Campbell Huxley. Brown remained a widower for six years. Then, in 1903, while on a prospecting trip in Virginia, he met Susan Catherine Massie, the sister of one of his classmates at the University of Virginia. They were married on 12 December 1903 at "Three Springs," the Massie home. The Lynchburg News, which carried a special article on the wedding, likened it to the "festive scenes of ante-bellum days." This union, which proved to be happy, produced three daughters, Susan Massie Polk, Lizinka Campbell, and Lucia Cabell.10

Toward the end of the 1890s a new sense of direction became evident in Brown's professional life. During earlier years he had dabbled in farming, agricultural chemistry, and private business. Increasingly, after the turn of the century, his orientation was toward government service. Keenly interested in the new pure food and drug campaign, he found opportunities awaiting him in the state government. On 14 January 1903, Brown applied to Governor James B. Frazier for formal recognition as chemist in the Tennessee Bureau of Agriculture. Because official occupants of that post had delegated their responsibilities to Brown over the years, he argued that his previous record showed his qualifications for the work. Apparently nothing came of the request, but Frazier asked him to represent Tennessee at a meeting of the National Association of State Dairy and Food Departments in St. Paul, Minnesota, in July. Brown did not show up at that meeting because he was in New York and did not receive the invitation in time, but when the eighth annual convention of food officials gathered at St. Louis in 1904, he attended. Thereafter, his career was intricately laced to this organization. His
professional interests by this time definitely included government service as a specialist on food and drugs, and the annual meetings of the association provided forums for the exchange of ideas on legislation, enforcement, standards, and chemical procedures.\textsuperscript{11}

By the time that Brown developed an affinity for food and drug control, efforts to improve public health had advanced tremendously. Social conscience and early modern scientific thinking had gradually supplanted demons, Divine Providence, and miasmas as explanations for disease. Although problems of gigantic proportion continued to haunt public health workers, beneficial changes were being made. By the late 1870s the germ theory had gained precedence over earlier views, largely as a consequence of the contributions made by the French chemist Louis Pasteur and Robert Koch, a German physician. Americans received this new knowledge with fascination and soon grasped its usefulness in the control of communicable diseases.\textsuperscript{12}

Brown grew up in a state that was perplexed by typical health problems of the nineteenth century. Tennesseans reacted slowly but positively to new scientific discoveries. Their fears of recurring epidemics led to the establishment of the state and municipal boards of health. In Memphis, for example, the yellow-fever epidemic of 1878 had sparked improvements. Sanitary conditions there during Reconstruction resembled those of a medieval city. A pure water supply was practically nonexistent; unscrupulous dealers watered the milk they sold, polluting as well as diluting it. The \textit{Public Ledger} of 18 September 1867 reported that the streets were "huge depots of filth, cavernous Augean stables, with no Tiber to flow through and cleanse them." Garbage, refuse, and dead animals produced a stench unrivaled, according to a carpetbagger, by that of Cairo and Cologne.\textsuperscript{13}

When the epidemic of 1878 struck, most citizens fled, leaving behind a motley crew of Negroes, poor whites, self-appointed nurses and doctors, and some professional physicians. The horrors could be observed in decomposed human bodies and dead rats that had expired while eating diseased flesh. According to a medical estimate, the city lost 5,150 people out of a population that never exceeded 20,000 during the siege. The year after this catastrophe, officials established a public health program and a board to administer it.\textsuperscript{14}

Memphis was not alone in its filth. Nashville was also notoriously
unclean. Poorly drained streets, open sewers, and garbage heaps were commonplace. The privies, urinals, cesspools, and kitchen drains of the state penitentiary polluted streams that flowed through the town. Slaughterhouses discharged their offal in the same manner. Authorities there had first established a board of health in 1866, when Asiatic cholera appeared in the United States. The board floundered for a decade, however, until it came under the influence of John Berrien Lindsley. His work in Nashville, particularly during the yellow-fever epidemic of 1878, earned him the respect of the medical society. When in 1877 the Tennessee legislature created a state board of health in response to the demands of physicians, Lindsley became secretary; in 1884, president. The stinginess of the lawmakers hampered the work of the board; nevertheless, his efforts strengthened preventive medicine in the state.\(^{15}\)

Health issues in Tennessee during the 1880s and 1890s continued to be relegated to the local level, and state administration remained weak. The most obvious interest in improvements came from health workers in the urban areas, but newspaper editors, writing for rural readers, frequently complained of unsanitary practices—if they could be attributed to the evils of city life. The editor of the Clarksville Leaf-Chronicle denounced the Nashville medical colleges for dumping barrels of dissected cadavers into the Cumberland River. In addition to creating sanitary problems, these strange cargoes washed up on river banks, presenting county coroners with numerous problems. Other state editors urged better care for the insane, denounced cigarette smoking, and opposed corsets and similar restrictive feminine apparel.\(^{16}\)

Improvements in public health came slowly in Tennessee and elsewhere in the United States during the late nineteenth century. Rapid urbanization, mushrooming industrialization, and streams of immigrants complicated existing problems. The federal government made no move to interfere seriously with the practices of big business either in the realm of working conditions or in the quality of products manufactured. Without centralized control nationally, local governmental units could make little headway. Millions of immigrants from southern and eastern Europe flooded major industrial cities, serving as a ready supply of cheap labor for the factories. When accidents
crippled them or they fell victims to diseases brought on by unfavorable working conditions and the abject poverty that low wages forced upon them, they became recipients of private charity or starved. Newcomers who maintained the strength to work congested the tenement districts and contributed to sanitary and housing problems. Cities were ill prepared to cope with the problems of the “new” immigrants. Even in New York City, where the Board of Health in 1866 had made such promising beginnings, political corruption and the overwhelming difficulties of the Lower East Side slowed the progress of public health.

The conditions of the streets, described by George Edwin Waring, Jr., as he found them in 1895 when he became director of the street-cleaning department, indicated that earlier efforts to purify New York City had been stymied:

Rubbish of all kinds, garbage, and ashes lay neglected in the streets, and in the hot weather the city stank with the emanations of putrefying organic matter. It was not always possible to see the pavement, because of the dirt that covered it. One expert, a former contractor of street cleaning, told me that West Broadway could not be cleaned because it was so coated with grease from wagon axles; it was really coated with slimy mud. The sewer inlets were clogged with refuse; dirty paper was prevalent everywhere, and black rottenness was seen and smelt on every hand.  

Although such problems were not restricted to major metropolitan areas, their magnitude in large cities attracted attention. The reaction of socially conscious citizens to conditions of big-city life provided the impetus for Progressivism. Reality, to this generation of reformers, was “the bribe, the rebate, the bought franchise, the sale of adulterated food.” Wherever they found sordidness, neglect, or unpleasantness, whatever their motivations, they sought to change it. Once public health became an issue in this multifaceted campaign, it steadily increased in importance.

Pure food and drug control was in part an outgrowth of the “new” public health movement in urban areas, but it also owed its existence to agricultural scientists at the state experiment stations.
Although later in Brown's career he became aligned with big-city reformers, his first experience with food and drug purity and consumer protection stemmed from his brief tenure at the Tennessee Agricultural Experiment Station. During his years in private business, many of his counterparts continued to operate within the framework of experiment stations. As these bastions of scientific agriculture grew in importance, the work magnified in scope to include a concern for the purity of food, water, and drugs.\textsuperscript{19}

The interest in food and drug control was well placed. As Walter Lippmann so aptly stated, the "ordinary purchaser" does not have time "to candle every egg he buys, test the milk, inquire into the origins of meat, analyze the canned food, distinguish the shoddy." Consumers were no better qualified to prescribe their own medicine. Yet, they stubbornly relied on the strange and exotic wares of patent-medicine dealers.\textsuperscript{20}

Food and drug swindlers victimized the public, and state legislatures began passing laws designed to solve the problem. Often this occurred after legitimate businessmen urged the lawmakers to take action. These early efforts antedated the passage of effective food and drug laws to control the manufacture, distribution, and sale of products involved in interstate commerce. State officials soon recognized the need for federal regulation and launched a concerted effort to secure congressional approval. They were aided by the revelations of such muckrakers as Samuel Hopkins Adams and Upton Sinclair. Adams exposed the evils of patent medicines and related malpractices in his series "The Great American Fraud," printed in Collier's Weekly. Upton Sinclair, a foremost critic of American society, attempted to win converts to socialism with The Jungle, but readers bogged down in the gory, nauseating descriptions of the Chicago meat-packing industry.

Concern for a better quality of food was not limited to muckrakers and local officials. After the Spanish-American War, General Nelson A. Miles raised a cry against impure food when he charged that "embalmed beef" had caused sickness among soldiers in Cuba. In May 1903, Dr. Harvey W. Wiley, chief chemist of the Department of Agriculture, organized his famous "poison squad" to determine the effects that artificial additives in foods had on the human body.
The findings indicated that all such substances were deleterious, a position that Wiley doggedly maintained throughout his career.\textsuperscript{21}

Although sensationalism was important in securing the passage of national legislation, the careful behind-the-scenes efforts of the Association of State and National Food and Dairy Departments proved to be the determining factor. As early as August 1897, these scientific reformers, many of whom were cast in the experiment-station mold, came together at Detroit for the first annual convention. From this time until 1906 they waged a relentless campaign to promote passage of federal regulation. No less a person than President Theodore Roosevelt recognized the role played by state food and dairy inspectors. In a message to Congress, Roosevelt made these remarks: "It is primarily to the action of these State commissioners that we owe the enactment of this law, for they aroused the people, first to demand the enactment and enforcement of State laws on the subject, and then the enactment of the Federal law without which the State laws were largely ineffective."\textsuperscript{22}

With the passage of the Pure Food and Drug Law of 1906, most states updated their statutes to complement the federal legislation. Those having no enforcement apparatus moved to establish some agency for food and drug control. Brown's native state had given little support to the battle for domestic food and drug legislation at the national level, but Tennessee lawmakers could not totally ignore the Progressive forces at work in the nation. In 1897 they reorganized the state Board of Health. Consisting of three physicians and the state commissioner of agriculture, as ex officio member, the new board numbered among its duties the responsibility for enforcement of the pure food laws. The effrontery of the legislature at this time could hardly be exaggerated. While authorizing the board to establish and equip a chemical and biological laboratory "with such experts as they may elect," the lawmakers emphasized: "It is the duty of said board to see that the provisions of this act are carried out without any additional appropriations."\textsuperscript{23}

Genial Democratic Governor Robert L. Taylor, in his biennial message of 1899, reminded the legislature of its obligations: "We have a pure food law as many other states have. Other states are putting their laws into execution, and therefore driving the adulterers
and dealers in impure food into states which have no such laws, or if they have them, they are not executing them. We are in the condition of having the law on our statute books with no appropriation for its execution.” The governor then recommended: “In the interest of the producers and for the consumers of our state, I suggest that your honorable bodies would do well to confer with the members of the Board of Health upon this important question, and act and make such appropriation as you may feel the best interest of the state requires.”

Four successive legislatures, however, made no concrete efforts to implement the enforcement of existing laws.

In the Fifty-first General Assembly of 1899, proposals dealing with the regulation of the sale of narcotics and impure food died in the House Committee on Sanitation. In 1901, new bills met the same fate, with the exception of legislation to empower the state Board of Health to enforce the pure food law; the Committee on Sanitation recommended passage, but no further action was taken. A bill to prevent adulteration of food and beverages, sponsored by John Watson Morton of Davidson County, came to a vote on the floors of both houses in 1903. The House favored it 56 to 28, but the Senate rejected it 17 to 9. The legislators of 1905 saw no measures come to a vote in both houses.

Voting patterns from 1899 to 1905 revealed no obvious opposition bloc to food and drug legislation, although Republicans from East Tennessee and a few Democrats from Shelby and Knox counties sometimes voted negatively. On the other hand, delegates from the same areas occasionally cast positive votes. Of the four major urban areas—which included Knoxville, Chattanooga, Nashville, and Memphis—the representatives from Davidson County and Nashville most consistently lent their support; those from Memphis and Shelby counties, their opposition. The intransigence of the legislature apparently was not a product of any carefully conceived plan to prevent passage of pure food and drug bills but, rather, the failure of the representatives and senators to take upon themselves the responsibility for additional appropriations. In all likelihood, the legislature, consisting primarily of representatives from rural areas, believed that the cities, where the exchange of most goods took place, should assume the burden of maintaining food and drug purity.
Before the Fifty-fifth General Assembly convened in 1907, Congress had enacted national legislation. The federal law that was signed on 30 June 1906 applied to the manufacture, sale, or transportation of adulterated, misbranded, poisonous, or deleterious foods, drugs, medicines, and liquors. This law, however, was limited to the manufacture of such items in the territories and the District of Columbia, and it applied to interstate traffic. If a state failed to enact and enforce laws of its own, unscrupulous and ignorant dealers were at liberty to manufacture and distribute dangerous goods within its boundaries. The recent federal action and the responsibilities it placed on the states themselves for their internal safety from adulterated food and drugs, coupled with pressure from concerned citizens, finally moved the Tennessee legislature.26

The debate over the pure food and drug issue in 1907 centered on two questions: (1) whether to enact a new law or make an appropriation to enforce the old one; and (2) if a new law were passed, to whom responsibility for enforcement should be assigned. Shortly after the legislature convened in January, Representative Currie Dixon of Haywood County announced that he would try to secure sufficient appropriation to enforce the pure food law of 1897. He estimated the cost at a modest $3,000 per annum. This move was accompanied by a statement from medical authorities that the amount of food adulteration in Tennessee was "something startling." Within a week, two bills were introduced in the General Assembly to prevent the manufacture of adulterated food and drugs, one assigning responsibility for enforcement to the Board of Health and the other creating a new office. Another measure required manufacturers of patent medicines to list the ingredients of their products on the labels.27

Sponsored by Democrat W. B. Marr of Davidson County, House Bill 141, discarding the old law and calling for creation of a new office, showed the most promise. Governor Malcolm R. Patterson supported the concept of a separate office. In his address to the legislature on 23 January, he called the food and drug law of 1897 "practically a dead letter," and he urged that it be revitalized by an appropriation or that a new one similar to the national act be passed. He further recommended the creation of the office of state chemist, "to be filled
by a man of established reputation in his profession,” and that this official be responsible for enforcement of the food and drug laws.28

Even with executive support, Marr’s bill did not pass before it had been carefully scrutinized by legislative committees, the Board of Health, businessmen, pharmacists, physicians, and farmers. When the House Committee on Sanitation met, members of the medical profession, merchants, and manufacturers appeared to debate the merits of the measure. The committee attached an amendment to the bill, which provided that it should take effect on 1 January 1908, and unanimously recommended it for passage. Shortly after this action, on 4 February, the Board of Health called a special meeting to consider all pending health measures, including those dealing with food and drugs; but they took no action. Druggists from Nashville and other cities met the next day at the headquarters of the local board of trade. They decided to do whatever was necessary to protect their own interests, an indication that they were not completely favorable to the pending legislation. The House Committee on Finance, Ways and Means held two long sessions before approving the bill. In the interim, “some unknown party,” according to the sponsor of the bill and other irate lawmakers, took the document out of chambers and changed it materially. At the second meeting of the finance committee, the measure generated a heated discussion, then squeaked through by a vote of 9 to 7. While committees debated and stalled, farm organizations and medical societies urged passage. When the bill finally came to a vote in the House, representatives approved it by a vote of 74 to 19.29

The Marr bill encountered difficulties in the Senate Committee on Finance. Druggists were on hand to present their views. Their representative, Charles Martin, urged that the state law conform as nearly as possible to the federal act and that responsibility for its enforcement be entrusted to a commission made up of the secretary from the Board of Health, the commissioner of agriculture, and the secretary of the State Board of Pharmacy. The finance committee recommended that a druggist be placed on the Board of Health and that a Senate measure known as the Mansfield bill be substituted for the Marr bill. When the issue came before the full Senate, they debated how enforcement should be handled. Interestingly enough,
both the Senate and the House largely ignored the position of pure food and drug inspector, proposed by the Marr bill. The idea that enforcement belonged with the Board of Health instead of with "men who have interest in its non-enforcement" prevailed in the Senate. The Mansfield measure was tabled, and the Marr bill was called up for a vote. The Senate approved it, 21 to 9, and sent it to the governor. Patterson signed it on 9 April.30

The new Pure Food and Drug Act of 1907 complemented federal legislation. Under its provisions, no person could "manufacture for sale, produce for sale, have in possession with intent to sell, or sell or give away, any article of food and drugs" that was adulterated or misbranded. Violation was a misdemeanor. Conviction for the first offense carried a fine of not less than $10 or more than $100, ninety days' imprisonment in the county jail, or both; a second offense, not less than $100 or more than $1,000, imprisonment for not more than eleven months and twenty-nine days, or both. To enforce this law, the General Assembly created the position of pure food and drug inspector, to be filled by "a chemist of established reputation and ability," chosen by the governor for a term of two years beginning 15 January of the year appointed; his salary was to be $2,500 a year. Responsibilities included the establishment and maintenance of an office and laboratory and the inspection and analysis of food and drug samples. To accomplish these objectives, the inspector received $1,000 "or as much thereof as may be necessary" per year, not to exceed $100 a month. The law required that he keep careful expense accounts, report to the Board of Health as often as requested and to the governor annually, and publish all violations at least twice a year.31

Because Lucius Polk Brown's varied experience in chemistry qualified him for the office of pure food and drug inspector, he followed legislative action on the Marr bill with considerable interest. Securing appointment, however, required careful political maneuvering. Even as Patterson considered the matter, local opposition to state and national food and drug legislation mounted. Early in 1908 the quality of food and drugs in Tennessee was as unacceptable as in the rest of the nation. Amid rumors of stringent federal enforcement, A. M. Tillman, a district attorney in Nashville, declared that a product branded "strawberry jelly" was as likely to be turnips as anything
else. Wholesale grocers, according to Tillman, did not like the food and drug legislation because they found it humiliating to depreciate their products with revealing labels. One Nashville grocer, fearing federal enforcement and presaging future difficulties, reported that the local courts would impose only minimum fines; he did not know what the recourse would be if the federals moved into the city.\textsuperscript{32}

With opposition already in evidence, the governor selected his appointee with care. The office of pure food and drug inspector carried a relatively substantial salary and held enormous possibilities for political favoritism. As soon as the law went into effect, Brown mobilized his supporters. On 2 January he conversed with John Thompson, the secretary of agriculture, who volunteered to talk to the governor on his behalf. The secretary, nevertheless, believed that politics required the appointment of a man from Memphis. That same day the applicant also saw Dr. S. S. Crockett and suggested that he use Thompson to convey to Patterson the endorsement of the medical profession and to refer to the advantages of selecting someone with a private laboratory, because the legislature had not appropriated enough money to equip such a facility. Brown’s candidacy received a considerable boost, a few days later, when the Board of Health and Representative Marr endorsed him.\textsuperscript{33}

Patterson called Brown to the capitol on 9 January for an interview and asked him to return two days later, at which time he informed him that he thought his appointment possible. While making suggestions concerning the work of the new department, Patterson emphasized its importance to his administration. Although the inspector was to ignore politics as much as possible, the chief executive made it clear that he expected support from all of his appointees. Brown assured the governor that he would give both political and personal devotion, and Patterson promised to make the official announcement on 15 January 1908. Fortunately, Brown, a Democrat, never found it difficult to keep his commitment, for throughout the years that he worked as a food and drug administrator he came to respect and like Patterson for his intelligence and sense of fairness.\textsuperscript{34}

A combination of forces had led to enactment of the state pure food and drug law and the appointment of Lucius Polk Brown to the
post of pure food and drug inspector. These included an increase in scientific knowledge; the intensification of environmental problems by urbanization and industrialization, which sparked Progressivism and gave new impetus to public health reform; the mobilization of muckrakers, agricultural scientists, and other groups that crusaded for federal regulation of food and drugs; and Brown's professional interests, which steered him toward food and drug control and consumer protection.

In 1907, state legislators seemingly acknowledged the soundness of scientific theory and succumbed to reform propaganda. Their almost innate financial conservatism had not been eradicated, however, by the mere enactment of a law. Their miserly habits revealed themselves in the small appropriation. Nonetheless, Lucius Polk Brown knew their ways and their limitations and sought opportunities to expand his department and increase its effectiveness. Once the quest for pure food and drugs had begun, it dominated health matters in Tennessee for almost eight years. The flamboyant crusade owed its success and its prominence to Brown, whose personality and character determined the course to be followed in building a bureaucracy and enforcing the law.