

AU 168
OH 1976.09

Interviewee Charles M. Deaton
Interviewer H. T. Holmes

Title An interview with Charles M. Deaton, April 4, 1975 /
interviewed by H. T. Holmes

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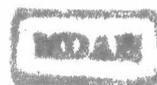
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NARRATOR: Charles Deaton, Representative, Leflore County, Mississippi
INTERVIEWER: H. T. Holmes, Mississippi Department of Archives and History
DATE: April 4, 1975
PLACE: House Chamber, New Capitol, Jackson, Mississippi
SUBJECT: Legalization of Alcoholic Beverages in Mississippi

Holmes: This is H. T. Holmes, interviewing Charles Deaton of Greenwood about the removal of prohibition in Mississippi, or the legalization of liquor - which is more accurate?

Deaton: I would say the legalization of alcoholic beverages, except beer; as you know, beer was legal prior to this.

Holmes: Could you recount, in the way that you view it, the history of prohibition in Mississippi in the twentieth century, or what led up to this fight?

Deaton: We had a situation that existed in the forties and the fifties where basically all states in the United States had legalized liquor, at least on a local option basis, with the exception of Oklahoma and Mississippi. If you remember, these were the war years also, and you had a tremendous number of men and women going back and forth across the United States, and people became a lot more mobile than they had been in prior years in that they would move from place to place, considerably more than in previous years. And those who were used to legalized liquor began to live in states and travel in states where it was dry. From a historic point, I doubt very seriously that any area of the United States had consumed more alcohol or hard liquor than some ten or twelve counties in the state of Mississippi! This was principally in the delta region, the Mississippi River region, and the coastal region. Although liquor was not legal, as far as any man can remember it always had been legal in those areas. This was primarily due to the sheriff situation, the way we handled it.

Holmes: How was it available?

Deaton: Mostly bootleggers with the permission of the local sheriff or the local police. Then, due to the fact that it was common knowledge that it was going to be handled in some manner in Mississippi, we passed what was commonly called the black market tax, where, although liquor was illegal, we placed a tax on liquor; and there were several articles at this time which pointed out that our tax collector had become the highest paid public official in the United States due to receiving commission off of the sale or collection of tax of black market whiskey, so to speak.

Holmes: What was the rationale behind the black market tax? How was it explained to the people, this double standard?

- Deaton: That they were going to have it in those counties and, therefore, if they were going to have it in those counties, we'd just as well collect a tax off of it. This would yield some two to four million dollars a year.
- Holmes: Was that not interfering with local option? Or option of the sheriff?
- Deaton: At that time? It was really the option of the sheriff of the county. The people in those counties, however, generally supported the position; but it was breeding corruption. It was a tax on an illegal commodity, and pressures began to build up for some recognition of it, at least on a local option basis. Four of us - Jerry O'Keefe, Sr., Sonny Meredith, myself, and there was one more, Benny Taylor - introduced a bill the first year of Ross Barnett's administration, and we then introduced a bill each year until we finally secured passage under Paul Johnson's administration.
- Holmes: When you ran for the office of representative, did you run on a wet platform? Was that part of your campaign?
- Deaton: No, it was not part of the campaign. However, Leflore County had always been, historically, a wet county; and, needless to say, we stirred up quite a bit of opposition. The main opposition was led by one church in Mississippi. The other churches did not seem to get into the furor.
- Holmes: Which church was that?
- Deaton: The Baptist Church, mainly. Of course, it is the predominant church in the state of Mississippi, and they had rather strong feelings about it. The opposition, mainly, in the Capitol was, virtually and totally, opposition from that particular church. Now, we had some sheriffs who opposed legalization of it, due to the fact that it had been sort of a gold mine for sheriffs running for office; and we could never pass a bill to let the sheriff succeed himself due to the fact that the people felt that one term of a man getting rich was enough! So it had a side-effect on that.
- Holmes: Who was pushing it in the Capitol? If the religious groups were opposed to it, who was supporting it?
- Deaton: Well, you say religious groups; now, I'll go back to point out that we only had one religious group opposing...I'm not saying the other religious groups were for it. I think mainly they realized that the state needed to control a commodity that was being handled, and it was very openly handled. The first year it was legalized I doubt very seriously that we consumed any more liquor than we consumed in years when it was illegal. This was the point that we were making: that it was breeding corruption; that it was

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making crooks out of people all over the state; and that it could not be controlled and handled from the young people as well. All in all, it was a law and order service, and primarily needed to be passed. Then we worked on collecting tax on it, such as black market tax. Where it had been yielding from two to four million dollars a year, we now started collecting around sixteen to eighteen million dollars a year. So this money has assisted us in maintaining institutions where we had had crime maybe because of liquor, or where you had mental or physical health problems because of it. This has certainly helped us in these areas to cure some of the problems and, certainly, we are not consuming any more liquor!

Holmes: Tax money from liquor goes into the general fund?

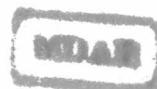
Deaton: Right.

Holmes: You said you started introducing the bills in the first term of the Ross Barnett administration. What was it that finally got the legislature to pass after all those years? What precipitated the passage?

Deaton: Well, I would say that for the four years of Ross Barnett's administration it was constantly in the news. We had a constant fight on the floor, every side making its points, good and bad. I think the general public became aware of the real problem that we had in control of it and the ridiculous manner of us taxing an illegal commodity and that turning our backs on it led to corruption in the law enforcement department. I think that the public became convinced that what we had was wrong and we needed to improve upon it. I might say here that we've got a unique alcoholic control - ABC Division - in that, although the state controls and buys the liquor and sells it to the distributors, the state is not in the retail business. This has been a very unique approach, and it has produced more money with less employee expense and administrative expense than any state in the union. In fact, many states have been looking at our approach to the problem and feel that as a revenue measure and a controlled measure we probably have one of the outstanding programs in the United States. Of course, they're very quick to point out that we had the benefit of everybody else's mistakes before we passed ours, which we did!

Holmes: Back to the black market tax, which has been intriguing me ever since I became aware of it. What were the mechanics of levying the tax and collecting it?

Deaton: The tax collector himself collected it per case. Quite frankly, the agents of the tax collector found out who the bootleggers were, who the distributors were, and they maintained a constant surveillance of all liquor traffic in the state - this was on bonded whiskey, it was not on moonshine. There was no tax collected on



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moonshine. In fact, it was a very reputable situation, in that the people doing the bootlegging were willing to report and pay their tax.

Holmes: They paid the taxes, the bootleggers?

Deaton: Right. Of course, the public, whoever consumed it, in the end naturally paid it, but it was collected from the distributors of the liquor.

Holmes: I was wondering where it was collected. You've reminded me of another question there: The opposition in the legislature itself, was it based on sectionalism? The hills, were they primarily opposed to it, or was there any division as such?

Deaton: I think you could primarily size up your opposition to the historic Bible belt area of the state. Northeast Mississippi, and what is commonly called the "populist triangle," and that is start with Jackson and draw a triangle and go through Oktibbeha County and then one through Hattiesburg; they were constitutionally opposed to it. Then you've got the southwest, which had spotted areas. I think basically the river counties, larger cities, and the coast counties....

Holmes: They were the ones that actually provided the leadership?

Deaton: Right.

Holmes: They were in control of the situation?

Deaton: The dominant leadership came from those areas at that time, yes.

Holmes: Why was local option opted for rather than saying all the counties could be wet?

Deaton: The feeling was that you had a lot of rural counties that, quite frankly, did not care to have legalized liquor even though they had no opposition to everybody having local option. I mean, those counties who wanted to be wet were wet. Now, we had a pattern to follow because of the beer. Legalization was primarily on the same basis. In other words, the county's people would vote it in, and it was sort of a home rule proposition that everybody seemed to enjoy, and, quite frankly, it's probably a pretty fair way of handling a situation.

Holmes: Except when it tears a community apart, as in Attala County!

Deaton: Right. In some counties you have a problem with it. Now, everybody was surprised. Once we had the election, if my memory serves me right, some twenty-five counties voted wet in August

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after passage; by 1966 thirty-eight had gone wet. Some people thought it may have been ten or twelve; but I think everybody has come around to the point of realizing that you put the evils or abuse of alcohol aside. My frank opinion is that you can abuse anything to a point. But if society is going to have a commodity then you need to control it as best you can. I think everybody realizes that we've probably ended up with one of the better control laws anywhere existing. You have small gripes from time to time, but if you will notice, the bill has not been amended by any substantial amendments since the date of its passage.

Holmes: All right. I thank you for your comments and observations.

Deaton: That will be fine.

Holmes: All right.

(Transcribed by Mary H. Mingee)