Two Hoosiers and the Two Food Laws of 1906

James Harvey Young*

On a broiling day in the nation’s capital at the end of July, 1906, the first session of the Fifty-ninth Congress came to an end after a frantic flurry of last-minute legislating. President Theodore Roosevelt journeyed from the White House up Pennsylvania Avenue to sign bills into law before departing the same afternoon for the comparative coolness and quiet of Oyster Bay.¹

Among the new laws, two are of particular interest: one, a measure providing the first broad authority enacted by the Congress to control adulteration and misbranding of foods and drugs; the other, an agricultural appropriations act containing an amendment aimed at safeguarding the domestic meat supply.² Both of these laws had linked to them, at the time and in subsequent history, the names of men closely associated with Indiana. Harvey Washington Wiley, Hoosier born and raised, has been properly called “father” of the Pure Food and Drugs Act. Albert Jeremiah Beveridge, a Hoosier beginning with his college days, has been accorded paternity of the meat amendment. Roosevelt sent Beveridge the pen with which he signed the agriculture law. Wiley asked the president for the pen used in signing the food and drug law, but too late; Roosevelt had given it already to a member of Congress.³

² 34 U.S. Stat. 768 and 674.

* James Harvey Young, Charles Howard Candler Professor of American Social History Emeritus, Emory University, Atlanta, Georgia, presented this paper at the annual meeting of the Indiana Historical Society on November 2, 1991. Young’s research has centered on the history of health quackery and of food and drug regulation in America. He is at work on a book concerning the way in which the Food and Drugs Act of 1906 was enforced until replaced by the Food, Drug, and Cosmetic Act of 1938.

In July, 1906, Wiley was sixty-one, Beveridge forty-three. Wiley had been born in October, 1844, in a log cabin on a farm not far from Madison. His formal elementary schooling was scanty, supplemented by home teaching. In 1863—the year before Beveridge was born in a more elegant farmhouse in southeastern Ohio—Wiley had walked the five miles from his home to enroll in Hanover College. A year later he dropped out of school to join the Union Army. Sent to Tullahoma, Tennessee, he helped guard a supply depot, where once on picket duty he exchanged fire with Confederate troops. Wiley sensed the ironies of existence: "Had I been born seven miles farther south," he later observed, "I probably would have been a Confederate soldier." In Tennessee, Wiley became ill with malaria and severe diarrhea, which in later years he assumed to have been caused by hookworm infection. Invalided out of service after five months of duty, he returned to Hanover and graduated in 1867.

Beveridge's father had been a Union officer away at war at the time of his son's birth. In the postwar depression the father lost the Ohio farm and, in 1866, moved his family across Indiana to another farm in east central Illinois, near Sullivan. But he was not successful there, either as farmer, butcher, or storekeeper. Young Albert had to work hard at various jobs—on farms, on the railroad, in lumber camps—to help support the family. He nevertheless managed to get more formal elementary and high school training than Wiley had received. In 1881, with financial help from a local lumberman, Beveridge crossed the state line and enrolled at Indiana Asbury University, soon to change its name to DePauw.

College played an important role in the development of both Wiley and Beveridge. From boyhood both had been voracious readers, so, although both came to college deficient in requirements, they quickly made these up and consistently got excellent grades. Wiley seemed more impressed than Beveridge with the academic aspects of college, especially his chemistry course taught by the acting president, John W. Scott, father-in-law of Benjamin Harrison. Both young men, however, found the extracurricular literary clubs as valuable as the classroom. Wiley was initially timid in front of audiences, but his club forced him into public speaking. He rehearsed his declamations in the open at a waterfall with trees.

---

The summaries of Wiley's and Beveridge's lives are taken from Wiley, Harvey W. Wiley: An Autobiography (Indianapolis, 1930); Oscar E. Anderson, Jr., The Health of a Nation: Harvey W. Wiley and the Fight for Pure Food (Chicago, 1958); William Lloyd Fox, "Harvey W. Wiley: The Formative Years" (Ph.D. dissertation, George Washington University, 1960); Claude G. Bowers, Beveridge and the Progressive Era (Cambridge, Mass., 1932); and John Braeman, Albert J. Beveridge: American Nationalist (Chicago, 1971). Footnotes to these works will be supplied below only for quotations.

Wiley, Autobiography, 73.
and rocks for audience. One of his presentations, on health, Wiley remembered as a precursor of his entire career. "Not only does physical beauty and symmetry depend in a great degree upon the kind and quantity of food," his speech concluded, "but also mental power and moral excellence."\(^6\)

Beveridge, who had taken to public speaking in high school, earned fame and prize money as an orator in college. In his senior year he won the Interstate Oratorical Contest, a signal honor, and he made campaign speeches throughout Indiana for the Republican presidential candidate, James G. Blaine. Like Wiley earlier, Beveridge went into the woods alone to practice his orations.

Both Wiley and Beveridge were staunch Republicans and regarded Lincoln as their hero. (Incidentally, they both admired Napoleon too.) Both were patriotic, Wiley less flamboyantly so than Beveridge, although Wiley remained a member of the Grand Army of the Republic all his life. Religion had been central to the upbringing of both young men, Wiley in the Campbellite persuasion, Beveridge a Methodist. Beveridge's first college oration explained how Christ transcended Confucius, Buddha, and Plato. Wiley, however, moved away from orthodoxy beginning in college where fellow students accused him of harboring Unitarian perspectives. Both young men were intensely ambitious to rise above their humble origins, and each left college having in mind the profession in which to make his mark, for Wiley medicine, for Beveridge the law.

In 1868 Wiley crossed the river to Kentucky and served a short apprenticeship with a physician whom he had met while serving in the army. He then came to Indianapolis simultaneously attending the newly opened Indiana Medical College and teaching Greek and Latin at Northwestern Christian University, shortly to be renamed Butler. In 1871 he received his M.D. degree. Wiley then taught chemistry at three schools at once, the college, the medical school, and the city high school, as well as giving an evening quiz course for medical students. He interrupted these labors in 1873 to spend less than six months at Harvard adding to his M.D. a B.S. degree in chemistry.

All this while Wiley retained the expectation that he would soon enter medical practice, but this plan receded further from reality in 1874 when he was appointed chemistry professor at newly launched Purdue University. An imaginative and innovative teacher, Wiley also became increasingly interested in research, in particular the analysis of foods. In 1878 he spent some months in Germany, the heartland of food chemistry, learning the techniques of the scientific pioneers. Back at Purdue Wiley functioned also as

\(^6\) Cited in Anderson, Health of a Nation, 8.
state chemist by action of the legislature and wrote his first report on adulteration, in which he revealed how sugar syrups sold in Indiana were mixed with unlabeled cheaper glucose. He worked at trying to make sorghum a satisfactory source of sugar. By presenting papers at scientific and food trade meetings and by publishing articles, Wiley developed an expanding reputation in the scientific community. In 1883, there having developed a rift between the commissioner of agriculture in Washington and his chief chemist, the former decided to fire the latter and offer Wiley the job.

On campus, Wiley had met problems that caused him unhappiness: financial stringency, the lack of a free spirit of inquiry, and petty regulations. Typical was the infamous bicycle incident of 1880. Wiley bought a nickel-plated bike with a high front wheel and small back wheel and, wearing the fashionable costume that included knee britches, rode his machine over the Wabash bridge onto the campus. Later, summoned to a meeting of the trustees, he was chided for discrediting faculty dignity. Wiley immediately wrote out his resignation, but the trustees did not accept it. The Purdue presidency had become vacant by the time Wiley received his offer from Washington. He actively campaigned for the post, but his unorthodox opinions and bachelor status stood in his way. The trustees picked another man, and Wiley departed his native state to take up residence in the nation's capital. Beveridge, be it noted, was at this time halfway through his college career.

Before Wiley received the post of chief chemist in the Department of Agriculture, two other chief chemists had been chosen from Indiana. Charles Mayer Wetherill was living in Lafayette, having married a woman from that town, when President Abraham Lincoln appointed him the first chief chemist in 1862. Before going to Washington, Wetherill had issued a warning in the Lafayette Daily Courier about the hazards of candy dyed with poisonous colors. He had found arsenite of copper in confections that had made some Lafayette children sick. The other Hoosier to hold the position, Ryland T. Brown, had been one of Wiley's own professors at Indiana Medical College.

During the first decade of Wiley's career in Washington, his energies were devoted almost entirely to expanding domestic sources of sugar, a subject of bitter controversy. Along the way, Wiley researched methods of making alcohol from sorghum and cornstalks, predicting that alcohol would be "the fuel of the autocar of the future." Wiley was the third resident of Washington to get

---

Harvey Washington Wiley in His Bureau
Office of Chemistry

Courtesy History Office, U.S. Food and Drug Administration.
a car, the first to have an accident. However, in a period during which governmental scientific bureaus were developing the problem-solving method of wrestling with their tasks, the Division of Chemistry required a broader concern than sugar if it was to compete successfully for status and funds. Wiley found that mightier mission in the purity of all food. While at Purdue he had investigated the adulteration of syrups, and he addressed this problem anew in his first annual report as chief chemist. Soon he began a systematic analysis of different categories of foods and how they might be tampered with by unscrupulous or hard-pressed processors. In 1887 the first volume of *Foods and Food Adulterants* was published, dealing with butter, oleomargarine, and milk. Over the next sixteen years nine more parts of this famous Bulletin 13 were to follow, the total filling 1,400 pages and examining virtually all the contents of a well-stocked pantry.10

As consumers moved ever farther from the growers of food, and as manufacturers sought to supply the expanding urban marketplace, food processing became more complicated. Wiley noted great advantages in this trend—the remote logger could now enjoy a wider variety of viands than Queen Elizabeth could have dined on—but he also detected tumbling ethical standards in labeling and increasing risks to health. The chief chemist became especially suspicious of copper and zinc salts, aniline dyes, and chemical preservatives—borax, formaldehyde, salicylic and benzoic acids—put into cans with food. In the mid-1890s Wiley joined with state agricultural chemists in an effort to revive an earlier movement, now sagging, to secure a national law protecting the purity of foods.

The first such broad bill had been introduced into the Congress four years before Wiley came to Washington.11 The initiative behind it came not from public health reformers but from businessmen threatened by competitors who could cut prices by adulterating their wares. Such bills had been before Congress ever since, making progress only once, in 1892 at the peak of Populism, when a bill did pass the Senate but not the House. A few one-product bills fared better: in 1886 irate farmers got a tax put on oleomargarine, calling it a “greasy counterfeit” food that was often sold as butter.12

The efforts of Wiley and his allies among state chemists began to bear fruit. In 1898 government officials, along with representa-

---

12 Thomas Palmer in *Congressional Record*, 49 Cong., 1 sess., 1886, p. 7088.
atives from farm groups, professional societies, food and drug manufacturers, wholesalers, and retailers, convened the National Pure Food and Drug Congress in Washington. They sought to revise the terms of the current draft bill to make it sufficiently satisfactory to all interests that Congress would finally pass it. Some progress was made, but neither this conference nor two similar ones in succeeding years managed to frame a document that Congress would accept. Too many disparate points of view prevented the perfect compromise, and public opinion did not yet feel deeply about the issue.

Wiley played a central negotiating role at the private sector conferences, but these events did not garner him many headlines. He continued quiet diplomatic efforts at coalition building by letter and conversation, thereby winning the medical profession, women’s club members, segments of the business community, and key members of Congress to stronger and more active support of a food law. Moreover, the chief chemist emerged more prominently into the public eye, becoming recognized as the most ardent champion of the pure food cause. In 1899 and 1900 a Senate committee held the most extensive hearings the food and drug bill had yet been given, taking testimony in Washington, New York, and Chicago. Wiley was scientific adviser to the committee as well as major witness, and his name figured prominently in the heavy press coverage.13

The chief chemist stepped up his speaking schedule. Still a bachelor, he had no home ties to complicate his bookings. He was gregarious: he enjoyed mingling with people in a democratic manner and knew how to put them at ease. He believed fervently in his cause: the religious enthusiasm of his youth had found a noble secular outlet. His early declamatory style, practiced by the waterfall, had become perfected by long experience. He spoke with conviction but informally, with wit and concrete example, in easy rapport with those who listened. Wiley was tall—six feet one—and weighed over two hundred pounds. His face was oval and full, his black eyes piercing and slanted, his nose prominent, his black hair receding, the lush black beard and mustache he brought to Washington shrinking in size and disappearing altogether with the new century. Wiley’s persona as well as his passion helped him persuade.

The chief chemist’s pure food lecturing got reported in the press, and his “Poison Squad” experiments, beginning in 1902, received even more publicity. In these scientific tests Wiley sought to find out if chemical preservatives in food would harm healthy young men eating all their meals at a training table. The plan of

13 Young, Pure Food, 140-45; Adulteration of Food Products, Senate Report 516, 56 Cong., 1 sess., 1900.
deliberately putting people at risk intrigued journalists—it was a reporter who coined the term “Poison Squad”—as it fascinated and frightened citizens throughout the country. Although Wiley deplored distortions in reporting, he got along well with most reporters, and their coverage of his words and deeds made him a figure of national importance.

Magazine journalism at this time had entered the muckraking era. Eager writers sought to reveal evils associated with the growing trusts, including the way in which politicians had become beholden to industrial interests. Food and proprietary medicine manufacturers were not exempt from such critical, sometimes savage, exposure. Journalists working in this field went to Wiley for information and became his allies in the quest for a regulatory law.

It was into this political atmosphere that Albert Beveridge came to Washington as a senator in 1899. Fourteen years had passed since his graduation from DePauw. Bone weary, Beveridge spent the first year out of college recouping his strength with an outdoor life in Kansas aiding new settlers to get located on their tracts. Then he came to Indianapolis and entered a law office. The next year he was admitted to the bar and began practice; he also married his college sweetheart. A skillful attorney, always scrupulously prepared as to the law and the facts, persuasive and dramatic in his courtroom appearances, Beveridge won major cases, including one in which his client had been a close college friend of Wiley.

Besides practicing law, Beveridge continued his oratory and appeared throughout the Midwest and East at lawyers' meetings, college commencements, patriotic assemblies, and political rallies. Although he once gave a paper arguing that William Shakespeare's plays must have been written by Sir Walter Raleigh, mainly Beveridge preached staunch conservative Republican doctrine, that to be powerful nations needed big industries, big navies, and big foreign trade. Farmer and labor challenges of the 1890s disturbed him and gave him concern about the future of the nation and of the Anglo-Saxon race.

Always hoping that the law might lead to politics, Beveridge saw the Spanish-American War, which he held to be a "holy" cause, as a springboard into public office.¹⁴ He overcame a severe split in state Republican ranks in Indiana to secure election in January, 1899, to the United States Senate at the age of thirty-six. Beveridge stopped practicing law, never to resume it, and became the nation's leading voice for an aggressive imperialism by which the United States should annex as spoils of war the Spanish insular possessions. Wiley held similar convictions.

¹⁴ Cited in Braeman, Albert J. Beveridge, 23.
THE AMERICAN PRESS GENERALLY SUPPORTED WILEY'S EFFORTS TO ENFORCE THE FOOD AND DRUGS ACT OF 1906

The new senator was of medium height, broad of shoulder, and with a slender, muscular body. He had a lean, alert face, a determined set of jaw, flashing blue-grey eyes, and fair hair. His mode of dress was formal, almost old-fashioned, and won him the sobriquet of Senate “fashion plate.” His stride was rapid, his carriage confident. His self-centered “grand manner” and unabashed ambition—Beveridge sought immediate placement on the important Senate committees and did not hide his desire to become president—irritated his senior colleagues and rubbed many newsmen the wrong way so that he became a target at the Gridiron Club. Beveridge thus possessed poorer press relations than did Wiley, although both had special intimates among journalists to whom they wrote their most personal plans and hopes and fears. Both saved their correspondence, and the Beveridge and Wiley papers are major collections in the Manuscript Division of the Library of Congress.

Beveridge, during his early service in the Senate, was almost completely occupied with problems of imperialism. These were also

---

15 Ibid., 35.
16 William Allen White cited in ibid., 37.
the years in which the pure food crusade was growing in intensity. In December, 1902, the House passed the food bill and the Senate Committee on Manufactures reported out a substitute that seemed certain to pass if brought to a vote. Wiley sought to build pressure on the Senate to get its members to agree to such a vote. He wrote letters to his allies throughout the country and even to senators themselves. The chief chemist, counting on the Indiana connection, was disappointed when Senator Beveridge let it be known he was too busy to give the food and drug bill his active support. The Senate did not vote, so the bill died.

At about the same time, however, Beveridge was beginning a shift in perspective that would make him more amenable to reform and willing to give much time to it. In 1902 he gave a lecture devoted, as many earlier lectures had been, to a strong defense of the trusts as an asset to American life. In this speech, however, the senator admitted for the first time that occasional evils arose in the conduct of such gigantic business entities. In a private letter Beveridge revealed the specifics of what he had referred to only generally in his lecture. "The idiotic relations of the beef trust in unjustly and arbitrarily raising prices," he wrote, "is causing, and very justly, indignation throughout the country. It gives demagogues an unjust opportunity to answer my [pro-trust] arguments." Such rare transgressions, Beveridge believed, could be eliminated by the supervision of the national government. Muckrakers had indeed found the business practices of the beef trust a convenient target for attack. The more severe barrage was yet to come, in a series of articles in Everybody's Magazine during 1905 by Charles Edward Russell calling the packers' combination "The Greatest Trust in the World." Theodore Roosevelt, who had ascended to the presidency upon William McKinley's assassination, had begun striving to restrain packer corporate abuses by taking them to court.

Beveridge pushed his inquiries into packer affairs beyond economic practices to hygienic conditions. Like Roosevelt, he had been upset by the "embalmed beef" scandal during the Spanish-American War. The senator now looked into the law of Moses by

---

17 Anderson, Health of a Nation, 145.
18 Cited in Bowers, Beveridge and the Progressive Era, 178.
20 Beveridge's role in securing the strengthening of meat inspection statutes to protect American consumers is discussed in both the Bowers and Braeman biographies. The theme receives more detailed treatment in John Braeman, "The Square Deal in Action: A Case Study in the Growth of the 'National Police Power,'" in John Braeman, Robert H. Brenner, and Everett Walters, eds., Change and Continuity in Twentieth-Century America (Columbus, Ohio, 1964), 35-80; Robert M. Crunden, Ministers of Reform: The Progressives' Achievement in American Civilization, 1889-1920 (New York, 1982), 163-99; and Young, Pure Food, 221-52.
which the ancient theocracy had controlled the Jewish diet, and he investigated a contemporary kosher slaughterhouse. He checked on the state of American law, finding that Congress had enacted statutes in 1890 and 1891 providing inspection of meat destined for export but that there was scarcely any protection of meat sold to the American people. Beveridge was pondering what to do when, in February, 1906, Upton Sinclair's novel *The Jungle* was published. Aiming at people's heads by presenting the grim lot of Packingtown workers so as to convert readers to socialism, Sinclair observed that he had hit their stomachs instead with his few pages describing the filthy conditions under which meat was processed. The book brought on a national trauma, and the sale of meat fell by half. Beveridge sent a copy of *The Jungle* to the president and began to draft an inspection bill to remedy the dire situation.

It was not only the meat crisis that pressed on Beveridge, and Roosevelt, too, to convert them from conservative Republicans to Progressives. Other issues were involved, for example, contention over the admission of new states in the West. Beveridge in 1905 published an article in the *Saturday Evening Post* in which he asserted that, if big businessmen clung “to the mediaeval doctrine that what a man shall do with his wealth is nobody's business but his own,” then public opinion would force Congress to decree that great fortunes be used in the public interest. Unclean meat, of course, transcended statehood as a matter of national concern.

Beveridge sensed public service, political advantage, and personal recognition in assuming leadership of the pure meat battle. He checked out his assumptions with two editor friends, one of whom, George Lorimer of the *Saturday Evening Post*, had once been advertising manager of the Armour company and had recently published the Armour rebuttal to Sinclair's fictional critique. Both editors told the senator what a tough fight he faced. Beveridge next confided his plans to two officials high in Roosevelt's administration, Gifford Pinchot and James A. Garfield, son of the former president. They both encouraged him in his proposal to draft and introduce a bill expanding the inspection in packinghouses to include meat going through interstate commerce to American consumers. Beveridge then took his idea to the president. “Bully!” Roosevelt exclaimed, but he urged waiting until his two investigators got back from Chicago. Beveridge did not know the president had sent two social workers, one of them the commissioner of labor, to check out Sinclair's charges about the packers' shortcomings. Sinclair himself had urged this step on Roosevelt while visiting at the White House. So Beveridge went on with his

---

Two Hoosiers and the Two Food Laws of 1906

315
drafting. Shortly, dining at the Pinchot home, the senator learned
from Secretary of Agriculture James Wilson that his staff also was
drafting an inspection bill. Beveridge got Roosevelt to give his ef-
forts priority and to tell Wilson to turn his department’s draft over
to the senator.

After drawing up some twenty versions, Beveridge reached the
stage of satisfaction and on May 21, 1906, after notifying Roose-
velt, introduced his bill into the Senate. Beveridge was proud of
his document, both as a consumer protection measure and as an
expression of national authority. In a letter he stated in capital
letters that his proposed law represented “THE MOST PRONUNCED EXTENSION OF FEDERAL POWER IN EVERY DI-
RECTION EVER ENACTED.”

The bill panicked the packers and the wider business commu-
nity, and there ensued a month of intense maneuvering. Quickly
Beveridge got his version attached to an agricultural appropria-
tions bill and passed by the Senate. The packers and their allies,
now persuaded a law was bound to come, got their supporters in
the House agriculture committee to approve a less stringent form.
This bill would cut out two of Beveridge’s favorite provisions:
charging the packers fees to cover the cost of inspection and re-
quiring that canned meats carry on their labels the date of their
inspection. The president played the mixed role of threatener and
compromiser, with minimal success, for the packers’ friends in the
House yielded little. Beveridge’s fervent oratory kept the Senate
firm in support of his more rigorous bill until the midnight hour.
Then, to get any law at all, the senator capitulated.

Despite what was omitted, the law provided basic protection to
consumers, paid for by a permanent appropriation from general
funds of three million dollars a year. In the packinghouses Depart-
ment of Agriculture inspectors made ante-mortem and post-mortem
inspections of meat animals destined for interstate and foreign
commerce, with carcasses unfit for food destroyed in their presence.
Processed meats also must be inspected, not only to assure whole-
someness but also to detect dangerous preservatives and dyes. The
law let the secretary of agriculture set rules for the maintenance
of sanitation in the plants. Fines and possible prison terms were
heavy for convicted violators of the law’s provisions.

In succeeding sessions of the Congress, Senator Beveridge
sought to add to the regulatory system the two key provisions
of his original bill eliminated by the House, can dating and fee pay-
ing by the packers, but in vain. Popular panic had been appeased,
and Congress had lost interest. Thus, both the tale of securing the
basic law to protect the meat Americans ate and the account of

23 Beveridge to Albert Shaw, May 26, 1906, Beveridge Papers.
A Sketch of Albert Beveridge Focusing on His Intense Earnestness

Courtesy Library of Congress.
Beveridge’s involvement with the nation’s food are really the same short story, occurring between February and July of 1906. The effort was exhausting. “I was about played out when Congress closed,” the senator wrote a friend, “I was not much more than a fish worm physically.”24 But Beveridge was elated and proud over his achievement. The meat bill, he wrote, “is the most important exercise of federal power ever sanctioned by Congress.”25

The campaign to enact a broad food and drug law, by contrast, required over a quarter century. The coalition of supporters for a law kept growing, but obstacles continued. Three groups lobbied against the mainline bill with particular vigor: makers of blended whiskey, food processors relying on chemical preservatives, and proprietors of patent medicines. The arrival of muckraking did begin to arouse greater interest in the issue among the general public. Writers pointed to individual members of Congress who fought a law at the behest of some special interest in their state or district. In 1905 a series of articles in Collier’s by Samuel Hopkins Adams exposed the hazards of proprietary remedies: inert mixtures labeled to cure dread diseases and concoctions loaded with alcohol or morphine or cocaine not mentioned on the label.26

Public support for the law was thus rising before The Jungle came out in February, 1906, on the day after Adams’s final patent medicine article appeared.

Almost simultaneously with these events the Senate passed the food bill, and in this moment of drama Beveridge played a role. “The Senate was in a jam,” he later explained, “and public feeling had become intense. [Senator] Aldrich came to me one afternoon and said:

Tell Heyburn if he asks consideration for the Pure Food bill there will be no objection. (Some fight was going on between us [Progressives] and the Old Guard, and this was obviously a manoeuvre, to save something else they thought more important; I think perhaps they counted on killing the Pure Food bill in the House later...) So I went to Heyburn and told him to bring up the Pure Food bill instantly and the Old Guard would not block him. Heyburn could not believe it and said he was tired of being made a fool of by asking useless consideration which he had asked so many times before. However, I insisted, for I never knew Aldrich to promise anything that he did not make good. I told Heyburn there was no time to waste, and to act without any questions. I sat down beside him and told him that I would be responsible. Finally, about the middle of the afternoon, Heyburn got up...27

---

24 Beveridge to Francis E. Baker, August 1, 1906, ibid.
An agreement was reached to vote a week later, and after several days of intense debate the Senate, with Harvey Wiley sitting in the gallery, passed the food bill sixty-three to four.

The House dallied from February to June, and at times it appeared as if the bill’s foes would keep it bottled up. But, as the session neared its end, clever strategy by House leaders, urging by the president, lobbying by the pro-law coalition, and excitement generated by the meat bill fight combined to bring a voice vote. The mainline bill passed. In contrast with the meat bill, differences between Senate and House versions were smoothly reconciled in conference committee. Both Beveridge and Wiley agreed that without the public worry over meat a pure food law would have been again delayed.

The Food and Drugs Act was in some respects a weaker law than that governing meat.28 Its penalties for convicted violators were smaller, and its point of control was not before products entered interstate commerce but after, or at least after they were offered for interstate shipment. The meat law protected the consumer by not letting defective meat get to the dinner table. The food law could treat “filthy, decomposed, or putrid” foods and those containing added poisons in a similar way by seizure actions. But mainly the food and drug law rested on a different premise, that if purchasers were adequately informed they could protect themselves against deception and danger. Even for narcotic proprietary medicines that had killed babies and enslaved adults, what the law required was only honest labeling, not purging these drugs from formulas.

Wiley’s Bureau of Chemistry was placed in charge of generating cases under the new law to take to the courts, and he determined on tough enforcement, even reading into the law powers not indisputably there.29 Many abuses were remedied, but some growers and processors thought themselves attacked unfairly. President Roosevelt came to doubt Wiley’s science and hedged his authority with higher structures of review. The chief chemist had similar problems with President William Howard Taft. Finally, in 1912, a frustrated Wiley, now with a wife and soon with a baby son to support, resigned to accept a higher paying job. Abandoning his Republicanism, Wiley campaigned for Woodrow Wilson and his running mate, Governor Thomas Riley Marshall of Indiana, who had publicly supported Wiley in one of his disputes with Taft.30

---

28 The provisions of the two laws are compared in Young, *Pure Food*, 262-72.
29 Anderson’s *Health of a Nation* describes Wiley’s role as regulator. See also James Harvey Young, “The Science and Morals of Metabolism: Catsup and Benzoate of Soda,” *Journal of the History of Medicine and Allied Sciences*, XXIII (January, 1968), 86-104.
There was speculation that President Wilson might return Wiley to his post as food law enforcer or even make him secretary of agriculture, but this did not happen. For the rest of Wiley’s life the pure food cause continued to be his foremost concern. He sought to accomplish through journalism and lecturing what he had been hampered from achieving as administrator.

Beveridge served two terms as senator, then was defeated in 1910. He followed Roosevelt out of the Republican party and ran unsuccessfully on the Bull Moose ticket for the Indiana governorship in 1912 and for the Senate in 1914. Again a Republican, he tried once more for the Senate in 1922, but lost. Beveridge gained contemporary renown and continuing respect for his biographies of Abraham Lincoln and Chief Justice John Marshall. Meat in 1906 had been for Beveridge an important but circumscribed chapter in his varied life, not the central theme of an entire career as food was for Wiley. Beveridge died in 1927 at the age of sixty-four, Wiley three years later at eighty-five.