



J. Ellen Foster

From a photograph by John Buell, Geneseo, Illinois.

JUDITH ELLEN FOSTER

BY DAVID C. MOTT

During the 1880's J. Ellen Foster was Iowa's most prominent woman. A half century ought to be enough time to elapse so that an unbiased estimate could be made of her. There is no disputing the fact that she greatly impressed public opinion in the state during that decade, and she deserves a permanent place in the list of Iowa's notable people.

Judith Ellen Foster was born in Lowell, Massachusetts, November 3, 1840. Her parents were Jotham and Judith (Delano) Horton, both of Puritan ancestry. Her father was for thirty years a Methodist minister, in his early career with the Methodist Episcopal church, but being too radically anti-slavery for the then governing authority of that church, he resigned from it and entered the ministry of the Wesleyan Methodists. Both parents were devotedly religious, and rigidly followed the lines of duty as they understood them. The daughter was educated in public school and in Genesee Wesleyan Seminary, Linea, New York. Her parents died almost before she reached womanhood. She spent some time with a sister in Boston, and for some years taught school. Guided by the influence of her parental home in which she spent her early years, as well as by her natural impulses, she was devotedly religious. Church and Sunday school work appealed to her and she soon became active in these lines and did much mission and relief work among the poor. These things came to her naturally because of the abundance of her sympathies.

Being in Chicago in mission work she met in 1869 a young lawyer, E. C. Foster, of Clinton, Iowa, to whom she was married some time during the same year. Mr. Foster had been admitted to the bar in Michigan in 1867, and at Clinton in 1869 when he removed to that city.¹

Mr. and Mrs. Foster established their home at Clinton, he continuing his law practice and she helping him in office work. She became interested in the study of law, and being encour-

¹*Hist. of Clinton Co., Iowa*, Western Hist. Co., Chgo., 1879, p. 436.

aged and aided by Mr. Foster, she was admitted to the bar at Clinton in 1872,² occasionally helped her husband in the trial of cases, and was thought to be the first woman in Iowa who was actually engaged in practice. She was admitted to practice in the Supreme Court of Iowa October 20, 1875,³ being the fourth woman admitted to practice before that tribunal.⁴

Their domestic life was happy. Two children were born into their home. They were active in church and Sunday school work and Mrs. Foster's inclination toward mission work led her to help among the unfortunate. Clinton at that time was a great lumbering town, rafting and milling lumber. That brought into its life a large number of rather rough and freedom-loving transient frontiersmen. The government enumeration of 1870 found Clinton to have a population of 6,129, and Lyons, on its immediate north, 4,088. The towns were new, business was booming, and conditions those of the frontier.

The one condition that at this time entered largely into the lives of Mr. and Mrs. Foster was that of the saloon question. Iowa at this time had a prohibition law which had been amended to allow the sale of ale, wine and beer as beverages, and cities and towns were authorized to levy special taxes on places where intoxicants were sold. The code of 1873 strengthened the law by prohibiting the sale of these beverages to minors, intoxicated persons, and persons in the habit of becoming intoxicated.⁵ In a growing young city with its regulations of law and order not very well established, where a very large proportion of the people drank, and where the saloons were numerous and competing for business, it was natural that law violations on the part of the saloon keeper would be frequent, and also that many cases of suffering resulted among families of those who drank to excess. It was natural that Mr. Foster should be retained in damage cases against saloon keepers, and it was but natural that Mrs. Foster should help him in the prosecutions, and natural that she should join in rescue work among the poor, be active in the Ladies' Temper-

²*Who's Who in Am.*, 1908-09, p. 656.

³Records in the office of clerk of the Supreme Court of Iowa.

⁴For the first three women admitted, see footnote, *ANNALS OF IOWA*, Third Series, XVI, p. 468.

⁵See *Iowa, Its History and Its Foremost Citizens*, by Johnson Brigham, 1916, Vol. I, p. 217.

ance Aid Society of Clinton, and join with the crusaders in their visits to the saloons in their attempts to persuade drinkers to reform and dealers to shut up shop.

As a protest against drinking conditions in those years and in an effort to check or eradicate them, there grew up several great temperance movements or organizations, among them the Sons of Temperance, the Washingtonian Society, the Good Templars, the Blue Ribbon Movement, the Crusaders, and the Woman's Christian Temperance Union. There were many eloquent lecturers against the use of strong drink. Series of meetings were frequently held in towns and cities, some of them partaking of the quality of religious revival meetings. Some of the lecturers were reformed drunkards. John B. Gough and Francis Murphy were among the more noted.

In a town where the saloon business was popularly approved, its interests were rather jealously defended, as indicated by the following newspaper clipping: "Our saloon keepers are naturally disgusted at the manner in which the courts treat their rights."⁶

The activities of the women and their organizations is evident from the following quotation: "The Ladies' Temperance Aid Society of Clinton have petitioned the council to strictly prohibit the sale of all liquors within the city. The petition bearing 1200 names, men and women, was referred, and we presume the license of dealers in ale, beer and native wine will be set at a good high figure."⁷

In Clinton the city council began to get busy, thinking, perhaps, to balance the budget, or to keep down the number of drinking places, as appears in the following: "Liquor licenses in Clinton have just been advanced from \$50 to \$100 per year."⁸

Saloons seem to have been quite popular in Lyons, as shown by the following: "Up to the present time thirty-eight government licenses have been taken out by saloon keepers of Lyons since May 1st."⁹

The Crusaders, women who went in groups to the saloons

⁶*Lyons Mirror*, as reprinted in the *DeWitt Observer*, May 1, 1874.

⁷*Ibid.*, May 1, 1874.

⁸*Ibid.*, May 8, 1874.

⁹*Lyons Advertiser*, as reprinted in the *DeWitt Observer*, May 22, 1874.

to hold meetings and pray and speak, evidently caused sympathy for the cigar makers: "We suppose the Crusaders of this section will be gratified to learn that their operations have caused the discharge of some thirty cigar makers in Lyons. Their trade has been greatly injured, in fact, it has been almost ruined, while the sale of beer and wine has been but little affected so far."¹⁰

As a reflection of the atmosphere of the times and the movements of emotions, the following is along the same subject: "A German saloon keeper in Maquoketa says: 'Ven I goes to mine bed I sleeps not goot. I dream in mine head dat I hears dem vimens braying and singing in mine ears dot Jesus loves me. Dot bothers me so I got right straight up and valk on the floor and take anudder glass of beer.'¹¹

As illustrative of attempted prosecutions, witness the following: "Last week Mrs. Foran, through her attorneys, Corning & Grohe, commenced suit against Wm. Defreest on three counts—selling liquor, exposing for sale, and keeping a nuisance—before Justice Mathews of Clinton. Defreest crossed the Mississippi and is dwelling with friends in Fulton. Compromise is talked of, but had not been arrived at yesterday. Meanwhile the saloon is closed."¹²

That Mr. and Mrs. Foster were identified with temperance agitation is evidenced by the following news item: "We had the pleasure of meeting Judge Darling and E. C. Foster, and their ladies, of Clinton, in DeWitt Sunday evening."¹³ J. S. Darling, a lawyer of Clinton, delivered a temperance lecture at DeWitt on this occasion.

Prosecutions were evidently being attempted as shown by the following interesting item: "A big crop of indictments against liquor sellers is looked for as a part of the result of the labors of the grand jury now sitting at the Court House. Many men of the county have been cited to tell what they know of the traffic, and where they got their little habituals. Times have changed somewhat with witnesses; some ten years ago a similar summons—or expectation of it—sent several of

¹⁰*Ibid.*, May 22, 1874.

¹¹*Delmar Clipper-Journal*, as reprinted in the *DeWitt Observer*, May 22, 1874.

¹²*Lyons Mirror*, as reprinted in *DeWitt Observer*, May 22, 1874.

¹³*DeWitt Observer*, May 22, 1874.

our business men to Illinois for a few days, but now they report to the Court House. Philosophers must account for the change, and decide whether it is an encouraging one or not."¹⁴

Up to this time, June, 1874, we have no evidence that Mrs. Foster had appeared on the platform in general addresses. She had been a Sunday school teacher since before she reached womanhood, had been a mission worker, and a worker in women's temperance societies of various cities, and doubtless had acquired the habit of thinking while before an audience. Besides, she had a good education and had had some experience in the practice of law in association with her husband. So we are not surprised at finding in the *DeWitt Observer* of June 5, 1874, the following announcement: "One of the best temperance lectures we ever listened to was delivered in the M. E. Church last Sabbath evening by Mrs. Foster of Clinton. The house was filled to overflowing. The audience was delighted with the lecture."

In the *DeWitt Observer* of August 7, 1874, in news copied from the *Lyons Mirror* we find a communication signed "G" which reads as follows: "We have an Elizabeth Cady Stanton in our midst. Last Sabbath evening I went to Clinton to hear Mrs. Foster lecture on temperance. The several congregations combined filled the church to its utmost capacity. She gave one of the best addresses upon this subject I ever heard. It really appears to me she is equal to any lady orator in the United States."

In its issue of August 14, 1874, the *DeWitt Observer*, in items quoted from the *Wheatland News*, has the following: "At a meeting of the Wheatland Temperance Society last evening a vote was passed that Mrs. E. C. Foster of Clinton be invited to deliver a temperance address to our citizens at the next meeting of the society. Mrs. Foster, whose heart is in the great work of temperance reform, is one of the most talented and entertaining lecturers among the women of our country."

The subsequent number of the *Wheatland News*, as reproduced by the *DeWitt Observer*, says of the lecture: "A good audience gathered at the hall last evening to hear Mrs. E. C. Foster. We have not space to give an extended notice of her

¹⁴*Lyons Mirror*, as reprinted in the *DeWitt Observer*, June 5, 1874.

lecture. It could scarcely be called a temperance lecture. It was an earnest and impressive pleading in behalf of the victims of the rum traffic. She spoke like a woman whose heart was burdened with the overwhelming weight of the cause she advocated. Her words were earnest, truthful, burning, eloquent."

Thus it appears Mrs. Foster had attained a local reputation as a very effective and eloquent temperance orator, and was in demand in her section of the state. The spirit of reform was growing, and the liquor dealers, accustomed to having things pretty much their own way, were alarmed. At such times there are often irresponsible and radical persons sympathizing with one side or the other, and lawlessness is in danger of occurring. In its issue of October 2, 1874, the *DeWitt Observer* records this act of arson and its comment: "The residence of Mrs. Foster, the temperance lecturer of Clinton, was burned down one night last week. It is laid at the door of the saloon keepers. This is no new mode of warfare with them."

We have been able to find but little further comment on that ruthless event. In one of her speeches appearing in the papers ten years later Mrs. Foster alludes to it saying they lost everything in the house, even to precious keepsakes of their children. We were not able to discover that the vandals were detected or prosecuted. But she was not long suppressed. It heralded her name to the public and helped give her more than a state-wide reputation.

In the next month, November, 1874, the Woman's Christian Temperance Union was organized at a meeting in Cedar Rapids and Mrs. Foster was elected corresponding secretary of the state organization. She was also selected as one of the delegates to the national meeting in Cleveland. It was then that she met Miss Frances E. Willard who was at the head of the national Woman's Christian Temperance Union. The two became great friends and Miss Willard urged Mrs. Foster to go on the platform and devote herself to the cause of prohibition. It took but little persuading. She was made superintendent of the department of legislation of the national organization.

On her way home from attending the Cleveland convention she stopped in Chicago and was called upon to speak briefly

at a temperance meeting. According to the *DeWitt Observer* of November 27, the *Chicago Journal* said of it: "Mrs. J. Ellen Foster of Clinton, Iowa, made a most impressive speech of ten minutes, expressing herself with sense and kindness. Her oratory was admirable, her manner simple, earnest and effective. Her friends predict a career in the best sense for this pleasing, level-headed attorney from Iowa."

In its issue of December 4, 1874, the *DeWitt Observer* quotes the *Clinton Daily Herald* as saying: "Mrs. J. Ellen Foster spoke to the largest audience she ever addressed at Iowa City last Sunday evening and on Monday afternoon she lectured before the Law Department of the State University."

Mrs. Foster was now fully entered on her public life. She was busy the next few years organizing local branches of the Woman's Christian Temperance Union over Iowa, speaking in churches as well as in public buildings, everywhere denouncing the rum power and advocating prohibition. The years of the 1870's were years of agitation on that question.

At a meeting of the Woman's Christian Temperance Union held in Burlington in October, 1878, Mrs. Foster proposed an amendment to the Constitution of Iowa prohibiting the manufacture and sale of intoxicating liquors. The idea was soon endorsed by the State Temperance Alliance and other temperance organizations, and taken up by the politicians.¹⁵

The following from the *Muscatine Journal* as quoted in the *Burlington Gazette* of December 3, 1879, gives a mental picture of her as a speaker at that time: "Last Friday evening Mrs. Foster spoke at Wilton on the subject of the 'Constitutional Amendment.' She is a very clear and forcible speaker; her manner remarkably easy and winning. She is a fine looking woman, and the first impression of her audience is at once prepossessing. She spoke two hours. Objectors to her position will find their match when they attempt to answer her. Trained as a lawyer, she is enabled to present her thoughts in a very convincing manner."

Mrs. Foster was now superintendent of temperance legislation for the state organization of the Woman's Christian Temperance Union. The goal was a constitutional amendment. In

^{15A} *History of the People of Iowa*, by Cyrenus Cole, p. 417.

1880 the General Assembly adopted a joint resolution proposing a prohibition amendment and the assembly of 1882 agreed to the proposed amendment and fixed June 27 of that year as the date when it should be submitted to a vote of the qualified electors. During the continuous struggle Mrs. Foster was very much in evidence at the sessions of the legislature and before the people. She was a leader among those who believed that prohibition was the way to control the liquor business, and constitutional prohibition at that.

"In the foreground of this long contest from 1846 to 1882 were Hiram Price, John Mahin, Benjamin F. Gue, Charles C. Nourse and James F. Wilson; also a group of women led by Mrs. J. Ellen Foster, Mrs. Mary J. Aldrich, Mrs. L. D. Carhart, Mrs. Florence Miller, Mrs. Martha C. Callanan, Mrs. Marion H. Dunham and others."¹⁶

The amendment was adopted by a majority of 29,759 votes. One month after the adoption of the amendment by the people the State Temperance Alliance held a great convention in Des Moines, July 27, 1882, attended by delegates from nearly all the counties of the state. Former State Senator Aaron Kimball of Cresco presided and B. F. Wright of Charles City was secretary. There was naturally much jubilation. A committee was appointed to examine into and report to the convention the legal status of the liquor traffic of the state, in view of the prohibitory amendment having recently been adopted, and to suggest what additional legislation was necessary, if any, for a successful enforcement of the amendment. The committee was J. A. Harvey, C. C. Nourse, William Phillips, H. W. Maxwell, and J. Ellen Foster. An address to the saloon keepers of the state was issued, signed by D. R. Lucas, S. N. Fellows, J. P. Pinkham, J. Ellen Foster and Mary J. Aldrich. It called on the liquor dealers to observe and obey the law as embodied in the amendment. It suggested a special session of the legislature, but did not urge it. Mrs. Foster was a star speaker at this convention and was received with great applause.¹⁷

In April, 1883, the Supreme Court rendered a decision declaring the amendment had not been legally submitted to the

¹⁶*Iowa, Its History and Its Foremost Citizens*, by Johnson Brigham, Vol. I, p. 218.

¹⁷*Iowa State Register*, July 28, 1882.

electors, and that it had not become a part of the Constitution. Then came a contest for statutory prohibition. The Republican party was the dominant political party in Iowa in those days. It met in a great state convention on June 27, 1883, just one year from the day the prohibition amendment had been adopted by the people. It was apparent the temperance people had captured the convention. However, it moved with a spirit of tolerance. Hon. John A. Kasson was temporary chairman and Col. David B. Henderson, permanent chairman. The platform declared: "We accept the result of that election * * * as the verdict of the people in favor of constitutional and statutory prohibition," and proceeded to pledge the party to the enactment of a prohibitory law by the next General Assembly.

If Mrs. Foster had been non-partisan up to this time, she thought there remained no reason for her now to remain so, and from that time on she was ardently Republican. Prohibition being in her mind the chief public issue, the one nearest her heart and the one to which she was devoting her life, and the Republican party having championed that cause even in the face of political danger, and as the Democratic party was favoring license, it was but natural for her to make that decision.

The State Temperance Alliance called a convention to meet at Des Moines on January 23 and 24, 1884. It was very largely attended. Hon. Henry O. Pratt, a former congressman from Charles City but at that time a prominent preacher of the Methodist Episcopal church, presided. Resolutions were adopted commending Governor Sherman in his "unequivocal and manly stand * * * on the prohibition question," and expressing confidence that the General Assembly, which was then in session, would promptly meet the wishes of the people as expressed in the adoption of the prohibitory amendment. Many able speakers addressed the convention, among them being Attorney General A. J. Baker, Rev. H. O. Pratt, Bishop John F. Hurst of the M. E. Church, Rev. Henry Wallace, Dr. George F. Magoun, and Mrs. J. Ellen Foster, and none with more favor than Mrs. Foster. Concerning this convention the Iowa State Register in its issue of January 25 said editorially:

"Observers who are veteran in attendance of Iowa meetings say that this was the intellectual equal of any which has been held in the state." The General Assembly, which was in session at this time, enacted a prohibitory law before its adjournment, although the measure passed the House by a bare majority.

Mrs. Foster by this time had become an open advocate for the Republican party, and in doing so there was broken in 1888 that close personal friendship and co-operative relations between her and Miss Frances E. Willard. The policy of the latter was to support what was known as the "Third Party," or the Prohibition party. Mrs. Foster, believing prohibition was now within the grasp of the people of Iowa, and with the leading political party supporting it, thought she ought personally to support and help strengthen that party. She advised, however, the Woman's Christian Temperance Union to become non-partisan as an organization, urging the members to exercise their individual judgments politically. This caused a division of the W. C. T. U. into two rival organizations, Mrs. Foster becoming president of the non-partisan division.

During the 1884 political campaign Mrs. Foster was in great demand as a speaker, not only in Iowa, but made many addresses in other states, speaking under the auspices of the Republican National Committee. She was in especial demand in the western states. She was an admirer of Mr. Blaine, who was the nominee that year. For the next ten years she delivered hundreds of addresses, speaking in all parts of the United States, frequently on politics, but oftener on temperance, on which she spoke in many churches, as well as in public halls.

In 1888 she organized and became president of the Woman's National Republican Association and did effective work for the party. In 1892 she revived the association, and in the Republican National Convention at Minneapolis that year she was called to the platform before that great assembly and presented the cause of the woman's association. While not devoting time to the cause of woman suffrage, yet her speeches for temperance, for prohibition, and her political addresses helped greatly in making woman conscious of herself politically.

Some time in the 1880's Mr. and Mrs. Foster removed to Washington, D. C., he receiving an appointment in the United States Treasury Department. Mrs. Foster, however, continued to frequently deliver addresses in Iowa, both on temperance and on politics. In 1887 she had a trip of several weeks in Europe. Because of her reputation as a mission worker President McKinley appointed her to inspect sanitation in soldiers' barracks during the Spanish-American War and recommend improvements. She accompanied the Taft Commission to the Philippines in 1900 to study conditions of women and children there, and took a trip around the world, continuing her study especially in China and India. In 1902 Secretary Hay appointed her a representative of the United States to the International Red Cross Conference at St. Petersburg. In 1906 President Roosevelt appointed her to study conditions of woman and child workers throughout the nation. In 1908 she was appointed a special agent of the United States Department of Justice to inspect the prisons both federal and state with respect to the condition of women prisoners. In this latest of her public duties she visited Iowa in the performance of her work. Her death occurred in Washington, August 11, 1910, and burial was at Lowell, Massachusetts.

Thus ended the life of one of America's noted women, one who by her residence in and service for Iowa honored the state.

The noted reformer, Mrs. Mary A. Livermore of Melrose, Massachusetts, said of her: "Mrs. J. Ellen Foster's name is inseparably associated with this reform [temperance] in all parts of our land. For many years she has toiled with unflagging interest in this great movement for a higher civilization."¹⁸

Senator Dolliver once said of her: "She will find an enthusiastic audience wherever she goes. When she returned from her trip around the world I advised her to go on the platform again and share the lessons she had learned with the people. Mrs. Foster is not in the slightest degree mannish, neither is she womanish. She is herself in love with the subject she presents. Her hearers are carried away with her eloquence and forget whether she is a man or a woman."¹⁹

¹⁸William B. Allison collection of private letters in the Historical, Memorial and Art Department on Iowa.

¹⁹*Register and Tribune*, August 12, 1910.

At the time of her death the *Register and Leader* gave editorially the following just estimate of her: "Mrs. Foster was an interesting and forceful woman and tremendously in earnest upon the temperance question. In her day, Iowans were either her loyal friends or her bitter enemies, because she was on the firing line of a bitter struggle. She came in for much unkind criticism because she was a new woman in old-fashioned times, but posterity must be kinder to her than her own generation, because she deserves it."

EDITOR HAS TOO MANY CALLERS

We have of late found it almost impossible to get sufficient time by ourselves to write a respectable portion of editorial. Our friends have recently taken such a wonderful liking to us, that they appear determined that we shall never feel sorrow because of solitude. This is certainly very kind in them, but it is not exactly justice to our subscribers, nor to ourselves, to take from us that time which should be devoted to the duties of our station. We are at all suitable times very glad to see our friends, but in candor we must say that there is a proper time for everything, and we should think, not exactly in place to visit an editor when he is engaged in his editorial duties.—*Warsaw Signal*. In *Bloomington* [now Muscatine, Ia.] *Herald*, Feb. 11, 1842. In the Newspaper Division of the Historical, Memorial and Art Department of Iowa.

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