

MEXICANS AND THE ORIGINS OF MARIJUANA PROHIBITION IN THE UNITED STATES: A REASSESSMENT¹

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Abstract. This article challenges what Isaac Campos calls the “Mexican hypothesis” regarding marijuana criminalization in the U.S. The Mexican hypothesis holds that Mexican migrant workers brought marijuana to the U.S. at the turn of the 20th century, and that marijuana prohibition was a racially-motivated effort to criminalize and control those workers. Campos traces the origins of this hypothesis to the earliest scholarly histories of marijuana in the 1960s and 1970s, and charts its remarkable and influential hold on both the popular and scholarly imagination in the half century since then. Drawing from more recent scholarship on marijuana in the U.S. and in Mexico (including his own) and examining primary sources, Campos demonstrates that the original evidence for the Mexican hypothesis was extremely weak, that marijuana was quite rare in Mexican immigrant communities, and that several other factors better explain the expansion of marijuana use and its criminalization in the early twentieth century United States.

Between 1963 and 1984, scholars in several fields established what came to be known as the “Mexican hypothesis” of marijuana prohibition in the United States. In broad strokes, that literature (and its popular offshoots) argues that, around 1900, waves of Mexican immigrants, many of whom casually smoked marijuana, began to enter the United States. As the Mexicans spread, so did their custom of marijuana smoking. Extreme prejudice, already well developed against Mexicans, soon attached to these immigrants’ drug of choice. It was this process that inspired most early marijuana laws in the United States, while also fueling racist fantasies that the drug caused madness, crime, and violence among its users. These developments helped transform cannabis from a ubiquitous roadside weed into the Schedule-1 “narcotic” of so much controversy today.

The Mexican hypothesis has become crucial to broader under-

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standings of the War on Drugs and its history in the United States. The paradigm has reinforced the general belief that drug prohibitions are a product of racism or a tool wielded to oppress labor in the U.S., where, in addition to the association between Mexicans and marijuana, opium was once linked to the Chinese and cocaine to African Americans. The hypothesis has thus had additional political significance since the 1960s, serving for policy reformers as proof of the War on Drugs' irrational and even sinister origins.²

However, this paradigm has always stood on unstable ground, for it was based on scattered evidence and, crucially, developed with almost no knowledge of Mexicans, Mexico, or marijuana's history in that country. Recent research has since raised fresh doubts about the paradigm, for it turns out that marijuana's history in Mexico runs counter to the notion that the drug was used widely and casually by Mexican migrants. The most common stereotype of the marijuana user in Mexico was that of a ferocious, unpredictable, and therefore very dangerous madman. Furthermore, marijuana use was not widespread among Mexicans but, instead, mostly concentrated among prisoners and soldiers.³ In short, marijuana's history in Mexico is not fully compatible with the story that has long been told about Mexican immigrants and marijuana in the United States.

Given the enormous influence that the Mexican hypothesis has had on the drugs literature and its continued influence in both academic and public discourse, and given that research on marijuana's early history in the U.S. has mostly lain dormant for three decades, this essay revisits that literature from an updated vantage informed by new knowledge of Mexico's history with the drug. Of course, given the enormous changes underway in marijuana's legal status in both Mexico and the United States, and the related debates over who is to blame for the century-long war on marijuana, a return to the literature is also timely.

After describing the development of the Mexican hypothesis and its original shortcomings, I will dip into some of the key sources from a century ago in order to reinforce my central argument, namely, that the role of Mexican immigrants in the history of U.S. marijuana prohibition has surely been overstated and that much research remains to be done.

Writing about marijuana's history in the United States emerged in conjunction with the sea change in user demographics that occurred in the 1960s. For decades the drug had been associated with marginalized groups—whether Mexicans or African Americans—and thus wild ste-

reotypes about its effects, and harsh punishments for its users, had been accepted with little controversy. Then, in the 1960s, marijuana became popular among certain segments of the white middle class, especially college students.⁴ Their experience of the drug's effects had little in common with the older stereotypes of madness and violence, and that—combined with their social and political standing—made the existing, draconian punishments for marijuana use appear wholly inappropriate. These dissonances helped spark initial scholarly interest in marijuana's U.S. history.

David Solomon's 1966 edited volume, *The Marihuana Papers*, was a landmark in this process. The book combined sociological, historical, and botanical essays with literary contributions, and these sources established the basic structure of a reformist critique of marijuana prohibition, grounded in history, that has changed little over the last half century. Solomon articulated the historical moment in his introduction to the volume in which he announced that "marihuana has ceased to be a subcultural affair limited to the underprivileged and the undereducated," and noted "that in a world beset by such spectres as exploding bombs and populations, mass hunger, race hatred, contaminated waters, droughts, floods, polluted air and paranoid politicians, so benevolent an herb as marihuana hardly deserves exclusion from one's internal fallout shelter." Here was marijuana and "the Sixties" in a nutshell: that benevolent herb whose effects contrasted so sharply with the "psychologically numbing" alcohol of the mainstream; that natural wonder whose persecution was just another injustice blindly accepted by the anesthetized, conformist, and decidedly misguided older generation.⁵

While it is always difficult to pinpoint exactly why particular drugs gain in popularity during one era rather than another, it seems that the historical symbolism embedded in marijuana, even if not completely understood by users, proved crucial to the spike in its use during the 1960s. Its long association with marginal groups, and even longer ties to "the Orient," made marijuana an ideal symbol for a Western (and generational) counterculture. For young people, the act of smoking marijuana instantly demonstrated the absurdity of their parents' beliefs about the drug's effects—it clearly did not make one mad or criminal as the authorities had long claimed it would. It was so obviously a "soft" recreational drug when used by these middle-class white kids that each pungent puff of smoke implicitly made a mockery of the older generation's ideas.⁶

This context is crucial for understanding what lies behind both the scholarly and popular literatures on marijuana's history in the United States, for it is written as if it is trying to decode a mystery: It is not

possible that early twentieth century Americans really believed that marijuana incited violence and crime, right? Look how mild the drug actually is. Look at all the other cultures in the world that have used it without controversy. How did we get here? In short, Solomon's volume set the tone for a marijuana literature inflected with deep suspicion, for it seemed that something curious, irrational, unwise, improper, wrongheaded, or even sinister must have occurred in the early twentieth century when marijuana was being prohibited. Hence the title of Jerome Himmelstein's excellent and rigorous *The Strange Career of Marihuana*, or that of Jack Herer's decidedly more popular, but quite fanciful, *The Emperor Wears No Clothes: Hemp and the Marijuana Conspiracy*.

For most scholars who participated in this first wave of research, the central focus was that "strange" legal history and especially the Marihuana Tax Act of 1937 which had produced the de facto prohibition of cannabis nationwide. Perhaps owing to the contemporary significance of these questions, sociologists initially dominated the field, beginning with Howard Becker's pioneering work on the subject. Becker argued that the prohibition of marijuana in 1937 demonstrated how public policies sometimes result from "moral entrepreneurship," with the main entrepreneur here being Harry Anslinger, the controversial head of the Federal Bureau of Narcotics (FBN). Thus emerged the "Anslinger hypothesis," which scholars initially employed to explain the origins of the Marihuana Tax Act and which asserted that Anslinger and his allies had initiated and propagated the myths about marijuana's "killer" effects during the 1930s.⁷ At this point, Mexicans were not yet considered a crucial part of the story, though some scholars emphasized that marijuana users' lower-class social origins were an important factor in the drug's prohibition.⁸

The full development of the Mexican hypothesis only began with David Musto's work of the early 1970s. According to Musto, not only had Mexican immigrants introduced marijuana to the Southwest, but prejudice against them had also played a fundamental role in the federal prohibition of marijuana in 1937. For Musto this had three components: fear of Mexicans, which led to marijuana's association with crime and violence; labor groups who highlighted Mexican workers' marijuana use to justify their deportation during the Depression; and pressure the southwestern states put on the federal government to do something about marijuana use (especially by Mexicans). The last point was based largely on claims made by Anslinger himself, whom Musto had interviewed in the 1960s. Musto's work also supported the notion that, for Mexican immigrants, marijuana was a non-controver-

sial part of everyday life until they walked into the hornet's nest of American prejudice. "In areas with concentrations of Mexican immigrants, who tended to use marihuana as a drug of entertainment or relaxation, the fear of marihuana was intense....Although employers welcomed them in the twenties, Mexicans were also feared as a source of crime and deviant social behavior."⁹

Building on Musto, John Helmer and Thomas Victorisz then developed a theory of drug prohibitions as "labor oppression." The chapter titles of their co-written volume tell the story: "The Chinese and Opium, 1875-80;" "Blacks, Cocaine and Opium, 1905-20;" "White Working-Class Opiate Use, 1910-20;" "Mexican-Americans and Marijuana, 1930-37;" "Working-Class Heroin Use, 1950-70." They argued that among Mexican laborers in the U.S., marijuana "was as conventional to them as alcohol consumption was to Anglos; it was one of many customs brought from the peasant culture across the border."¹⁰

The idea that marijuana was simply a "folk relaxant" or a "casual adjunct to life" in the Mexican community has been a crucial given for the Mexican hypothesis since its inception, though there was never much evidence on which to base this claim other than the general common sense of the era. The idea seems to have been largely grounded in the middle-class "Sixties" experience with the drug and the presumption that this was the same experience had everywhere in the world prior to that time. As Alan Ginsberg put it in his contribution to *The Marihuana Papers*:

All India is familiar with ganja, and so is all Africa, and so is all the Arab world; and so were Paris and London in smaller measure in high-minded but respectable 19th century circles; and so on a larger scale is America even now. Young and old millions perhaps smoke marijuana and see no harm. And we have not measured the Latin-American world, Mexico particularly who gave the local herb its familiar name. In some respects we may then see its prohibition as an arbitrary cultural taboo.¹¹

We now know that this was not the case in Mexico, where recreational use of marijuana was relatively unusual and mostly confined to specific environments, especially prisons and soldiers' barracks.¹² Yet, even as the Mexican hypothesis was being developed, some key indicators already suggested that the drug was not as common in Mexican immigrant communities as the hypothesis presumed. For example, in order to make the case that Anglos were only concerned with Mexican marijuana use once the Depression made these immigrants' labor ex-

pendable, Helmer and Vietorisz noted that, “during the 1920s almost no notice was taken of [marijuana] in the Anglo communities in which [Mexicans] worked, in spite of a widespread belief in their criminality in other respects.”¹³ This kind of analysis is typical in the literature; even when the evidence shows that marijuana use was not prevalent among Mexican immigrants, it is assumed that marijuana was “as conventional to them as alcohol.”

Ultimately, the legal scholars Richard Bonnie and Charles Whitebread served as the most pivotal advocates of the “Mexican hypothesis.” Their book, long considered the definitive account of U.S. marijuana history, dedicates more space than any other work to the development of state-level prohibitions, a subject mostly ignored by the much larger literature on the origins of the Federal Marihuana Tax Act. Here, the Mexican hypothesis was fully developed, with the authors describing Mexican immigrants’ introduction of marijuana smoking to the Southwest around the turn of the century and the route by which they supposedly spread this practice north over the coming years. They argued that anti-marijuana statutes followed, state by state, in the same pattern as Mexican migration. The roll call of states generates the sensation of a wave of marijuana use rolling roughly northward through the U.S. along with these Mexicans, who were simply engaging in an age-old folk practice.¹⁴

But the foundation for this interpretation was not a state-by-state examination of the process that led to marijuana prohibition. Instead, it was extrapolated from some good but geographically isolated evidence gathered along the Texas-Mexico border (analyzed in depth below) and combined with some fragments of evidence from just a few other states. Though they specifically cited sixteen states where Mexicans supposedly spread marijuana and inspired the drug’s prohibition—plus the “commercial traffic which steamed up the Mississippi from New Orleans and Texas [that] also spread Mexicans and marihuana to Chicago, Kansas City, Cleveland, Detroit, St. Louis, and other major commercial centers”—they provided only a few newspaper quotes from five states to back this claim, and only one of those quotes spoke directly to the legislation in question. Their sole piece of direct evidence, and by far their best, appeared in a Montana newspaper clipping featuring racist comments legislators made about Mexicans and marijuana use while they considered a bill to prohibit the drug.¹⁵ Again, that anecdote comprised Bonnie and Whitebread’s *only* direct evidence corroborating the assertion that anti-Mexican sentiment prompted state-level marijuana prohibitions. For example, in order to make that claim about Texas’ law, they cited a single newspa-

per article on a 1923 revision to the state's 1919 drug-prohibition law even though that newspaper report simply noted that marijuana was a "Mexican herb" sold along the border. For New Mexico, they cited a newspaper article that claimed only that the drug gained local prominence when it was found in the local prison and that the word "marihuana is the name commonly used in the Southwest and Mexico." In Colorado, where a marijuana statute was passed in 1917, they contended that, "At that time, judging from the use of the Mexican term 'marihuana' and from subsequent newspaper reports the drug was 'used almost exclusively...by the Mexican population employed in the beet fields,'" but the only evidence cited was a single 1931 newspaper article.¹⁶ In Boise, Idaho, the mayor there noted that "The Mexican beet field workers have introduced a new problem—the smoking in cigarettes or pipes of marijuana or grifo. Its use is as demoralizing as the use of narcotics."¹⁷ However, it is not clear if the mayor was referring specifically to cannabis legislation. Bonnie and Whitebread offered a few other quotes from the Chicago area, but again, these did not relate directly to any legislation.¹⁸ On the basis of this extremely thin evidence, the authors formulated (and scholars have accepted) the following narrative: "Whether motivated by outright ethnic prejudice or by simple discriminatory lack of interest, the proceedings before each legislature resembled those in Texas and New Mexico in 1923. There was little if any public attention and no debate. Pointed references were made to the drug's Mexican origins, and sometimes to the criminal conduct which inevitably followed when Mexicans used the 'killer weed.'"¹⁹

Interestingly, the authors did find some evidence consistent with what we've learned more recently about marijuana's place in early twentieth-century Mexico. They noted the existence of a frightening "Mexican marijuana folklore" in which the drug was said to produce violence and madness in its users. "The Mexican marihuana folklore," they continued, "apparently made a deep impression on any American who came in contact with the drug or its alien users." Ultimately, though, the authors marginalized this information, first by attributing it exclusively to "Mexican patricians," and later by ignoring it completely when specifically interrogating the origins of the menacing reputation of marijuana in the U.S. In a chapter dedicated to the latter question, they argued that the link between marijuana and insanity was primarily an import from Egypt and India, while the association with crime was "primarily a contribution of the American experience," having developed mostly after 1930.²⁰ Here we see that even where evidence suggested that marijuana was not simply a "casual adjunct to

life” for Mexicans, that evidence was downplayed as only representative of the views of Mexican elites and, even then, considered to not have really played an active role in this history.

Despite these problems, Bonnie and Whitebread did make a large and important contribution to the literature. They added fuel to a lively debate about the Marihuana Tax Act’s true origins, which was now trending away from the earlier emphasis on Anslinger. John Galliher and Allyn Walker soon published a series of articles from a materialist perspective that harshly criticized much of the previous literature for its focus on a single actor such as Anslinger rather than on the larger conditions that, according to them, clearly explained the Tax Act’s passage. The title of one of their essays, “The Politics of Systematic Research Error,” captures the general tone of their critique. They accused the supporters of the Anslinger hypothesis of sympathizing only with the plight of affluent users rather than minorities. Musto, Helmer, and Victorisz were lauded as the researchers who recognized the true origins of the Tax Act in labor competition. They also highlighted Musto’s argument that concern about marijuana was strongest in the southwestern states:

While Mexicans were tolerated during the economic boom of the 1920’s as a source of cheap labor, during the 1930’s the hatred toward this group escalated from the competition they created for scarce jobs and their willingness to work for low wages. Predictably, as this group became economically threatening, their habits also became more threatening.²¹

However, for our purposes, the most interesting development with respect to the Mexican hypothesis went nearly unnoticed. In 1978, Patricia Morgan completed a sociology dissertation on the history of drug legislation in California. Bonnie and Whitebread had noted California’s 1915 marijuana prohibition²² as an interesting and, in their words, “unexplained” outlier in the West. They argued that it was unlikely “that sufficient numbers of immigrants would have arrived... by this early date to arouse interest in them and their unusual habits,” though in truth California had been receiving significant Mexican immigration since the late nineteenth century.²³ Bonnie and Whitebread’s doubts seem to have been stoked by a cryptic comment from Henry Finger of the California Board of Pharmacy who, in 1911, expressed concern about the drug’s use by “Hindoos.” Finger was one of the architects of the legislation, and since his quote made no mention of Mexicans, Bonnie and Whitebread categorized this legislation as “un-

explained.” Morgan looked deeper and found that, indeed, Mexicans had nothing to do with the 1910s legislation. Instead, those laws were the predictable result of Progressive Era “professional reform.” She also found that anti-Mexican forces rarely linked Mexicans to marijuana even when concern about Mexican immigration intensified in the following decade. While xenophobes often cited immigrants as a source of crime, “these anti-Mexican groups did not mention marijuana use among Mexicans as part of the crime problem.” Though a 1926 report claimed that “Mexican addicts” in Los Angeles regularly used marijuana, a survey taken in the 1930s that measured crime in California from 1910-1936 did not include a single mention of marijuana despite dedicating an entire section to crime committed by immigrants. Another crime study in and around Los Angeles, supposedly a hotbed of Mexican marijuana use, found that, between 1928 and 1932, police arrested only a few dozen Mexican marijuana users per year in a county that included about 90,000 Mexican residents.

Perhaps the most telling information came from Paul S. Taylor, the legendary Berkeley economist and ethnographer, who told Morgan in an interview that, while researching a Mexican farm-labor community in California over three years in the 1920s, he never once encountered marijuana and was unaware of the drug’s existence among these Mexicans.²⁴ Despite all of this, Morgan concluded that marijuana was little recognized in California only because the state’s agri-business interests sought to downplay any potential crime problems linked to Mexicans. One might suggest a simpler explanation: that there was little mention of marijuana use among Mexicans because there was little marijuana use within the Mexican community. Indeed, ethnographic sources from the period, as well as more recent histories on vice in the borderlands and on Mexican immigrants in general, overwhelmingly suggest that marijuana use was rare in Mexican immigrant communities during the early twentieth century.²⁵

Morgan’s evidence should have inspired more doubt about Bonnie and Whitebread’s Mexican-vector theory for both marijuana’s spread and the origins of state-level prohibitions. In one of the most significant states for Mexican immigration, there existed little outcry about marijuana before the 1930s and, most importantly, clear evidence that, despite a large number of Mexicans in the state, marijuana legislation was passed with almost no mention of Mexican marijuana use. This suggests, of course, that perhaps we should not be so confident about Bonnie and Whitebread’s grouping of so many “Western” prohibitions under the umbrella of their Mexican-vector hypothesis. Clearly, the presence of Mexicans alone does not prove

that anti-Mexican sentiment inspired anti-marijuana legislation, which is essentially what Bonnie and Whitebread claimed in most of their state-level cases.²⁶ Furthermore, the country saw plenty of marijuana legislation in states far from the border—Massachusetts and Indiana in 1912, Wyoming in 1913, Maine in 1914, Vermont in 1915, Rhode Island in 1918.²⁷ On the basis of a single newspaper article referring to a concurrent New York City statute, Bonnie and Whitebread attributed these cases to “anticipatory legislation” (i.e. laws passed anticipating a future problem). The authors appear simply to have assumed that, if a state lacked a significant population of Mexican immigrants, then the legislation was anticipatory, while a sizeable Mexican population meant the legislation was motivated by racial anxiety. Yet California, a state whose marijuana laws were the product of “anticipatory legislation” despite the presence of plenty of Mexican immigrants, suggests that something similar might have been happening elsewhere and that actual marijuana use by Mexicans was not a necessary component in the emerging state-level prohibitions happening nationwide.

In the early 1980s, this initial wave of research came to a close. The labor-conflict hypothesis was convincingly dismantled by Jerome Himmelstein, Stephen Norland, and Joseph Wright. The latter two demonstrated that most Mexicans were repatriated by the time the FBN started its anti-marijuana campaign, that most marijuana arrests were not of Mexicans, and that the FBN did have significant bureaucratic incentive to promote the Tax Act.²⁸ Himmelstein synthesized the whole debate in combination with research of his own. Leaning on Bonnie, Whitebread, and Morgan, he argued that neither labor conflict nor pressure from the Southwest explained the origins of the Tax Act. Instead, the Act was inspired by a shift in law enforcement’s focus—from marginal users, especially Mexicans, to children’s supposed infection with the vice—combined with the FBN’s bureaucratic self-interest. However, Mexicans were important in that prejudice against them led to the invention in the American southwest of the “killer weed” mythology, and the fear that this Mexican “killer weed” was now infecting children proved decisive.²⁹

Himmelstein left unchallenged the Mexican-vector theory’s explanation of both ideas about marijuana’s “killer” effects and state-level prohibitions. He followed Bonnie and Whitebread in arguing that marijuana use “flourished” in Mexico and Central America and that Mexican immigrants spread it to the U.S., with state-level prohibitions following closely behind. Furthermore, he reinforced the notion that fear of Mexicans had inspired the “killer weed” stereotype.³⁰ Curious-

ly, Himmelstein was also one of the few authors to recognize Bonnie and Whitebread's admission that a "potent Mexican folklore" about marijuana existed near the border. Yet, as with the two law professors, he left out this part of the story when discussing the ideology of the 1930s. Instead, he argued that marijuana became linked to violence due to "Oriental legend" and simply by association. Here, again, some doubt about the extent of marijuana use by actual Mexicans should have entered the narrative:

Marihuana use...was never a major issue in the Southwest at the time, nor was it an important part of anti-Mexican racial stereotypes. Mexican laborers, however, often were perceived by Anglos as 'criminal types': They were noted for carrying knives and being drunk and disorderly. When marihuana was discussed, it was usually associated with Mexicans. As a result, marihuana also became associated with violence, a 'killer weed.'³¹

For whatever reason, the evidence that Mexican *ideas* were important, rather than Mexican immigrant marijuana smokers, was once again overlooked.

The next major scholarly contribution to this history did not come until 1999 with the publication of an excellent article by Dale Gieringer on marijuana's prohibition in California. Gieringer went into greater depth regarding marijuana's history there than Morgan could in her more wide-ranging dissertation, yet in doing so he essentially confirmed Morgan's findings that marijuana prohibition occurred in California as a typical Progressive era "professional reform" rather than as a response to Mexican immigration.³²

Finally, my own recent work on marijuana's history in Mexico demonstrates several key points that raise further doubt about the Mexican hypothesis. First, the use of marijuana as an intoxicant was relatively rare in Mexico and not much older than the drug's use in the United States. Second, the drug's reputation as an intoxicant was almost universally negative, even among the lower classes, and dominated by the notion that it produced madness and violence in its users. Finally, Mexican ideas about marijuana, specifically the notion that the drug produced violence, madness, and crime, began to spread to the United States in the 1890s through the press and other published sources, along with the word "marijuana" itself.³³ This last point, of course, undermines the notion that marijuana's "killer" reputation was invented on the U.S. side of the border and suggests that Mexicans

played a much more active role in the shaping of marijuana discourses in the U.S. than scholars have previously recognized.

Before moving on to some of the key primary evidence from the early twentieth century, I want to emphasize that the whole premise that Mexicans “introduced” marijuana to the United States is rather dubious. After all, cannabis drugs had been widely available and well known in the U.S. since the late 1840s when cannabis began to be lauded on both sides of the Atlantic as a potentially effective medicine, psychiatric tool, and stimulant for extraordinary visions and experiences. This not only made cannabis widely available to consumers, but also inspired an Atlantic World vogue for cannabis experimentation, accounts of which routinely appeared in print.³⁴ And though these writings would often warn of the dangers of overindulging in cannabis, they also served as virtual advertisements for recreational use of the drug. For example, Fitz Hugh Ludlow, whose book *The Hasheesh Eater* (1857) stands as the most important and successful contribution to this genre in the United States, described the “marvelous inner world” to which he was transported by the drug:

I existed by turns in different places and various states of being. Now I swept my gondola through the moonlit lagoons of Venice. Now Alp on Alp towered above my view, and the glory of the coming sun flashed purple light upon the topmost icy pinnacle. Now in the primeval silence of some unexplored tropical forest I spread my feathery leaves, a giant fern, and swayed and nodded in the spice-gales over a river whose waves at once sent up clouds of music and perfume.³⁵

Many such descriptions were published during this period in both professional and popular sources. Some of these drew on the experiences of key French literary figures—the “*Club des Hashishins*”—and their writings about cannabis. An 1849 piece in the *Louisville Examiner*, for example, quoted Theodore Gautier at length, who argued that “The Orientalists” used hashish while seeking “that species of excitement which the western nations derive from alcoholic drinks.” The piece described Gautier’s remarkable experience, during which he saw “millions of butterflies, confusedly luminous, shaking their wings like fans.”

Never did similar bliss overwhelm him with its waves: he was lost in a wilderness of sweets: he was not himself; he was relieved from consciousness, that feeling which always pervades the mind; and for the first time he comprehended what might be

the state of existence of elementary beings, of angels, of souls separated from the body: all his system seemed infected with the fantastic coloring in which he was plunged.³⁶

As an Alabama newspaper explained about hashish in 1852, “if the accounts of its effects be not exaggerated, it is strange that it has not come more in use among the western nations.”³⁷

Indeed. Yet, from the middle of the century until the 1910s, such use apparently remained relatively rare in the United States, though reports of the drug’s extraordinary effects continued to appear in the press and other sources, complimenting what had already been written by the *Club des Hashishins* and what could be found in popular books like the *The Arabian Nights* and *Count of Montecristo*.³⁸ Drug scholars have argued that the availability of a substance is the key factor in determining whether or not a population will choose to take up its use, yet in the U.S., where marijuana had been widely available for decades, its use apparently remained rare.³⁹ The simplest explanation, of course, may be that use of the drug was more common than was acknowledged at the time,⁴⁰ though little evidence exists to support that hypothesis, and plenty of authorities at the time claimed that use of the drug in the U.S. was indeed rare.⁴¹ Why, then, given such miraculous accounts of its effects and the drug’s widespread availability, did its use not become more common?

To be sure, not all of the reports on cannabis were so rosy. Many accounts described sometimes frightening outcomes arising from use of the drug. In 1869, for example, a physician claimed to have “often” taken the drug in the name of science. He described an intoxication that began with a disagreeable “contraction of the nerves of the throat,” and which led to his senses becoming extraordinarily acute and his experiencing bizarre hallucinations and suggestiveness:

I recollect on one occasion being persuaded that my leg was revolving upon its knee as an axis and could distinctly feel as well as hear it strike against and pass through the shoulder during each revolution. Any one may make you suffer agony by simply remarking that a particular limb must be in great pain, and you catch at every hint thrown out to you, nurse it and cherish it with a morbid eagerness that savors strongly of insanity. This state is a very dangerous one, especially to a novice: madness and catelepsy (sic) being by no means uncommon terminations to it.⁴²

The drug was also regularly described as a “strong narcotic” and therefore, by definition, dangerous.⁴³ But warnings of frightening outcomes were also made about cocaine, morphine, opium, and heroin, and these substances saw increasing use during this period. Recreational cannabis use, however, supposedly remained rare.⁴⁴

The apparent lack of diffusion of this practice in a country famously given to recreational drug use, in which cocaine and heroin would quickly gain adherents, stands as an important paradox that scholars have yet to adequately explain or even attend to. To my knowledge, the only writer to explicitly acknowledge it was Robert P. Walton, professor of pharmacology at the University of Mississippi, who in 1938 specifically noted this “singular sociological phenomenon” and concluded that “the availability of information and the concomitant availability of the drug are not sufficient in themselves to establish this sort of popular indulgence.” Walton went on to argue that two factors were required to cement the “this vice as a folk practice.” The first was an “intimate social contact between an uninitiated population and a population which practices the vice.” The second was “the temperament and social conditions of the people who adopt the practice.”

This influence of temperament and conditions is particularly emphasized in the case of the Kentucky pioneers who cultivated hundreds of tons of hemp with no recorded instances of a perversion of hemp narcotics. Their environmental conditions and social outlook obviously represented an unfavorable medium for the growth of an indulgence which, by contrast, is currently expanding among the idle and irresponsible classes of America.⁴⁵

Though Walton’s theory reveals his own prejudice, he deserves credit for at least acknowledging this quite interesting puzzle. No other scholar has attempted to explain why Mexicans—or anyone else—needed to “introduce” the practice to a country that had seen widespread availability and cases of experimental cannabis use dating back to the mid-nineteenth century. Indeed, as already noted, experimental/recreational use in the United States dates back about as far as such use in Mexico.⁴⁶

Why, then, have all of these inconsistencies and contradictions been overlooked? We might point to a number of factors, from a lack of scholarly focus on the question of Mexican marijuana use, to the seeming “naturalness” of the Mexican-marijuana link in the post-Sixties cultural moment. Here, however, I’d like to focus on the influence of one source in particular and the way it has been interpreted in the

literature, especially by Richard Bonnie and Charles Whitebread.

The source in question is a 1917 Department of Agriculture report on marijuana along the Texas border with Mexico. The report was inspired by the thoroughly entrepreneurial lobbying campaign of a single man, Stanley Good Sr., Deputy Sheriff of El Paso, Texas. Good had become alarmed by the use of marijuana following a terrifying incident across the river in Ciudad Juárez, Mexico, on 1 January 1913. On that day, according to the newspapers, a Mexican man, after smoking some marijuana, had pulled out a knife and begun chasing a couple of American tourists down the street while yelling “death to Protestants.” The man went on to stab a few horses and murder a pursuing police officer before he was subdued in a billiards hall by a blow to the head from a cue-wielding patron. It was a frightening episode, though relatively typical of marijuana’s portrayal in the Mexican press since the mid-nineteenth century.⁴⁷

The incident inspired Good to lobby both El Paso’s City Council and the Federal Government for new restrictions on the drug’s distribution. He succeeded on both counts. Marijuana was prohibited in El Paso in June 1915. That same year, the Treasury Department created an amendment to the Food and Drugs Act that made illegal the importation of cannabis to the United State for non-medical purposes. Two years later, the head of the Department of Agriculture’s Bureau of Chemistry sent out his personal assistant, Reginald F. Smith, to investigate how effective the new Treasury Decision had been in slowing the traffic of marijuana into south Texas.⁴⁸ The resulting report is an extraordinary source, containing the results of nearly one hundred interviews with customs officials, pharmacists, grocery store employees, and law enforcement personnel. Despite its geographic limitations, the report stands as easily the best piece of evidence we have on early-twentieth-century marijuana use and traffic in the United States.

It was from this report that Bonnie and Whitebread drew the majority of their conclusions with respect to Mexicans and the prohibition of marijuana west of the Mississippi. As with the rest of their book, they present the evidence forcefully and with confidence, as if the two law professors were addressing a jury. But the report actually suggests a number of conclusions other than those arrived at by the two legal scholars. In truth their treatment of the evidence was sometimes selective and, at times, quite misleading.

Most glaring in this regard was their handling of the origins of the marijuana sold in south Texas during this period. There, they described a marijuana supply chain that supposedly began in central Mexico and fed demand among recent immigrants north of the border.

Political chaos at home and economic opportunity in the United States significantly augmented the migration of Mexicans to Texas and New Mexico at the turn of the century. In Mexican districts of the border towns and in major cities these immigrants continued to smoke and grow marihuana as they had done at home. Cultivation of the plant was a major industry in the vicinity of Mexico City, the mountains of Thalpam (*sic*), and in surrounding Mexican provinces, and a steady supply of marihuana easily crossed the border into Laredo, El Paso, San Antonio, Nogales, and other border towns and major cities. Laredo was of major importance because it was linked directly to the Mexico City area by the Mexican National Railroad. The demand for the plant was significant enough...that several importing firms commercially distributed marihuana to other points in the region, particularly to San Antonio. One company, in business only three months, had five hundred pounds of marihuana in stock at the time of the investigation. Retailers, mostly local grocers, openly advertised.⁴⁹

Though this narrative has never been challenged, it actually misrepresents the evidence quite severely.

Smith was sent to Texas to check on the effectiveness of the Treasury Decision banning non-medicinal marijuana imports.⁵⁰ Thus, his first priority was to uncover the source of illegal imports rather than of sales within the United States. This led to inspections of all major land and sea ports in south Texas. But rather than uncovering a steady supply of the drug through major cities, only in Laredo could any imports be confirmed.⁵¹ Smith found that customs authorities at El Paso, Eagle Pass, San Antonio, Del Rio, and Brownsville, Texas, declared that subsequent to September 25, 1915, when Treasury Decision 35719 went into effect they have had no importations under the name of Indian Hemp, *Cannabis indica*, Marihuana, or Juanita, at their respective ports. These same customs officials were of the opinion that there were few, if any, importations of the drug previous to the decision in question.⁵²

Only one piece of evidence proved actual imports from Mexico. The San Antonio Drug Co., a wholesale druggist, admitted to purchasing, in 1912, "\$100 worth of loose Marihuana" from R.A. Bremer

(aka, Botica León) in Monterrey, Mexico. But, even here, the Mexican connection is not pure; Bremer, as its name suggests, was a German firm.⁵³

Smith actually made no mystery of the most important source of supply in south Texas during the 1910s—it was cannabis packaged and marketed by major U.S. pharmaceutical companies, most of which was probably imported from India. As Smith put it,

*It is considered that the most important information obtained during the investigation was secured from drug stores. It developed that foreign Cannabis in package form was being sold over the counter in original ounce packages by drug stores in many parts of the United States. . . . This practice is by no means recent and probably has been going on for a number of years. (Emphasis mine.)*⁵⁴

The “ounce package” referred to here was distributed by several major U.S. drug concerns—Allaire, Woodward, & Co., of Peoria, Illinois; Parke, Davis, & Co., of Detroit; Murray & Nickell of Chicago; Lehn and Fink of New York City; and Moyer Brothers Drug Co. of St. Louis.⁵⁵ Bonnie and Whitebread briefly mentioned the ounce packages but failed to note either that Smith claimed such sales were happening “in many parts of the United States” or that, in Smith’s view, this was the most important information obtained in the investigation. Indeed, Bonnie and Whitebread buried a one-sentence reference to U.S. pharmaceutical firms at the end of a paragraph in a manner that leaves the reader with the impression that most marijuana at the time flowed north from Mexico.⁵⁶ In this way, the evidence was made to support the notion that marijuana smoking “filtered into the United States from the south. . . Transported by Mexicans and West Indians.”⁵⁷

Parke Davis had been particularly successful in distributing marijuana. Smith commented with some disgust that the “contents [of the Parke Davis containers] are in loose form convenient for smoking purposes.”⁵⁸ Allaire Woodward’s product was also quite popular. Of 84 drug stores inspected, 39 were dealing or had at some time dealt in marijuana. Of these, 34 mentioned the provenance of the weed, with 25 acquiring it from the pharmaceutical houses, seven from the San Antonio wholesalers, and two buying from “street peddlers.” Bonnie and Whitebread obscured this fact in their presentation, suggesting that the main source of supply was a “major industry” in Mexico (which we now know did not exist) that was sending the drug through various ports of entry when, in truth, there existed almost no evidence to support that claim.

In fact, Mexican customers appear to have preferred the Parke Davis brand. For instance, Mr. V.R. Ramírez, owner of a drug store in El Paso of the same name, offered the following comments:

Before the city of El Paso passed the ordinance prohibiting the sale of Marihuana we used to sell 4 or 5 packages a day of Parke Davis & Co.'s Indian Hemp. Our sales were to Mexicans and negroes, mostly to the former. They seemed to be ashamed to ask for Marihuana and often times they would bring an empty package of Parke Davis'. We sold it then for 15 cents a package. The Mexicans once they used the package form seemed to prefer it to their native grown Marihuana, probably because it was stronger and more uniform in strength.⁵⁹

Similar testimony was offered by Colonel F.A. Chapa, who also owned a small drug store "catering exclusively to Mexican trade." Chapa said that he sold five- and ten-cent packages (probably weighing a half and one ounce, respectively) at a rate of about two or three per day and was supplied by a store in San Antonio. Chapa apparently sold not the U.S. pharmaceutical product but rather the Laredo-supplied variety, possibly of Mexican origin. As he stated,

I have calls for [marijuana] practically from Mexicans only, although in the last few months I have noticed several American negroes and whites of the lower class are beginning to call for it. They generally ask for Parke Davis' Indian hemp, which I do not keep.

As with Ramírez, Chapa remarked on the way the mostly-Mexican clientele made their purchases:

It is a curious thing that even the confirmed 'Marihuana fiend' is ashamed to admit the fact that he is addicted to the drug. If a person comes to my store and asks for Marihuana without 'beating around the bush' I give it to him without any question. Most of them, however, state that they want it for medicine. In such cases, more for curiosity than anything else, I say to the purchaser, 'I have two kinds of Marihuana, the Mexican Marihuana, which is used for smoking purposes, and the American Marihuana, which is used for medicinal purposes. Now which kind do you want?' Without fail they reply, 'Give me the American kind.' I then advise them that they must be very careful not

to smoke the American kind as it is liable to ruin their throat and sometimes causes serious sickness. Invariably they finally decide that they will take the Mexican kind.⁶⁰

Smith emphasized that pharmaceutical cannabis sales occurred “in many parts of the country” and that, while he lamented that the investigation was not able to thoroughly research the subject, if “time could be spared it is believed that startling information regarding the consumption of the ‘ounce package’ could be obtained in some of the larger cities of the United States.”⁶¹ As a clerk who had worked in drug stores in Las Vegas, Philadelphia, California, and New Mexico explained, “We sold *Cannabis indica* in package form to Mexicans and ‘hobos.’ It would be a good thing if the Government would prohibit its sale.” The proprietor of City Drug Store, Houston, noted that he “used to work at the Seawell pharmacy, Pine Bluff, Arkansas, and in drug stores in Berkeley, Los Angeles, and Redlands, California, and sold *Cannabis indica* in ounce packages.”⁶² Other sources also suggest wider distribution by these means. In Portland, Oregon, for example, a 1915 city marijuana ordinance followed the discovery that some teenagers had been purchasing cannabis from local pharmacies and using it recreationally.⁶³ Even the first edition of the Sears Roebuck catalog, circa 1902, offered bulk cannabis for \$1 per pound or ten cents for a one-ounce package.⁶⁴ Indeed, in 1914, the United States Tariff Commission estimated that 31,210 pounds of medicinal cannabis were imported to the U.S. almost entirely from England and British India.⁶⁵ Furthermore, Parke Davis had for a decade been working on better domestic growing techniques and may have been drawing much of their supply from domestic sources, thus the market might have been considerably larger than even the Tariff Commission’s estimates suggested.⁶⁶ In fact, the pharmaceutical firms seemed quite well aware that, while the drug was not frequently used therapeutically, sales of it were nevertheless significant in the U.S. As a representative from Eli Lilly commented during a meeting of the special cannabis committee of the American Drug Manufacturers Association in 1918,

It seems to me that Cannabis is rather an unimportant drug and that we have given undue attention to the whole subject of Cannabis. It is sold, of course, in rather considerable quantities, but therapeutically it is not a very important drug and does not compare, for instance, with such drugs as digitalis and aconite and some of the others that we are studying.⁶⁷

Indeed, many pharmacists Smith interviewed asserted that the drug was never prescribed by physicians in herb form and was instead sold specifically for smoking purposes.⁶⁸ Clearly, Mexicans were sometimes involved in buying marijuana and were perhaps even the most likely customers in some parts of south Texas, but the evidence here suggests that Mexican stores and Mexican customers were only one element of the story, and perhaps quite a small one.

It is also crucial to recognize the geographic context here. El Paso served as the way station for Mexican immigration to the U.S. during this period, and Texas eventually received more Mexican immigrants than any other state. If one wanted to find evidence of Mexicans engaged in just about anything, one would most likely find it in south Texas, and especially El Paso.⁶⁹ And the report bears this out, for El Paso, and to a lesser extent San Antonio, were significant outliers with respect to the amount of marijuana purchased both in the region and by Mexicans. Bonnie and Whitebread partially noted this phenomenon, arguing that, along the gulf coast in Houston and Galveston, Mexicans were far less likely to be identified as purchasers of marijuana than they were along the border with Mexico. But, in truth, the market limits were even more severe. Smith found that Del Rio, Eagle Pass, Luling, Ysleta, and Laredo (excepting the two wholesalers who supplied San Antonio grocers) had essentially no business in the drug whatsoever. Of Del Rio and Eagle Pass, Smith stated definitively that the local Mexicans did not use the drug.⁷⁰ In addition, the pharmacists in Brownsville claimed that, while they occasionally received calls for marijuana from Mexicans living in Matamoros, they never sold it, and the local Mexican population never used it. Finally, tiny Floresville showed some sales, but these were limited—on the order of one ounce per week or a few pounds a year.⁷¹

In comparison, El Paso's marijuana commerce was booming. While only about half of El Paso's pharmacists actually dealt in marijuana, those that did reported relatively impressive sales figures. One local distributor claimed that, prior to the marijuana ordinance of 1915, he sold about fifty pounds per year of Parke Davis ounce packages to local druggists. Another wholesaler reported sales to local druggists of the same product in two- and three-pound lots. Though no indication is given of how many of the latter sales were made per year, evidence from five of the local druggists suggests that their sales during this period averaged around three ounces a day per pharmacy. These figures are certainly fuzzy, as only four of the druggists actually furnished any estimates of their sales, and these estimates were based on memories dulled by the passage of almost three years. But, if they were at all

accurate, they suggest that El Paso had at least twice as much commerce in marijuana as San Antonio, which was clearly the marijuana market's "second city" in south Texas. Lagging even further behind were sales along the Gulf coast.⁷² In short, El Paso was a clear outlier.

It is perhaps not surprising, then, that the El Paso evidence is by far the strongest with regard to Bonnie and Whitebread's claim that marijuana smoking arrived with recent Mexican immigrants. The most convincing statement on this point was made by a wholesaler who claimed to sell fifty pounds per year prior to the city ordinance.

Practically all of our trade in *Cannabis Indica* in the herb form commenced about three years ago, when the refugees began to come up from Mexico in large numbers. A noticeable demand sprung up from the Mexican drug stores in the lower part of town. I believe that the difficulty in obtaining Mexican herbs at that time, on account of interior troubles in Mexico and lack of transportation facilities, caused this demand.⁷³

However, even in El Paso and San Antonio, the marijuana market exhibited some diversity. In El Paso, of the 13 druggists who mentioned having received calls for marijuana, only five said the callers were exclusively Mexican, while three mentioned U.S. soldiers alone. Another four mentioned a mix of Mexicans, blacks, U.S. soldiers, and "hobos." In San Antonio, only four mentioned Mexicans alone, and three mentioned a mixed clientele such as that of El Paso.⁷⁴ And, of course, in many of the locations Smith visited, Mexicans were not involved with marijuana at all.

The evidence is thus considerably more complicated than scholars have generally recognized. To conclude, then, I offer a few hypotheses and questions that might stimulate further research in this area.

First, if something important was "introduced" with respect to marijuana during this period, perhaps it was the practice of smoking marijuana rather than swallowing it. Cannabis smoking was known to have occurred in the U.S. in the nineteenth century, but the drug was much more commonly swallowed. On the other hand, in Mexico, the drug had been taken almost exclusively by smoking it in cigarettes (the cigarette being an earlier Mexican innovation) since the 1840s. It is now well documented that unpleasant overdoses of cannabis most often occur when preparations of the drug are swallowed, as the effects take a long time to manifest, and thus users often eat too much, leading to unpleasant psychotomimetic reactions.⁷⁵ Perhaps this partly explains why cannabis use did not become more common in the U.S. during the

nineteenth century. However, as with the ideas that had already come from Mexico regarding the drug's effects, or the word marijuana for that matter, this technological innovation might have come via transnational press circuits rather than Mexican immigrants. Furthermore, Mexico was not the only place where cannabis was used in this way, and that fact was also reported in the press.⁷⁶ Of course, American users could very well have figured out the advantages of smoking on their own. Whatever the case, this technological change could help to explain why use appears to have grown in the early twentieth century.

Second, some of the emphasis by sources on Mexican users may have been a product of the same kinds of prejudice that today lead to African-Americans being disproportionately associated with certain drugs, and their similarly disproportionate targeting by police for drug-law violations.⁷⁷ Police harassment of Mexican immigrants during this period is well documented, so it stands to reason that the sources on marijuana might have been infected by this prejudice as well, especially since Mexican press reports about marijuana and its terrible effects had been spreading to the United States since the 1890s.⁷⁸

Third, today's heroin market demonstrates how Mexican immigrants can become heavily involved in the trafficking of drugs that they themselves rarely use and the use of which they deem morally repugnant simply due to the economic opportunity the market affords.⁷⁹ Such an explanation might account for some Mexicans' involvement with marijuana in the U.S. during the early twentieth century.

Fourth, surely some of the marijuana commerce involving Mexican immigrants was related to traditional folk medical practices, which were and continue to be commonplace in Mexico.⁸⁰

Fifth, the smuggling of pharmaceutical cannabis from the U.S. into Mexico might partly explain why there was a disproportionately large market in El Paso during the Mexican Revolution. Since customers often asked specifically for the Parke Davis pharmaceutical cannabis, El Paso might have actually served as a distribution center for Ciudad Juárez and surrounding areas in northern Mexico. After all, the pharmaceutical ounce packages were surely unavailable from legitimate pharmacies on the Mexican side of the border. Mexico's Federal Sanitary Code forbade the sale of marijuana in quantities exceeding those specified for specific preparations in the national pharmacopoeia, and the same code for the state of Chihuahua (across the river from El Paso) was basically a copy of the Federal version. The ounce package certainly exceeded this limit in almost all cases.⁸¹ How well enforced these laws were is difficult to gauge, but at least one of Smith's Mexican respondents claimed that "Marijuana or Cannabis indica in the

herb form is never found on sale in drug stores in Mexico.” It is not difficult to imagine that Mexican drug dealers might have begun crossing the bridge to El Paso to buy this higher-grade product for ultimate sale in Juárez and surrounding areas. This might explain the relatively high demand that we do see in El Paso. And there is some evidence to support this hypothesis. In 1913, a teenager named Joe Grado was arrested on his way back to Juárez from El Paso with several packages of Parke Davis’ Indian hemp in his possession. “The drug, done up in neat blue packages, bore the label of Parke, Davis and company, Detroit, Mich. The boy told the detectives Friday morning that he had secured the drug at a drug store on South El Paso Street, but could not remember the place.”⁸² Similarly, in 1919, a man was arrested in Hermosillo, Sonora, with 160 Kilos of Parke Davis Indian hemp. The Mexico City press reported incredulity among officials that the drugs could really be connected to an “honorable” firm such as Parke Davis, but given what we’ve seen here, the notion is hardly far-fetched.⁸³ We should especially consider this possibility given that Juárez was a major site of troop movements during the Mexican Revolution, and federal soldiers were, along with prisoners, marijuana’s main users in Mexico. Smith’s report in fact suggests the potential importance of the troop presence there:

El Paso in the past has been a hot-bed of ‘Marihuana fiends.’ Ciudad Juarez, across the river from El Paso has always been an important military point for the Mexican armies and as the weed is commonly used among the old Mexican soldiers it is probable that El Paso became infected from that source.⁸⁴

Sixth, the apparent boost in marijuana use in the United States during the 1910s might simply be explained by the prohibition of various other intoxicants at that time. Consider, for instance, the testimony from Seawall Drug Store in Galveston: “We used to handle *Cannabis indica* in the herb form and had a call for it about once in two weeks, mainly from Mexicans and whites addicted to the use of habit forming drugs. I believe that the whites purchased this because they could not get their regular line of ‘dope.’”⁸⁵ Indeed, it was commonly argued during this period that, as laws restricted the sale of alcohol, the opiates, and cocaine, users would turn to other drugs and, specifically, cannabis. As the prohibitionist crusader and drug-war architect Hamilton Wright explained to Henry Finger of California’s State Board of Pharmacy, “I anticipated some time ago that in [the] event of our securing Federal control of the sale and distribution of morphine and

cocaine, the fiends would turn to Indian hemp, and for that reason incorporated that drug in the proposed act for the control of the interstate traffic in narcotics.”⁸⁶ Given that cannabis had been linked to these other “narcotics” for decades but had remained widely available, it seems plausible that the prohibition of the latter might have inspired more use of the former. In fact, observers at the time often claimed that this was precisely what was going on.⁸⁷

Nearly half a century ago, the “Mexican hypothesis” was constructed on a relatively weak evidentiary foundation. Despite the problems with the evidence, the theory has received virtually no scholarly criticism. In the meantime, this theory has come to strongly influence popular understandings of marijuana’s history in the United States while providing a compelling narrative for a drug policy reform movement that has sought to demonstrate the sinister origins of the War on Drugs. But the flaws in the theory, newly magnified by research into marijuana’s history in Mexico, remain. I hope that this essay might help bring renewed attention to these questions so that new, fine-grained research at the state and local levels might fully explain both the growth of recreational marijuana use in the United States during the early twentieth century, and the process that led to its prohibition.

ENDNOTES

1. Funding for this research was provided by the Charles Phelps Taft Research Center at the University of Cincinnati and The David Rockefeller Center for Latin American Studies at Harvard University. My thanks also to the anonymous scholars who reviewed this piece prior to publication and to Bob Chessey, Paul Gootenberg, and Adam Rathge. Thanks also to the participants in the Lockridge History Workshop at the University of Montana who read and commented on earlier drafts. Bob Chessey and Tom Schroeder also provided me with some valuable primary sources.

2. The development of the academic literature is detailed below. For the broader influence of this paradigm in textbooks and other academic syntheses, see John Hagan, “The Legislation of Crime and Delinquency: A Review of Theory, Method, and Research,” *Law and Society Review* 14, no. 3 (1980), 614-17; Kenneth J. Meier, *The Politics of Sin: Drugs, Alcohol and Public Policy* (Armonk, NY: ME Sharpe, 1994), 33; Leslie L. Iversen, *The Science of Marijuana* (New York: Oxford University Press, 2000), 245; John Hagan, *Crime and Disrepute* (Thousand Oaks, CA: Pine Forge Press, 1994), 4-5. For popular histories see, Martin A. Lee, *Smoke Signals: A Social History of Marijuana—Medical, Recreational, and Scientific* (New York: Scribner, 2012), 41-42; Larry Sloman, *Reefer Madness: The History of Marijuana in America* (Indianapolis, IN: The Bobbs-Merrill Company, 1979), 21-31; Richard P. T. Davenport-Hines, *The Pursuit of Oblivion: A Global History of Narcotics, 1500-2000* (London: Weidenfeld & Nicolson, 2001), 153-54; Clarence Lusane, *Pipe Dream Blues: Racism and the War on Drugs* (Boston: South End Press, 1991), 36-37; Mike Gray, *Drug Crazy: How We Got into This Mess*

and *How We Can Get Out* (New York: Random House, 1998), 76; Martin Booth, *Cannabis: A History* (New York: Thomas Dunne Books, 2004), 131-35; Ernest L. Abel, *Marihuana: The First Twelve Thousand Years* (New York: Plenum Press, 1980), 201-208. In some cases, the Mexican role in this history has been drawn using absurd caricatures of early twentieth century Mexicans hardly less stereotyped than the portrayals of marijuana users these sources apparently seek to critique. Rudolph J. Gerber, for example, refers to the famously sober Pancho Villa as a “doper.” See *Legalizing Marijuana: Drug Policy Reform and Prohibition Politics* (Westport, CT: Praeger, 2004), 2-3. See also Robert Deitch, *Hemp—American History Revisited: The Plant with a Divided History* (New York: Algora, 2003), 86-87. See also Jack Herer, *The Emperor Wears No Clothes*, 10th ed. (Van Nuys, CA: Hemp Pub., 1993). For more on the Mexican hypothesis in reformist critiques of the Drug War, see “The Federal marijuana Ban is Rooted in Myth and Xenophobia,” *The New York Times*, July 29, 2014; “A Brief History of the War on Drugs,” <http://www.drugpolicy.org/new-solutions-drug-policy/brief-history-drug-war> [accessed Jan. 12, 2015]; Marijuana Policy Project, “3 Myths About Marijuana,” <http://www.mpp.org/media/op-eds/3-myths-about-marijuana.html> [accessed Jan. 12, 2015].

3. Isaac Campos, *Home Grown: Marijuana and the Origins of Mexico’s War on Drugs* (Chapel Hill: The University of North Carolina Press, 2012).

4. Jerome L. Himmelstein, *The Strange Career of Marihuana* (Westport, CT: Greenwood Press, 1983), 22, 31-33. See also Ch. 7, “From Killer Weed to Drop Out Drug.”

5. David Solomon, “Editor’s Foreword,” in *The Marihuana Papers*, ed. David Solomon (New York: New American Library, 1968): xxii. See also Michael Schaller, “The Federal Prohibition of Marihuana,” *Journal of Social History* 4, no. 1 (1970), 61.

6. Edward J. Rielly, *The 1960s, American Popular Culture Through History* (Westport, Conn.: Greenwood Press, 2003), 32; Edward P. Morgan, *The 60s Experience: Hard Lessons About Modern America* (Philadelphia: Temple University Press, 1991), 199. See also Himmelstein, *Strange Career*, 32.

7. Himmelstein frames and describes the “Anslinger hypothesis” and “Mexican hypothesis” in *The Strange Career of Marihuana*. See also Donald T. Dickson, “Bureaucracy and morality: An organizational perspective on a moral crusade.” *Social Problems* 16, no. 2 (1968): 143-156. Solomon, “Editor’s Foreword,” xv-xvi.

8. Alfred R. Lindesmith, “Introduction,” in *The Marihuana Papers*, ed. David Solomon (New York: New American Library, 1968): xxvii. See also Schaller, “Federal Prohibition of Marihuana,” 65, 66, 71.

9. David F. Musto, *The American Disease*, 3rd ed. (New York: Oxford University Press, 1999), 219-23. See also his “The Marihuana Tax Act of 1937,” *Archives of General Psychiatry* 26, no. 2 (1972): 101-8.

10. John Helmer and Thomas Vietorisz, *Drug Use, the Labor Market, and Class Conflict* (Washington, D.C.: The Drug Abuse Council, 1974), 23.

11. Allen Ginsberg, “First Manifesto to End the Bringdown,” in *The Marihuana Papers*, ed. David Solomon (New York: New American Library, 1968): 238-39.

12. Campos, *Home Grown*.

13. Helmer and Vietorisz, *Drug Use*, 23.

14. Richard J. Bonnie and Charles H. Whitebread II, *The Marihuana Conviction: A History of Marihuana Prohibition in the United States* (Charlottesville, VA: University Press of Virginia, 1974), 35, 52.

15. *The Marihuana Conviction*, 40.

16. *Ibid.*, 39. The article in question, “Milliken Lays Increasing Crime to Marijuana Drug,” *Rocky Mountain News*, Sept. 27, 1931, is focused on juvenile crime in the Denver area during the summer of that year. Beyond the quote partially cited above that, “until comparatively recent date,” marijuana had been used exclusively by Mexicans in the beet fields, the article only mentions Mexicans in noting that, “while Mexicans are

the chief growers, the ‘industry’ is not confined to that race.” The quote is from Denver Manager of Safety, Carl Milliken. My thanks to Tom Schroeder for providing me with a copy of this clipping.

17. Quoted in *Ibid.*, 40. Cited here is a 1928 report on marijuana by the National Women’s Christian Temperance Union. It’s not clear what this report is as no archival location is noted and it does not reside in any library as far as I can tell.

18. *Ibid.*, 46-47.

19. *Ibid.*, 39.

20. This was not the only inconsistency in the argument. Early in the book, they also claimed that any drug labeled a “narcotic” by medical or law enforcement personnel was assumed to cause “addiction, lethargy, crime, insanity, and death,” and that any drug that became associated with “street use” inevitably acquired the “narcotic” label. In other words, as soon as marijuana became associated with street use during the early twentieth century, its connection to crime and insanity was guaranteed. By this logic, the influence of Egypt and India was unnecessary. *The Marihuana Conviction*, 28, 37, 52, and chapter 7.

21. John F. Galliher and Allyn Walker. “The puzzle of the social origins of the Marihuana Tax Act of 1937,” *Social Problems* 24, no. 3 (1977), 368-69. See also their, “The Politics of Systematic Research Error: The case of the Federal Bureau of Narcotics as a Moral Entrepreneur,” *Crime and Social Justice* 10 (1978), 31-32.

22. Dale Gieringer later showed that an initial ban was passed in 1913.

23. According to census figures, 1900 to 1910 actually saw the most rapid increase in California’s foreign-born Mexican population during the early twentieth century, with a four-fold increase. The numbers were as follows: 1900: 8,086 Mexicans; 1910: 33,694; 1920: 86,610; 1930: 200,000. See Jorge Durand, *Política, modelos y patrón migratorios: el trabajo y los trabajadores mexicanos en Estados Unidos* (San Luis Potosí, MX: El Colegio de San Luis, 1998), 15.

24. Patricia A. Morgan, “The Political Uses of Moral Reform: California and Federal Drug Policy, 1910-1960,” (Ph.D. Thesis, University of California, Santa Barbara, 1978), 82-87.

25. F. Arturo Rosales has noted that “Mexican leaders and diplomats...consistently denied that compatriots used marijuana more than other ethnic groups.” See his *¡Pobre Raza!: Violence, Justice, and Mobilization among México Lindo Immigrants, 1900-1936* (Austin, TX: University of Texas Press, 1999), 67. Ethnographies from the time regularly noted the existence of vice, from drunkenness to prostitution, among Mexican immigrants, but rarely mentioned marijuana. See Enrique Santibáñez, “Ensayo acerca de la inmigración mexicana en Estados Unidos,” in *Migración México-Estados Unidos. Años veinte*, ed. Jorge Durand (México, D.F.: Consejo Nacional para la Cultura y las Artes, 1991) (original published in 1930), 89-98; Alfonso Fabila, “El problema de la emigración de obreros y campesinos mexicanos,” in *Migración México-Estados Unidos. Años veinte*, ed. Jorge Durand (México: Consejo Nacional para la Cultura y las Artes, 1991) (original 1930s), 43. Likewise is Paul S. Taylor’s close study of Nueces County Texas, where he noted that the most typical law violations by Mexicans were “drinking, stealing and [offenses concerned with] marihuana,” yet his statistics showed that out of 458 law violations by Mexicans during 1928-29, 2 were for cannabis, while drunkenness or liquor law violations accounted for nearly half of the total. *An American-Mexican Frontier, Nueces County, Texas* (Chapel Hill, NC: The University of North Carolina Press, 1934). For statistics see 167-68. For the cited quotation see 311. See also pages 126-33, 301-13. Taylor, despite the lack of evidence found in his own work, would eventually write in a 1931 federal report on crime that “Marihuana is a drug the use of which has spread with the dispersion of Mexican immigrants.” “Crime and the Foreign Born: The Problem of the Mexican,” in (Washington, D.C.: United States Government

Printing Office, 1931), 205. But the contradictory evidence remains glaring. In his more focused study of Stockton, CA, in the same report, Taylor noted that “Law enforcement officials at Stockton consider Mexicans their greatest alien-group problem. They are regarded as ‘a bad lot,’ ‘natural thieves,’ who have ‘no idea of private property.’ Petty theft, drunkenness, and burglary were mentioned as principal offenses. The use of solidified alcohol for beverage purposes and use, though rarely the sale of marijuana, were subjects of comment.” Indeed, Taylor cited an informant who explained that the use of marijuana “was not extensive and was usually limited to unmarried men working under unendurable conditions who used it to relieve the dreariness of their existence.” “Crime and the Foreign Born: Stockton, Calif,” 380-381. Paul Livingstone Warnshuis’ section of the same report specified that, while marijuana was surely a factor in some Mexican arrests in Illinois, the drug’s use was “not confined to Mexicans only” and that “Those who know the Mexican... would be certain to blame marijuana for a portion of the Mexican arrests, but there are no statistics to show whether the proportion is large or small.” “Crime and Criminal Justice among the Mexicans of Illinois,” 280-81. More recent works on vice in the borderlands are also quite conspicuous in their lack of reference to marijuana. James A. Sandos, “Prostitution and Drugs: The United States Army on the Mexican-American Border, 1916-1917,” *Pacific Historical Review* 49, no. 4 (1980): 621-45; James A. Sandos, “Northern Separatism During the Mexican Revolution: An Inquiry into the Role of Drug Trafficking, 1910-1920,” *The Americas* 41, no. 2 (1984): 194-214. Indeed, when one cracks the various histories of Mexican immigrants in the United States, one rarely finds any mention of marijuana at all. For major books on Mexican immigrants that lack a single reference to marijuana use, see Abraham Hoffman, *Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939* (Tucson, AZ: The University of Arizona Press, 1974); Gregory Rodriguez, *Mongrels, Bastards, Orphans, and Vagabonds: Mexican Immigration and the Future of Race in America* (New York: Pantheon Books, 2007). In F. Arturo Rosales’s, *Pobre Raza!: Violence, Justice, and Mobilization among México Lindo Immigrants, 1900-1936* (Austin, TX: University of Texas Press, 1999), the drug is mentioned only in a brief, two-page section, 66-67. Mark Reisler, *By the Sweat of Their Brow: Mexican Immigrant Labor in the United States, 1900-1940* (Westport, CT: Greenwood Press, 1976) similarly contains a single reference to the weed.

26. *The Marihuana Conviction*, 32-55.

27. Bonnie and Whitebread confuse a number of these dates. They cite Massachusetts as 1914 when it was 1912, California as 1915 when it was 1913, Indiana and Wyoming to the 1930s, though the correct dates were 1912 and 1913, respectively. See Martin I. Wilbert and Murray Galt Motter, “A Digest of Laws and Regulations Relating to the Possession, Use, Sale, and Manufacture of Poisons and Habit-Forming Drugs Enacted During 1912 and 1913, Now in Force in the United States,” *Public Health Reports Issued Weekly by the United States Public Health Service* 28, no. 42, (1913), 2181-82, and *Public Health Reports*, no. 41, pp. 2142-2143 and no. 42, pp. 2117-18.

28. Stephen Norland and Joseph Wright. “Bureaucratic Legitimacy and the Drug Menace: Notes on the Marihuana Tax Act,” *Deviant Behavior* 5, no. 1-4 (1984): 239-54.

29. Himmelstein, *Strange Career*, 54.

30. *Ibid.*, 22-23.

31. *Ibid.*, 51-53. See also the related footnote on Oriental legend on p. 72.

32. Gieringer, “Forgotten Origins.” Curtis Marez, *Drug Wars: The Political Economy of Narcotics* (Minneapolis: University of Minnesota Press, 2004) considers the question of marijuana and Mexican immigrants in New Mexico but does not critically engage the existing literature and tends to conflate quotes about “drugs” in original sources with “marijuana.” The book thus does little to advance the literature on the questions under scrutiny here.

33. Campos, *Home Grown*. As I demonstrate in *Home Grown*, drug use, including alcohol use, was widely demonized in Mexico during this period—certainly by elites but also to some extent by ordinary folk. There was also tremendous overlap in reformers' thinking on both sides of the border. See, for example, Alan Knight, *The Mexican Revolution: Counter Revolution and Reconstruction* Vol. 2 (Cambridge: Cambridge University Press, 1986), 501-503; Knight, *U.S.-Mexican Relations: An Interpretation* (San Diego, CA: Center for U.S.-Mexican Studies, University of California, San Diego), 4-9; Gretchen Pierce, "Pulqueros, Cerveceros, and Mezcaleros: Small Alcohol Producers and Popular Resistance to Mexico's Anti-Alcohol Campaigns, 1910-1940," in *Alcohol in Latin America: A Social and Cultural History*, ed. Áurea Toxqui (Tucson, AZ: University of Arizona Press, 2014), 164-166.

34. Campos, *Home Grown*, 14-15, 67. On widespread availability, see, for example, Craddock & Co. of Philadelphia advertisements that promote Indian hemp as a cure for asthma—or "hemorrhage of the lungs"—and offer it by mail order for \$2.50 per bottle or three bottles for \$6.50. "Pills and Ointment, \$1.25." "Speak for Themselves" (advertisement), *Northern Christian Advocate* (Syracuse, NY), Jan. 6, 1892, p.7. See also Gieringer, "Forgotten Origins," 240-41, 271 (n. 13).

35. Fitz Hugh Ludlow, *The Hashish Eater: Being Passages from the Life of a Pythagorean* (New York: Harper & Brothers Publishers, 1857).

36. "The Hashish," *The Examiner*. (Louisville, Ky.), April 7, 1849.

37. "The Influence of Hashish," *Daily Alabama Journal* (Montgomery, AL), April 13, 1852, 2. The same article went on to report on the cannabis experiments of a New Orleans druggist who explained that he "was astonished by the crowd of novel and brilliant ideas and fancies that rushed through my brain, returning over and over again. Imagination and perception were developed to their greatest extent. All the principal incidents of my life passed before me like a flash. . . . In truth, it is impossible for me to describe the sensations which I experienced during the excitement. They were, however, of the most delicious nature."

38. For other examples see, "The Horrors of Hashish," *New Orleans Republican*, July 18, 1875, p. 6; "Hasheesh Eating in Egypt," *Kansas City Times* (Kansas City, MO), Feb. 23, 1890, p.20; "Succi's Grip Like an Ore Crusher," *New York Herald*, Dec. 10, 1890, p.5. "Hasheesh Smokers," *St. Albans Daily Messenger* (St. Albans, VT), Aug. 09, 1893, p.3.; "Hasheesh Smokers," *Riverside Daily Press* (Riverside, CA), Aug. 15, 1893, p. 1; "A Snake Bite Jag," *The Idaho Avalanche* (Silver City, ID), June 11, 1897, p.7; "About Gods and Angels," *Lucifer the Light-Bearer* (Chicago, IL), Nov. 17, 1897, p. 363. Adam Rathge, details nineteenth-century examples in "Cannabis Cures: American Medicine, Mexican Marijuana, and the Origins of the War on Weed, 1840-1937," (Ph.D. Thesis, Boston College, 2017).

39. David T. Courtwright, *Forces of Habit: Drugs and the Making of the Modern World* (Cambridge, MA: Harvard University Press, 2001), 96-97.

40. Gieringer cites an intriguing report of a certain S.A. Hahon, a San Francisco tobaccoist who was planning to raise Indian Hemp to produce and sell hashish. Gieringer suggests that perhaps the cannabis market was thus larger than is normally acknowledged. The original version of this story, as quoted by Gieringer, suggested that these farmers were shipping the drug out to "Turks and Arabs" (usually meaning Syrian) customers around the U.S. As Gieringer put it, "it is hard to believe that the hashish farm's clientele was entirely limited to the Syrian community." "Forgotten Origins," 243.

41. On recreational use in the 19th century U.S., see Gieringer, "Forgotten Origins," 238-244. See also *Committee on Ways and Means of the House of Representatives. Importation and Use of Opium: Hearings before the Committee on Ways and Means of the House of Representatives on H.R.25240, H.R. 25241, H.R. 25242, and H.R. 28971*, 3d Session, Dec. 14, 1910 and Jan. 11, 1911, 67, 98, 110, 137-38.

42. "Effects of Hashish," *Marshall County Republican* (Plymouth, Ind.), Nov. 03, 1869.

43. "A Peculiar Cause of Action," *Kansas City Times*, May 23, 1891, p.5. For other overdose stories, see "Just Missed Poison Route," *Columbus Enquirer-Sun* (Columbus, GA), p.8; "Victim of Hasheesh," *Kalamazoo Gazette* (Kalamazoo, MI), July 3, 1897, p.6; "A Physician Who Thought He Was a Balloon and an Iceberg," *The Philadelphia Inquirer*, may 6, 1900, p.; "Took Indian Hemp," *Grand Rapids Press* (Grand Rapids, MI), May 25, 1900, p.7. "Many Bad Things in Cigarettes," *Philadelphia Enquirer*, Aug. 10, 1891, p.5. The same story also appeared as "Many Things in Cigarettes Paper," *Bay City Time-Press* (Bay City, MI), September 08, 1891, p. 3 and "Many Things in Cigarettes," *The Morning Star* (Rockford, IL), Oct. 04, 1891, p.5. See also "Brain Softeners," *Oregonian* (Portland, OR), Aug., 14, 1892, p. 14; "How Cigarets Are Drugged Opium Valerian and Indian Hemp Used," *Springfield Republican* (Springfield, MA), Sept. 17, 1892, p. 3. "Joy to Fisherman," *New York Herald*, May 28, 1893, p.27; "Work for the Future," *Boston Herald*, March 20, 1892, p.26; "The Lungs, the Kidneys and the Skin," *St. Louis Republic* (St. Louis, MO), Oct. 21, 1892, p.22; "Surgery was Agony," *Worcester Daily Spy* (Worcester, MA), April 23, 1893, p.8; "Joy to Fisherman," *New York Herald*, May 28, 1893, p.27. "The Blue Laboratory," *Kansas Semi-Weekly Capital* (Topeka, KS), May 11, 1897, p.8; "The Study of Insanity. Dr. Charles G. Hill on Causes of Hallucination," *The Sun* (Baltimore, MD), March 2, 1900, p. 7. "Popularity," *The Chicago Herald*, July 25, 1891, p.8.

44. On drug use rates in the late nineteenth century, see Musto, *The American Disease*, 1-7; Joseph F. Spillane, "Making a Modern Drug: The Manufacture, Sale, and Control of Cocaine in the United States, 1880-1920," in *Cocaine: Global Histories*, ed. Paul Gootenberg (London: Routledge, 1999), 21; David T. Courtwright, *Dark Paradise: Opiate Addiction in America before 1940* (Cambridge, Mass.: Harvard University Press, 1982), 9.

45. Robert P. Walton, *Marihuana: America's New Drug Problem* (New York: Arno Press, 1976), 1.

46. Campos, *Home Grown*, Ch. 3.

47. "Maniac Kills a Patrolman," *El Paso Times*, January 2, 1913, p.1; Campos, *Home Grown*, Ch. 4.

48. Bonnie and Whitebread, *The Marihuana Conviction*, 37.

49. *The Marihuana Conviction*, 33. The 500 pound number is dubious as it was a wild outlier among all the other numbers cited in the report. Furthermore, it was not arrived at through direct inspection, as were most of the other numbers. Instead, the number was provided over the phone after a call from Frank Pizzini, "the largest dealer in Marihuana in San Antonio." Nothing in the report suggests that any firms were selling anything approaching this amount of marijuana even over the course of an entire year. In 1916, for example, Pizzini sold only 78 pounds by mail. J. Armengol, another wholesaler in Laredo, had sold 38 pounds during that year. Perhaps the new wholesaler was trying to impress Pizzini, who ran an important specialty store in San Antonio. Whatever the case, the number is not representative.

50. R.F. Smith, "Report of Investigation in the State of Texas, particularly along the Mexican Border, of the traffic in, and consumption of the drug generally known as 'Indian Hemp', or *Cannabis indica*, known in Mexico and States bordering on the Rio Grande River as 'Marihuana'; sometimes also referred to as 'Rosa Maria', or 'Juanita'," 1917 (Acquired from the University of Virginia Library), 7-8.

51. R.F. Smith, "Report," 8-9.

52. *Ibid.*, 8.

53. R.F. Smith, "Report," 20. Bremer was placed on the State Department's "Trading with the Enemy" list. See *Trading with the Enemy: Enemy Trading List*, vol. 3

(Washington: Government Printing Office, 1919), 91, 8 (supplement 2 in the appendix). This detail was not mentioned in the report.

54. R.F. Smith, "Report," 13.

55. *Ibid.*, 15.

56. *Ibid.*, 33.

57. *Ibid.*, 32.

58. Letter from R.F. Smith to Dr. Alsberg, April 13, 1917. Contained in R.F. Smith, "Report."

59. R.F. Smith, 42. Ramirez's hypothesis that users preferred the pharmaceutical variety for its greater strength and uniformity was probably accurate. Smith's report indicates that Mexicans growing marijuana around south Texas were thoroughly unsophisticated in their growing techniques and unfamiliar with the method, well known in India, of separating the male and female plants to prevent fertilization, thereby increasing the potency of the drug produced. Smith, p. 4. Meanwhile, Parke Davis had for some time been a major distributor of medicinal cannabis in the U.S. and had been working to achieve higher and more consistent potency. The U.S. Pharmacopoeia had traditionally called for medicinal cannabis to come from India, where potency was believed to be highest. However, Parke Davis had been trying to develop growing techniques in the U.S. in order to domestically produce cannabis as potent as that grown in India, apparently both to reduce costs and to counter a not-infrequent problem with supplies from India, which were often found to be inert by the time they reached the U.S. In 1908, E.M. Houghton, the Junior Director of the Biological Laboratories at Parke Davis, co-authored a paper concluding that "*Cannabis Americana* will be found equally as good, and perhaps better, than that obtained from foreign sources, as proper directions can be given to the grower, in order to produce a drug of the greatest value. We expect to give this phase of the subject especial attention during the next few years, and see what improvements may be effected." E.M. Houghton and H.C. Hamilton, "A Pharmacological Study of *Cannabis Americana* (*Cannabis Sativa*)," *The Therapeutic Gazette*, XXVI (third series), no. 1 (1908): 26-28.

60. *Ibid.*, 17.

61. R.F. Smith, "Report," 14. In fact even the first edition of the Sears Roebuck catalog, circa 1902, offered bulk cannabis at \$1 per pound or 10 cents for a one-ounce package.

62. R.F. Smith, "Report," 47, 73.

63. This information was originally cited by Dale Gieringer. See *Pacific Drug Review* 27(4):65 (April 1915) and 27(7):26 (July 1915).

64. Sears, Roebuck and Company, *Drugs: Chemicals, Drugs, Medicines, Sundries*, first ed., (Chicago: Sears, Roebuck & Co., 1902?), 191.

65. United States Tariff Commission, "The Crude Botanical Drug Industry," (Washington, D.C.: Government Printing Office, 1920), 51. This clearly dwarfs the size of the market in south Texas. See footnote 47 above.

66. See note 59.

67. Annual meeting - American Drug Manufacturers Association, The Seventh Annual Meeting at the Waldorf-Astoria Hotel, January 28-30, (1918), 214. Comments by Dr. F.R. Eldred.

68. See, for example, R.F. Smith, "Report," 43-47.

69. Abraham Hoffman, *Unwanted Mexican Americans in the Great Depression: Repatriation Pressures, 1929-1939* (Tucson, AZ: The University of Arizona Press, 1974), 132. See also Jorge Durand, *Política, modelos y patrón Migratorios. el trabajo y los trabajadores mexicanos en Estados Unidos* (San Luis Potosí, Mx: El Colegio de San Luis, 1998), 15-17.

70. R.F. Smith, "Report," 49, 51.

71. *Ibid.*, 54-55.
72. *Ibid.*, 74-76. 80-84. Only one store in Galveston gives any figures, saying sales averaged one ounce per month.
73. *Ibid.*, 40.
74. *Ibid.* For El Paso see 40-47; San Antonio, 16-26; Houston and Galveston, 72-84.
75. Gieringer, "Forgotten Origins," 243; Campos, *Home Grown*, 32, 51, and Ch. 4.
76. See, for example, "Curious Drugs for Producing Hallucination," *Jeffersonian Republican* (Stroudsburg, PA), April 18, 1850, p.1; "The East Indian Intoxicant," *Arizona Weekly Journal-Miner* (Prescott, AZ), Sept. 05, 1894, p.1.
77. There is a rather large literature on this phenomenon. For a recent survey see Michelle Alexander, *The New Jim Crow* (New York: The New Press, 2010). See also Katherine Beckett, Kris Nyrop, and Lori Pfingst, "Race, Drugs, and Policing: Understanding Disparities in Drug Delivery Arrests," *Criminology* 44, no. 1 (2006): 105-37.
78. Police often picked on recent immigrants whose lack of English made them especially vulnerable. Arrest rates for Mexicans in Chicago in 1929 were about twice as high as the Mexican percentage of the population. As F. Arturo Rosales argues, "Although Chicago police arrested Mexicans disproportionately, their crimes were not serious... Seventy-eight percent of Mexican misdemeanors involved drunkenness and disorderly conduct, while the remaining 22 percent consisted of carrying concealed weapons, assault, gambling, and traffic violations." Indeed, newspapers sometimes exaggerated the extent of Mexican crime. In Colorado, for example, where the press reported that Mexicans accounted for two-thirds of criminal cases, an investigation found that only about ten percent of crimes were committed by Mexicans, a number equal to their proportion of the population. F. Arturo Rosales, *¡Pobre Raza!: Violence, Justice, and Mobilization among México Lindo Immigrants, 1900-1936* (Austin, TX: University of Texas Press, 1999), 50, 52-53, 75-76. On the Mexican stories spreading to the U.S., see Campos, *Home Grown*, Ch. 9.
79. Sam Quinones, *Dreamland: The True Tale of America's Opiate Epidemic* (New York: Bloomsbury Press, 2015).
80. R.F. Smith, "Report," 5-6. Campos, *Home Grown*, 73-80.
81. *Código sanitario del estado de Chihuahua* (Chihuahua: Imprenta del Gobierno á cargo de G.A. de la Garza, 1905); *Código sanitario de los Estados Unidos Mexicanos* (México: Imprenta de Eduardo Dublán, 1903). Specific drug restrictions were compiled in separate "Reglamentos." I have not located one of these for Chihuahua, but given that its sanitary code was a copy of the federal version, it probably included marijuana. Such was the case for the State of Mexico's code, for example. See "Reglamento para las boticas, droguerías y otros expendios de substancias medicinales o para uso industrial," in *Colección de decretos expedidos por el vigésimo congreso constitucional y por el ejecutivo del estado libre y soberano de México* (Toluca: Oficina Tipográfica del Gobierno, 1904), 543-44. For a 1916 arrest related to marijuana in Chihuahua, see "La policía sorprende la guardia de unos infractores," *El Demócrata* Oct. 26, 1916 (Chihuahua, MX), r. 135, 812.114/liquors, *Records of the Department of State Relating to Internal Affairs of Mexico, 1910-29*. For the small amounts of cannabis prescribed in the national pharmacopeia, see *Nueva Farmacopea Mexicana de la Sociedad Farmacéutica de México* (México: Oficina Tipográfica de la Secretaría de Fomento, 1904), 217-218, 764, 881, 926.
82. "Mexican Lad Caught with Much Marihuana," *El Paso Herald*, May 23, 1913, p. 3.
83. "Se descubrió un contrabando de marihuana," *Excelsior*, April 11, 1919, p.1.
84. R.F. Smith, "Report," 9. Such smuggling has returned as marijuana has been legalized for both medical and recreational use in some parts of the United States. See Jean Guerrero, "Mexico's Demand For Potent California Marijuana Creates South-

bound Smuggling,” Oct. 21, 2016, <http://www.kpbs.org/news/2016/oct/21/mexicos-demand-potent-california-marijuana-creates/> [accessed May 19, 2017]. Scholars predict that southbound smuggling of marijuana will continue to expand if Mexico’s marijuana laws remain more prohibitionist than those in the U.S. See Jonathan P. Caulkins and Eric. L. Sevigny, “The U.S. Causes but Cannot (or Will Not) Solve Mexico’s Drug Problems,” in *A War That Can’t Be Won: Binational Perspectives on the War on Drugs*, ed. Tony Payan, Kathleen Staudt, and Z. Anthony Kruszewski (Tucson, AZ: The University of Arizona Press, 2013), 287-288.

85. *Ibid.*, 82.

86. Gieringer, “Forgotten Origins,” 253.

87. “Una fuerte campaña contra la marihuana,” *La Prensa*, April 8, 1919, p 1; “Drug Traffic Grows Across the Border,” *The Sun* (New York, NY), November 3, 1919, p 12; “Marihuana May Not Be Grown in this City,” *Arizona Republican*, May 17, 1917, p 7; “Van a Per a los que venden marihuana,” *La Prensa*, June 21, 1918, p 1, 8.