

SARATOGA

Gets the Rap

Norman Ritchie

WAY BACK LAST SPRING a lively foxhunt was started in Saratoga County, New York. It was a chase after the big, bad red fox of Gambling and Corruption. As this is being written, in early 1952, it is still agallop and no one can say for sure whether the big, red fox will finally evade the baying hounds.

It was Senator Estes Kefauver who blew the first sonorous bugle. In New York City, at hearings of the U. S. Crime Investigating Committee, the Chairman waggled a well-manicured finger of reproof at the historic resort city of Saratoga Springs, N. Y., where gambling on a fantastic scale has been going on for

nearly a century. Then, with a loud tantivy, it was yoicks and away! Governor Dewey joined the chase with a ringing blast. This took the form of a directive calling for a special grand jury. It was to be promptly convened for the purpose of exposing the presumptive tie-up between organized gambling and racketeers, and also any links between professional gamblers and "any public officer or political figure" in Saratoga Springs or Saratoga County.

Apparently, the Kefauver testimony had put the Governor on the spot. In 1947, the Superintendent of the State Police had ordered his men to make a survey of seven Saratoga gambling casinos in the height of the racing season. Their report was, it seems, extremely revealing. But the superintendent had merely filed it away under the head of "Classified."

"Except for thirty years on the newspaper circuit," writes Norman Ritchie, "I have been a lifelong Saratogian." His career has been further embellished by a stint as owner-editor of a rural paper.

For that he was castigated. Why hadn't he sent it on to the Governor? Why, the Committee was told, for decades there had been in force an "undeviating State Police policy" of keeping hands off in areas that have regular police protection. He was duly exonerated by the Governor.

This "hands off" policy, the Committee learned, was "grass roots" stuff in Saratoga County. When the sheriff, the Saratoga Springs police chief, and his principal detective were questioned, each denied specific knowledge of local gambling. As the sheriff shyly explained, it was to their own best interests not to be nosy. The chief, whom Senator Ke-fauver called "incredible," had been in the Saratoga Hospital suffering from heart trouble. Now the Committee's grilling had further damaged that vital organ. He presently resigned, as did the detective, on grounds of ill health.

In the glare of the publicity the Ancient and Dishonorable Shut-Eye Club of Saratoga was breaking up like ice in a hot noon sun. It had been, on the whole, a pitiful performance. The club members might have offered far more potent alibis: Saratoga's tradition of tolerance and even encouragement of unbridled wagering had held the status of law for almost a hundred years. The officials might well have pleaded that they were merely helpless victims in the powerful grip of a scandalous

but recognized system of brazen illegality which had long dominated the entire community.

Community guilt, indeed, was flatly charged in an editorial titled "We're All Indictable" printed in *The Saratogian*, the County's only daily newspaper, before the Dewey grand jury convened. It tacitly acknowledged that gambling had been going on in this bailiwick "from time immemorial" and that this was the fault of the area's voters. If they'd wanted to stop it, they could have elected square shootin' officials. But, in years past, any candidate who declared himself opposed to an "open town" didn't have a Chinaman's chance. A spectacular instance was cited. A candidate for Commissioner of Public Safety, with jurisdiction over the Police Department, was a ten-to-one bet to win the day before election. Then he up and declared himself for a "closed season." He lost the race by about a furlong.

THAT PHRASE "from time immemorial" is a trifle misleading. The origin of Saratoga's mad, hectic gambling career is fixed and dated. It is tradition loaded with picturesque legend, and festooned with moral contradictions and glittering paradoxes. The birth date of lawless gambling in Saratoga, in fact, is marked by the arrival there in 1861, of one John Morrissey.

This picaresque character, who had recently retired as the champion

heavyweight pugilist of the world, had no peers in the gambling profession. He had been a pal of the notorious Mayor Fernando Wood during New York City's most corrupt administration. He controlled more than a dozen gaudy metropolitan gambling joints, patronized by lusty Wall Street tycoons, war profiteers, industrial barons, criminals and sporting figures. Most of these went to Saratoga in summer to drink the invigorating spring waters. Crafty John figured he was losing money by not giving them a chance to continue their pursuit of Lady Luck. So he opened a side street casino and earned himself a niche in history as the granddaddy of Saratoga gambling.

IN NEW YORK, Morrissey had learned the quickest way to speedy success was friendship with the right people. A chummy friendship grew up between Morrissey and James M. Marvin, pioneer Saratoga banker and "political figure." They were to serve together in the Washington House of Representatives, to which Morrissey was elected from a New York district. The friendship was marked by much jocose banter, and a propensity for betting on just about anything. One day a mutual challenge was issued that neither could recite the Lord's Prayer. A picayune bet of ten dollars was agreed on. After quibbling as to which should first attempt this feat,

Marvin started, "Now I lay me down to sleep —." "Enough," Morrissey conceded. "You win."

Morrissey was likewise the father of thoroughbred horse racing in Saratoga. The race track which he built in 1864 with the support of such leading sportsmen and clubmen as Leonard Jerome (later grandfather of Winston Churchill), John R. Hunter and William R. Travers, has been operating, with one or two short lapses, ever since.

A few short years later he erected, in Saratoga, at a cost of a mere \$190,000, a gorgeous, glittering Hall of Chance. And for seventeen years he dominated this exciting and elegant domain — shrewdly and successfully, though sometimes blatantly. Thus, Morrissey wove the pattern for Saratoga's enduring tradition of controlled gambling operations. He crossed Saratoga's palm, for one thing, with the almighty dollar. One example of his largesse was the donation of the entire proceeds of a Saturday's racing to help build a schoolhouse for the village. Churches, charities, and civic enterprises benefited through his adroit and generous style of lubricating the local machinery. That tradition still prevails, too. The Saratoga Racing Association annually contributes liberal sums to the Saratoga Hospital and other local institutions.

By 1951, evidently, a Hercules was needed to clean out Saratoga's Augean stables. But still when, late

in April, John M. Minton, the special prosecutor assigned by the Governor, arrived with mop and pail in Ballston Spa, the county seat, he was scarcely given an enthusiastic welcome. He was even greeted with some frosty stares. He had a hard time finding suitable quarters. Regular overloaded court calendars crowded him out. He had to lease a musty mansion where European nobility had been entertained a hundred years before. It was filled with gorgeous relics and the antique harpies had to have their Roman holiday before Minton could set up shop. He was breathing a difficult political atmosphere. Unlike the Kessler Mansion's frail antiques, Saratoga County's ancient Republican machine, though somewhat dented, seems to be unbreakable. The titular head of this closed corporation is James A. Leary, Saratoga attorney, who happens to enjoy a wide acquaintance with the State's Republican poobahs.

THE FIRST BARRIER that loomed for Minton in this rough terrain was the problem of seating an unbiased jury. Every talesman had to be examined sharply as to acquaintanceship with a list of 234 city and county officials and "political figures," as to his leanings toward the dominant political organization, as well as his prejudices against gambling. Out of the available grand jury list of 300 names he had so

questioned 152 talesmen before a jury was seated. A month had passed. The prosecutors were puzzled. In a county of 74,000 population, with 12,000 persons eligible for jury duty, why was there a list, numbering only a meager 1894 citizens? The commissioner of jurors, not long in office, was prodded. Frantically, he sent word to 2,000 presumable eligibles to show cause why they shouldn't serve. Along in October hordes of buzzing residents swarmed into Saratoga's city hall.

With the seating of the jury, subpoenas filled the air like a covey of migrating ducks. On Saratoga's Broadway the daily greeting was: "Hello, neighbor, been subpoenaed yet?" Accountants, bookkeepers, bank officials, small fry miscreants, anyone who might have a shred of evidence, flocked to the grand jury.

With the arrival of September ten true bills had been laid before the court. They involved twenty-six persons, fourteen of whom had been arrested. No Costellos or other blue chip racketeers had been named. All the better known night clubs were involved. In the net were owners, operators, lessees, croupiers, and other attachés. All charges in the indictments called for misdemeanor penalties, a year in jail, and \$500 fine on each count. At the end of the month only nine suspects were missing, defying a police teletype alarm sent abroad over thirteen states.

Newman's was the first to get into

the glare of the klieg lights. That was when the State Liquor Authority dealt itself a hand in this frenetic poker game. Some Saratogians went into a tizzy about that, as Newman's has been about the only lakehouse to be kept open the year 'round. Banquets have been held there by such respectable organizations as the High School Alumni Association and the Chamber of Commerce. But the SLA had cocked a jaundiced eye at Newman's as well as the other lakehouses. Its liquor license would expire on September 30. Newman's manager explained that round-the-year operations had nothing to do with gambling, which in the August season took place in a separate building. Then Donald G. McLaren, Executive Vice President of the Chamber of Commerce, went to bat for Newman's. Operation of the place, he said, was "of the utmost importance to Saratoga Springs, its economy and the Chamber."

Monty Woolley, Hollywood and radio star, likewise exhaled a declamatory tut-tut. Saratoga is his chosen home. "The Beard" lives there when not obliged to tarry in the cinema center. He is sometimes termed Saratoga's honorary mayor. And Saratoga got a lot of free publicity three years ago by celebrating Monty Woolley Day, done with nostalgic flavor, horse and buggy parade, a costumed Memory Lane barbershop quartet, and similar trappings. You see The Magnificent Montague cher-

ishes tender memories of the sumptuous Grand Union Hotel of half a century ago, when it was colorfully managed by his father and Victor Herbert's orchestra played in sprightly style on the spacious court veranda. So Saratogians were not surprised when Monty dispatched a lengthy telegram to the SLA, earnestly requesting it to take "whatever possible action to keep Newman's Lakehouse alive and functioning." He described it as "an important landmark and source of pride and satisfaction" and added that "its loss to the community would be a calamity."

The stony-hearted SLA was unmoved by Monty's tender eloquence. Newman's liquor license was not renewed. But Newman's stayed open nevertheless and, oddly enough, in early December the annual banquet of the Saratoga County Hotel and Liquor Dealers Association took place there. Shortly after that the manager was phoned and asked if he'd got a liquor license yet. He replied in the negative but said that he expected it shortly.

NEWMAN's and the other Saratoga Lake roadhouses have had a unique history. The first appeared early in the nineteenth century and were humble wooden shacks. But they lured notable Saratoga visitors with their toothsome fish and game dinners. One of them was Mynheer Barhydt's, deep in the woods on a pond teeming with trout and bass.

He condescended to cook whatever fish anyone caught. At other places on the Lake halfbreeds did the cooking, but millionaires waited their turn with commoners. Epicures would have enjoyed a fish and game dinner at Moon's, where Saratoga chips were invented. And at Riley's, in early days, you could lure a bass out of a pool to be served with Jim Riley's special version of creamed potatoes. These and others gained reputations that lasted well into the present century.

Within the last twenty-five or thirty years their golden luster has worn down to a jazzy, tinny glitter. The cabaret influence crept in. Name bands played for dancing. Topflight vaudevillians strutted their stuff. Night club tintinnabulation accompanied the good dining. Evening dress was encouraged. "Front men" were so attired. And, if you so desired, they'd show you to the room for roulette, craps and similar diversions. The patrons had become the fish. The game was the thing.

By 1949 these institutions were scarcely such as to bring a glow of pride to the bosom of civic-minded residents, however tolerant. And Senator Kefauver had allowed that certain of the nation's eminent racketeers had had a finger in the pie.

Be that as it may, the first to don the gloves with Prosecutor Minton was a local political heavyweight. There was considerable ducking, dodging, and backpedaling in this

bout. Dr. Arthur J. Leonard, 72, has practiced medicine in Saratoga for half a century. For years he has held the elective office of commissioner of public safety, hence control of the police force. Called to appear before the grand jury, he sent three Saratoga physicians to advise that he was suffering from a serious heart ailment. This didn't sit well with Minton, and the presiding justice sent for two "disinterested" New York specialists to examine the good doctor. On the basis of their reports, the Justice decided a visit to Ballston Spa would do Leonard no harm.

IN THE CITY's nonpartisan August primary Leonard was renominated for the job, held almost without interlude, for nearly thirty years. One break, in 1926, was when his good friend and political bedfellow, Governor Al Smith, was forced to make a fuss about the gambling racket. Dr. Leonard resigned but was soon re-elected. Now again he resigned just before his grand jury appearance. Mr. Minton had hoped he would waive immunity and perhaps "tell all," turn state's evidence. The doctor ducked that one in a brief three minutes before the court. When asked what took place, he blandly replied: "Why, they gave me a paper to sign that said anything I said could be used against me. I told them I guess I didn't want to sign anything like that and they said I could go."

History obligingly repeated. He was re-elected in November after a newspaper advertising campaign calling for a vote of confidence. But, surprisingly, the majority for Leonard was only 197 in a total vote of 4997. Two years previously, against the same adversary, his majority was a whopping 1598. *Was* it a vote of confidence? To smart guessers it seemed more like a protest vote, a fair test of local reaction to the Kefauver exposures. Could it be that Saratoga had given its unholy tradition a kick in its tattered pants?

A few hoary Saratoga ancients dug back into almost forgotten memories to the time when the Saratoga tradition was at its bloated best — or worst. They recalled that more than a half-century ago, the father of Caleb W. Mitchell, who was Leonard's rival candidate, got into a hassle with the masterminds of protection which ended in tragedy. That was the era of Richard A. Canfield, the greatest gambling impresario of them all. Reams have been written about that rambunctious epoch, about how Canfield took over the old Morrissey clubhouse and spent a million dollars making it resplendent; how every notable from everywhere dined and gambled at Canfield's; how the plungers bet enough in a season to finance the Holland Tunnel and the Empire State Building; about Betcha Million Gates once playing faro at \$10,000 a card and how Can-

field always kept a million dollars cash reserve in his safe.

In 1892 top-hatted Caleb W. Mitchell was elected president of the (then) village. The master minds resented the fact that he'd built his casino five years previously spang in the mid-section of Broadway — a gross breach of etiquette. It took a legislative act to knock him out of his political office. When at last Mitchell was legally unhorsed, his Broadway place was not again permitted to open, except for the bar on the street floor. For several years he was balked at every turn in his attempts to get back in the betting game. Finally, in 1902, suffering from a persecution complex and armed with a loaded revolver, he sought one of the masterminds he held responsible for his frustration. Failing to locate him, he used the gun on himself.

BUT MR. MINTON'S CONCERN WAS not so much the Saratoga tradition as what it had led to. In the early Fall, as master of foxhounds, he felt that the chase was going quite merrily. However, another pack of hounds had been as merrily digging up the dry bones of old laws. These legal beagles now came up with demands that the indictments be dismissed in toto. Before Justice Hagerty one lawyer, representing ten defendants, contended that the wrong section of the law had been invoked. It was that relating to

bookmaking, while his clients had been indicted for other forms of gambling, he claimed. Pish-tush and a couple of pooh-poohs was the prosecutor's answer to that; gambling was gambling in whatever form. The justice later denied the pleas to dismiss the indictments.

However, a plea in another court might well, it seemed, lead to sly Reynard's eventual escape. Defendants' attorney, representing seventeen of them, is Daniel H. Prior of Albany. He has been described as "the legal ace who torpedoed Governor Dewey's bid to smash the O'Connell Democratic machine" in Albany County several years ago. When the matter was argued at a court term in Kingston, New York, Prior maintained that the special grand jury had been secretly rigged, "packed" with adherents of a splinter party hostile to the regular Republican organization. He was answered by Wyllys S. Newcomb, assistant to Special Prosecutor Minton. There was nothing secret or illegal about the impaneling of the jury, he contended. It had been done in the presence of county officials and newsmen. The jurors had been selected with meticulous care, despite difficulties previously noted here. Proclaiming that "gambling has been wide open in Saratoga from 1946 through 1949," Newcomb asserted that six or eight of the big casinos ran without even guards at the doors. When that happens, he

said, "you have corruption and graft." His estimate of the cost of opening such a place was \$50,000 and he declared that "they do not open unless they know the fix is on."

Justice Harry Schirick gave both sides two weeks in which to present written briefs, and reserved decision. Should he decide that the grand jury was improperly impaneled, it appears, it could pack up and go home. The show would be over. Otherwise it looked as though it might go on indefinitely. When Prosecutor Minton resigned at the turn of the year, Governor Dewey promptly replaced him with another practiced prober, Paul W. Williams, a former Assistant U. S. Attorney. Minton's withdrawal was not unexpected, nor was it due to any failure to perform his duties satisfactorily. He had specified at the start that he would not remain on this job indefinitely. Moreover the first \$100,000 appropriated for this investigation had been used up. But the new prosecutor said the Governor had assured him of all the money needed for the grand smash.

Progress toward that end was made early in December, when the first felony indictments were returned, five of them involving ten persons. Nine of these were identified. Three of them, one formerly pocket billiards champion of New York State, are charged with gambling and bookmaking in a Saratoga newsroom. Another, charged with

extortion, is held in \$25,000 bail, indicating five counts. Bail is fixed at \$5,000 for each felony count. Five were linked in one indictment. Whether the tenth man might be a topflight offender is anybody's guess.

And please don't think that the internal revenue bureau is solely concerned with the follies and frailties of its top brass. No, its adding machines have been madly clattering. Result: a tax lien with walloping effect has been clamped on the gilt-edged Piping Rock Club. It tots up to the staggering amount of \$961,889.11. It covers the years from 1946 to 1949. This huge egg was laid in the Saratoga County clerk's office by Walter R. Sturm, Albany collector of internal revenue, against the Flat Rock Holding Corporation, said to have owned the Piping Rock premises since 1931. It might seem that the profits of organized gambling "ain't peanuts."

WHAT NOW IS THE IMPACT of all these shenanigans on Saratoga and Saratogans?

Another brief foray into the dim past may help to gauge the outcome of the current spiritual uplift. There were stricken consciences about fifty years ago, when strong public sentiment was generated against crassly open gambling in Saratoga. Up to that time the clergy had maintained a discreet silence. But in April, 1902, the Reverend Tileston W. Chambers of the First Baptist Church

(founded in 1793) did break bounds with a forthright sermon on protected gambling. He decried the hypocritical attitude of Saratogans and called upon all good Christians to arise and smite the evil. And the next year State Senator Edgar T. Brackett, a political warhorse who kept a tight grip on local affairs, was minded to say: "I want it understood from nowhenceforth that I am opposed to poolroom gambling and that I believe this town would be very much better off if there was not a gambling house open from one limit of the corporation to the other."

Well, Canfield did a fadeout in 1908. Three years later the village bought up his casino and its surrounding grounds to add to lovely Congress Park. And for the last twenty-five years most of the people of this church-going community haven't been too benevolently disposed toward protected gambling and its corruptive influences. It may well be that *The Saratogan* editorial has jolted them out of their baroque laissez faire psychology and into recognition of their free American birthright, the power of the vote.

By now they may well have concluded that they have too long chewed their moral food with the false teeth of a rotten tradition. With their "hearts sprinkled from an evil conscience," perhaps they are seeking the sawdust trail while cheering on the foxhunters.

Teaching *Manners*



to the IRISH

PETER KAVANAGH

MORE THAN A YEAR AGO I gave readers of THE MERCURY the inside story on Ireland. I pointed out then that there was in Ireland a secret and subversive society backed by government money whose purpose was to convert the Irish people to good manners, respectability, and formality of dress. I was at once attacked by officials of the Irish government as vulgar, vile, beastly, and obscene. It was said that I had done more damage to Irish prestige in America than

twenty Irish ambassadors could do unintentionally. Events since then have clearly demonstrated that my information was utterly correct; last December official Ireland accepted a quarter of a million dollars from the estate of the late Mrs. G. B. Shaw to teach manners to the Irish people.

Mrs. Shaw unwittingly played into the hands of the enemies of Ireland. She had left the money ostensibly to teach manners to the Irish, but her real intention was obviously to give a stern if oblique rebuke to official Ireland for ignoring her husband and regarding him as an Irish renegade, an atheist, and a British spy. Little did she realize that her bequest would be accepted!

Had she been a reader of THE MERCURY she would not have made such a blunder. But even the best of us make mistakes. Even I made a

Peter Kavanagh is a Monaghan man, born, as one might expect, in the year of the Irish Rebellion. He is an expert on Ireland, and he has written two books on the Irish theater. At present he is completing a Dictionary on Irish Mythology. In his day he has been a shoemaker, a boxer, a university professor, and a bouncer in a high-class saloon.