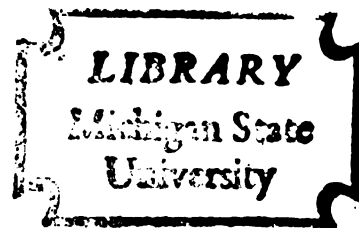


A STUDY OF THEODORE ROOSEVELT'S VIEWS ON
CRIMINAL JUSTICE AND HIS CAREER AS PRESIDENT OF
THE NEW YORK CITY BOARD OF POLICE COMMISSIONERS

Thesis for the Degree of M. S.
MICHIGAN STATE UNIVERSITY
SCOTT LOUIS GIBSON
1976



This is to certify that the

thesis entitled

A STUDY OF THEODORE ROOSEVELT'S VIEWS ON CRIMINAL

JUSTICE AND HIS CAREER AS PRESIDENT OF THE NEW YORK
CITY BOARD OF POLICE COMMISSIONERS
presented by

SCOTT LOUIS GIBSON

has been accepted towards fulfillment
of the requirements for

M.S. degree in CRIMINAL JUSTICE

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Major professor

Date 23 Feb. '76

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ABSTRACT

A STUDY OF THEODORE ROOSEVELT'S VIEWS
ON CRIMINAL JUSTICE AND HIS CAREER
AS PRESIDENT OF THE NEW YORK CITY
BOARD OF POLICE COMMISSIONERS

By

Scott L. Gibson

It has been nearly sixty years since Theodore Roosevelt died in 1919, yet he remains one of the most colorful and controversial characters in American history. Considering his many and varied accomplishments, it is understandable how he would attract a host of biographers. Not surprisingly, however, the bulk of Roosevelt literature deals with his White House years. At present there is no adequate account of Roosevelt's views on criminal justice or his two year tenure as President of the New York City Board of Police Commissioners. The purpose of this thesis is to examine these aspects of Roosevelt's life.

In addition to all major Roosevelt biographies, scholarly secondary works and newspapers of the period, the official Reports of the New York City Police Department of 1896 and 1897 and the materials housed in the Theodore Roosevelt Memorial Association Library at Harvard University have been examined. The Letters of Theodore

Roosevelt and the twenty volume Works of Theodore Roosevelt are, of course, invaluable.

Throughout his career Roosevelt repeated his belief that the "one all important element in good citizenship in our country is obedience to law, and nothing is needed more than the resolute enforcement of the law."¹ This thesis examines Roosevelt's views on criminal justice and his interpretation and application of the law as a member of the New York Assembly, as a cowboy in the Bad Lands and as President of the New York City Board of Police Commissioners. This thesis argues that through courage, leadership, determination and innovation Roosevelt did much to eliminate police corruption, modernize the police department and highlight many of the problems that still exist in police administration.

A field too long neglected by social scientists and historians is the antecedents of criminal justice in America. In this thesis I have employed a historical approach to my subject, and in doing so I hope to have added to our understanding of criminal justice.

¹Theodore Roosevelt, American Ideals-The Strenuous Life-Realizable Ideals, in The Works of Theodore Roosevelt, XIII (New York: Charles Scribner's Sons, 1926), p. 133.

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Scott Louis Gibson

A THESIS

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1976

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CHAPTER I

THEODORE ROOSEVELT

The Man and The Legend

It has been nearly sixty years since Theodore Roosevelt died in 1919, yet he remains one of the most colorful and controversial characters in American history. Ohio senator Marcus Hanna called Roosevelt "that damned cowboy."¹ Senator Thomas Platt of New York once referred to him as a "bastard."² Indiana senator Albert Beveridge wrote that Roosevelt "personified the American Nation."³ Secretary of War Elihu Root claimed "Theodore Roosevelt was the greatest teacher of the essentials of popular self-government the world has ever known."⁴ Freudian psychologist Dr. Morton Prince predicted that Roosevelt would "go down in history as one of the most

¹Editors of American Heritage, The American Heritage Pictorial History of the Presidents of the United States, Vol. II. (New York: American Heritage Publishing Co., Inc., 1968), p. 627.

²Ibid.

³Albert Pushnell Hart and Herbert Ronald Ferleger, eds., Theodore Roosevelt Cyclopedia (New York City: Roosevelt Memorial Association, 1941), p. v.

⁴Ibid., p. vi.

illustrious psychological examples of the distortion of conscious mental processes through the force of sub-conscious wishes."⁵ And journalist William Allen White wrote, "if he [Roosevelt] was a freak, God and the times needed one."⁶ Shortly before he left the White House in 1909, Roosevelt described himself as "an ordinary man without any special ability in any direction."⁷

Roosevelt's modest assessment of himself is amusing, for with the possible exceptions of George Washington, Thomas Jefferson, Andrew Jackson and Abraham Lincoln, Roosevelt held the attention of the nation as no man before him had ever done. Relatively unknown outside his home state of New York, Roosevelt resigned his position as Assistant Secretary of the Navy when the United States declared war on Spain in 1898. Less than two months later he led his Rough Riders up San Juan Hill, made himself the nation's most popular military hero since Ulysses S. Grant and turned an otherwise insignificant battle into a part of American legend. Shortly thereafter Roosevelt returned home to a hero's welcome and in November he was elected Governor of New York. Determined to rid the state of political

⁵Noel F. Busch, T.R. The Story of Theodore Roosevelt and His Influence on Our Times (New York: Reynal and Company, 1963), p. 6.

⁶Editors of American Heritage, Presidents, p. 647.

⁷Hart and Ferleger, Roosevelt Encyclopedia, p. 535.

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corruption, Roosevelt continued to attract national attention, much to the embarrassment of his fellow Republicans. Hoping to silence the brash young politician, party bosses decided to kick Roosevelt up stairs, and in 1900 he was elected as William McKinley's Vice President.

On September 14, 1901 an assassin's bullet cut short McKinley's career, and the forty-three year-old Roosevelt became the youngest President in American history. With political savvy and understanding beyond his years, Roosevelt returned to the White House the prestige and dignity that died with Lincoln. In contrast to his rather boring predecessors Roosevelt attracted public attention when he rough-housed with his children and played football on the White House lawn. When time permitted, he led a Boy Scout troop in Oyster Bay, Long Island. Always an advocate of the strenuous life, Roosevelt delighted in telling friends how he "put on the gloves" with former heavyweight champion John L. Sullivan in the White House gym. "You must always remember," Cecil Spring-Rice remarked, "that the President is about six."⁸

As President, Roosevelt played an active role in the passage of some of the nation's most important legislation. The Hepburn and Elkins acts gave the country

⁸Editors of American Heritage, Presidents, p. 632.

much needed railroad legislation. Motivated by the "muckrakers" Roosevelt successfully pressed for the passage of the Pure Food and Drug and Meat Inspection acts. In foreign affairs Roosevelt's "big stick" diplomacy announced to the world that the United States had arrived as a world power. The Roosevelt Corollary began a new and aggressive Latin American policy. He settled the Alaskan boundary dispute with Great Britain in America's favor in 1904, and two years later he was instrumental in arranging a settlement among France, Great Britain and Germany guaranteeing the independence of Morocco. Roosevelt's greatest honor came in 1905 when he received the Nobel Prize for his settlement of the Russo-Japanese War.

Away from politics, Roosevelt was also at home in intellectual circles. During his sixty years he wrote over a dozen books ranging from The Naval War of 1812 to Through the Brazilian Wilderness. In 1913 the American Historical Association honored Roosevelt by electing him president of the organization. As an admirer of Francis Parkman, Roosevelt saw history as he lived his life, a story of heroic men and great events.

Roosevelt's detractors often point to his brash and at times arrogant ways. When asked in 1911 how the United States acquired the territory for the Panama

Canal, Roosevelt replied, "I took the Canal Zone."⁹ In recent years historians of the New Left variety have charged Roosevelt's Far Eastern and Latin American policies as being "imperialistic." Even Roosevelt's defenders remain embarrassed by the so called Brownsville incident in which he ordered nearly 160 Negro troops dishonorably discharged on the strength of conflicting and inconclusive evidence.

Considering Roosevelt's flamboyant personality along with his many and varied personal and political accomplishments, it is understandable how he would attract a host of biographers. The sheer volume of Roosevelt literature can easily mislead one to believe the subject to be exhausted. Nor surprisingly, however, the bulk of Roosevelt literature deals with his White House years, and until the appearance of Carleton Putnam's Theodore Roosevelt, The Formative Years 1858-1886 in 1958 there was no adequate study dealing with this aspect of Roosevelt's life. Roosevelt's career as Governor of New York has escaped the attention of his biographers, and G. Wallace Chessman's unpublished doctoral dissertation, "Theodore Roosevelt, Governor," (Harvard University, 1950) remains the best work. Still other aspects of

⁹Steven Lorant, The Life and Times of Theodore Roosevelt (New York: Doubleday and Company, Inc., 1959), p. 405.

Roosevelt's life that have yet to be properly treated are his views on criminal justice and his two year career as a New York City police commissioner, the subject of this thesis.

Roosevelt Literature

A brief survey of the Roosevelt literature finds it can be divided into three categories: accounts written by Roosevelt's friends and contemporaries; accounts written by his family; and accounts written by journalists and historians. In each case Roosevelt's career as a New York City police commissioner is completely ignored or severely neglected.

The so-called "official" biography, Joseph Bucklin Bishop's Theodore Roosevelt and His Time, appeared in 1920 a year after Roosevelt's death. Shortly before his death Roosevelt asked Bishop to write his biography and gave him the exclusive use of his personal and official papers and other materials related to his public career. On numerous occasions Roosevelt reviewed Bishop's work and made criticisms and suggestions, and in this sense the work is semi-autobiographical. Bishop's association with Roosevelt began in the spring of 1895 when Roosevelt became police commissioner, but it is interesting to note that only 12 of the 505 pages of his book deal with this aspect of Roosevelt's career. The chapter "Police Commissioner" deals almost exclusively with

Roosevelt's enforcement of the Sunday closing law and on the whole the book is an embarrassingly uncritical narrative.

According to Bishop, Roosevelt once said that next to his father Jacob Riis was "the best man he had ever known."¹⁰ In 1892 Riis's Theodore Roosevelt The Citizen, dedicated to the "young men of America," presented a blueprint for public and private morality. With chapters variously entitled "Ruling by the Ten Commandments," "Children Trust Him," and "A Young Man's Hero" the book is little more than a song of praise. In covering Roosevelt's career as police commissioner, Riis fails to appreciate the complexity of the problems Roosevelt faced. This is unfortunate for Riis frequently accompanied Roosevelt on his "mid-night" prowls and as a reporter assigned to police headquarters he might have provided valuable insight into the administration of the New York City police.

William Roscoe Thayer's Theodore Roosevelt, An Intimate Biography (1919), dedicated to Roosevelt's wife, Edith, is another uncritical narrative. In "Applying Morals to Politics" Thayer describes Roosevelt's role as a police commissioner in general terms and praises his

¹⁰ Joseph Bucklin Bishop, Theodore Roosevelt and His Time (New York: Charles Scribner's Sons, 1920), p. 67.

struggle against corruption and evil. He concludes, "Happy we who have such a friend! Happy the American Republic which bore such a man!"¹¹

Lincoln Steffens's Autobiography (1931) provides valuable insight into certain aspects of the New York City Police Department and his character sketches are unparalleled. As a newspaper reporter he frequently accompanied Roosevelt on police business and his accounts remain a basic source of information. Unfortunately, much of Steffen's work dealing with the police lacks analysis and is spotty, yet it remains an excellent point of departure.

Two family members who have written accounts of Roosevelt's life are Corinne Roosevelt Robinson, My Brother Theodore Roosevelt (1923) and Nicholas Roosevelt, Theodore Roosevelt--The Man As I Knew Him (1967). Both accounts provide intimate, personal glimpses and at times moving accounts of Roosevelt's life. Mrs. Robinson's chapter on Roosevelt's career as police commissioner is largely anecdotal and amusing. Nicholas Roosevelt makes no mention of his cousin's police career!

In 1932 there appeared a biography of Roosevelt that years earlier would have been considered unthinkable. In his Pulitzer Prize winning work, Theodore Roosevelt, A

¹¹William Roscoe Thayer, Theodore Roosevelt An Intimate Biography (New York: Grosset and Dunlap, 1919), p. 454.

7

Biography, Henry Pringle portrayed Roosevelt as a comic-opera character who seemed more ridiculous than heroic. This work suffers from the author's cynical attitude toward his subject and his frequent failure to analyze his sources. Relying heavily on newspaper accounts of Roosevelt's career, Pringle too often allows quotations to stand on their own merits. This is especially true of his chapter dealing with Roosevelt's years as police commissioner, "Sword of Righteousness." This is unfortunate for, despite its shortcomings, the Pringle biography remains one of the most popular and better accounts of Roosevelt's life.

An excellent introduction to Roosevelt is William Harbaugh's The Life and Times of Theodore Roosevelt (1963). Written for the "general reader," the book lacks documentation. Nevertheless, it provides a sound interpretative analysis of Roosevelt and his age. The chapter on Roosevelt's career as police commissioner, "The Fight for the Right," is covered in eight pages and deals primarily with the Sunday closing law. There is no attempt to deal with the more complex problems and personalities that Roosevelt engaged during this period.

Clearly, Roosevelt's biographers have yet to properly examine his views on criminal justice and his role as a New York City police commissioner. A check of the Harvard Guide to American History, the Goldentree

Bibliographies in American History and an extensive examination of the numerous Roosevelt bibliographies show the absence of any substantial work on this aspect of Roosevelt's life.

Primary Materials

The Theodore Roosevelt Memorial Association Library is located in a section of the Houghton Library at Harvard University. Materials housed here pertaining to Roosevelt police commissionership include Avery D. Andrew's unpublished manuscript, "Citizen in Action: The Story of Theodore Roosevelt as Police Commissioner," and Andrew's Scrapbooks, which contain newspaper coverage of Roosevelt's police career. Also helpful are the Notes of Hermann Hagedorn and Max Fishel and the official New York City Police Reports.

There are numerous published sources available to Roosevelt scholars. The twenty volume Works of Theodore Roosevelt, not to be confused with his collected personal and professional correspondence, provide an excellent introduction to the subject. Volume XX, An Autobiography, provides only a superficial examination of the New York City police, but gives valuable insight into Roosevelt's views on criminal justice. Volume XIII, American Ideals [and] The Strenuous Life, provides insight into the problems Roosevelt faced, but fails to probe beneath the problems. Volume XIV, Campaigns and Controversies,

contains many of the speeches Roosevelt made to police officers and civic groups. Volume XVI, American Problems, contains Roosevelt's views on prison and parole. Two indispensable works are The Letters of Theodore Roosevelt, edited by Elting E. Morison, and Roosevelt's diaries, shared by the Roosevelt Collection at Harvard and his daughter, Mrs. Alice Roosevelt Longworth. As a reference guide, the Theodore Roosevelt Cyclopedia, edited by Albert Bushnell Hart and Herbert Ferleger, is helpful.

Why Roosevelt?

Had Theodore Roosevelt never become President the course of American history, it is safe to say, might have been slowed and possibly different from as we know it. His aggressive leadership in domestic and foreign affairs made him America's first twentieth century President in fact as well as name.

Similarly, had Roosevelt never become president of the Board of Police Commissioners the history of the New York City Police might have been quite different. His courage, leadership, determination and innovation added a new dimension to criminal justice in New York City. It is the purpose of this thesis to examine Roosevelt's views on criminal justice and focus attention upon his career as a police commissioner. In doing so I hope to partially fill a gap in Roosevelt literature.

CHAPTER II

TRIUMPH IN TRANSITION

The Early Years

Theodore Roosevelt was born on October 27, 1858, in a large four story brownstone house at 33 East 20th Street in New York City. Young Teddy, as he soon became known, came from a line of two old and distinguished American families. On his father's side Roosevelt's ancestral heritage dated back to the seventeenth century when Klaes Martensen van Roosevelt came to New Amsterdam from Holland in 1649. The family prospered and by the time of the American Revolution the Roosevelts were well established as one of New York's leading families. James Roosevelt served as a private during the Revolution and his cousin, Isaac, later became a state senator and joined Alexander Hamilton in the fight for the ratification of the Constitution.

Theodore's grandfather, Cornelius Van Schaak Roosevelt, came to the head of the family hardware and import business in 1840 and under his direction the company prospered. Cornelius invested his money wisely, and soon became one of the wealthiest men in New York.

Theodore Roosevelt, Sr., the youngest of five sons, was born in 1831. He carried on the family business, and as an active member in social circles and philanthropic organizations he was one of the founders of the New York Orthopedic Hospital, the Museum of Art, the Children's Aid Society and the Newsboys' Lodging House. In politics he was a Republican and in religion he was a Presbyterian.

Theodore's mother, Martha Bullock, came from an aristocratic Southern family. The first of the Bullocks to reach America was James, a Scotch planter and clergyman who settled in Charleston in 1729. He became a member of the colonial legislature in 1754, and in 1762 a land grant of two thousand acres took him to Georgia. His son, Archibald, became a successful planter and lawyer, was elected Speaker of the Georgia Assembly and later president of her provincial congress.

Martha's grandfather, James, served as a militia officer during the Revolution and her father, James Stevens, in addition to being a successful planter, served as president of a bank and Deputy Collector of the Port of Savannah.

After a three year courtship, conducted mainly by letters, Theodore and Martha were married at "Roswell," the family mansion in Georgia on December 22, 1853, amid Southern hospitality and splendor. Shortly after 1854 the couple took up residence in New York.

To the nineteen-year-old bride life in Manhattan must have seemed a stark contrast to the serene, well-ordered life she had known in Georgia. With half its 750,000 population foreign born, New York was, in the words of Harper's Weekly, "a huge semi-barbarous metropolis. . . not well governed nor ill governed, but simply not governed at all--with filthy and unlighted streets--no practical or efficient security for either life or property--a police not worthy of the name--and expenses steadily and enormously increasing."¹

Young Teddie was not yet three when the country became divided by civil war. Too young to understand the complexities of the conflict, he would nevertheless always harbor a particular dislike for Jefferson Davis, despite the fact he admired his two uncles on his mother's side who served aboard the Confederate warship, the Alabama.² Curiously enough, the elder Roosevelt, a staunch supporter of the Union cause, did not serve under arms but instead hired a substitute. Considering his father's decision, it is interesting to speculate what impact, if any, it had on young Teddie who always thirsted for military glory.

¹Lorant, Theodore Roosevelt, p. 20.

²Ibid., p. 77.; Carleton Putnam, Theodore Roosevelt, The Formative Years 1858-1886 (New York: Charles Scribner's Sons, 1958), p. 546.

As a young child Teddie developed a chronic asthmatic condition that would have a profound impact upon his life and character. At times nearly an invalid, young Roosevelt was unable to attend school with his classmates and instead relied on the various tutors hired by his father for his education. Often confined to his bed Teddie became an omnivorous reader and developed a special interest in natural history and adventure stories. "From reading of the people I admired," he later wrote, "ranging from the soldiers of Valley Forge and Morgan's riflemen, . . . and from knowing my father I had a great admiration for men who were fearless . . . and I had a great desire to be like them."³

Frequent outings and summer vacations seemed to improve Teddie's "sickly, delicate"⁴ body, and at the age of ten he made his first of several trips to Europe and toured Scotland, the Low Countries, the Rhine Valley, Switzerland, northern Italy, Vienna, Germany and Paris. The elder Roosevelt refused to coddle his son and upon returning to the states he told Teddie, "You have the mind but not the body, and without the help of the body the mind cannot go as far as it should. You must make

³Theodore Roosevelt, Autobiography, in The Works of Theodore Roosevelt, XX (New York: Charles Scribner's Sons, 1926), p. 30.

⁴Ibid., p. 15.

your body. It is hard drudgery to make one's body, but I know you will do it."⁵

Filled with a sense of drive and determination, young Roosevelt began regular visits to Wood's Gymnasium for workouts on the bars and weight lifting machines. Pleased with his son's progress, the elder Roosevelt now installed similar equipment at home so Teddie might continue his exercises on weekends and during the early morning hours. Gradually the asthma faded, but in July of 1871 Teddie again suffered an attack and his father sent him to Moosehead Lake, Maine to recover. During the trip Teddie found himself being taunted by two boys, and when he decided to make a fight of it he found that either of the two could "handle me with easy contempt."⁶

Roosevelt later wrote, "The experience taught me what probably no amount of good advice could ever have taught me."⁷ Thus with his father's enthusiastic approval Teddie began to learn to box, a sport he would continue into his White House years.

Despite an occasional bout with asthma, it was clear that Teddie was recovering his health. He began to spend more time outdoors and thrived on spirited

⁵Henry F. Pringle, Theodore Roosevelt: A Biography (New York: Harcourt, Brace and Company, 1931), p. 17.

⁶Roosevelt, Autobiography, p. 31.

⁷Ibid.

athletic competition. Here, away from his books and the confines of his home, Teddie discovered his failing eyesight when he could not read "an advertisement in huge letters on a distant billboard."⁸ Soon after he received his first set of spectacles. "I had no idea how beautiful the world was until I got those spectacles," he later wrote.⁹

The Roosevelt family returned home from its second European tour in 1873. Theodore, as he was now being called, was in good health. He was no longer the quiet, shy, mischievous child the family had known. On the verge of manhood, he showed the confidence and character his father had instilled in him through years of love and understanding.

Of particular concern to the elder Roosevelt was his son's education. "I could not go to school because I knew so much less than most boys of my own age,"¹⁰ Roosevelt stated, thus his father hired Arthur Cutler, who later founded the Cutler School in New York, to prepare his son for Harvard. Theodore's academic deficiencies were easily overcome, and in fall of 1875 the 5'4" 125 lbs. youth packed his bags for Cambridge.¹¹

⁸Ibid., p. 20.

⁹Ibid.

¹⁰Ibid., p. 23.

¹¹Pringle, Theodore Roosevelt, p. 18.

Shortly after entering Harvard Theodore received a letter from his father, "Take care of your morals first," wrote the elder Roosevelt, "your health next and finally your studies."¹² Theodore's morals would always be the least of his problems, for he inherited from his father an attitude that, had it not been so sincere, would have seemed sanctimonious. As a student Roosevelt neither smoked nor drank. He was proud that his friends were "plucky, honorable and rigidly virtuous,"¹³ and at an age when many young men delight in telling of their sexual conquests, however real or imagined, he confided in his Diary, "Thank Heaven, I am at least perfectly pure."¹⁴ Later, during his engagement to Alice Lee, he wrote he could tell her "everything I had ever done."¹⁵

Even in the boxing ring Theodore displayed a temperment and character governed by his sense of morality and fair play. In a "spirited contest" with C.S. Hanks, Theodore suffered "a heavy blow on his nose, which spurted blood," after the round had ended. An outraged gallery hooted, hissed and cried foul. Theodore raised his hand

¹²Theodore Roosevelt, The Years of Preparation 1868-1893, in The Letters of Theodore Roosevelt, ed. by Elting E. Morison, I (Cambridge: Harvard University Press, 1951), p. 33.

¹³Quoted from Theodore Roosevelt's Diary in Putnam, Theodore Roosevelt, p. 141.

¹⁴Quoted from Theodore Roosevelt's Diary in Ibid.

¹⁵Quoted from Theodore Roosevelt's Diary in Ibid.

for silence. "It's all right," he assured the audience, his opponent had not heard the bell. He then crossed the ring to shake Hank's hand, much to the delight of the gallery.¹⁶

If Theodore's rigid sense of morality seemed far fetched to his classmates, he nevertheless won their respect and admiration. Considered a good deal of a joke when he entered Harvard, he became one of the school's most popular students as a sophomore. Theodore was the first of his family to attend college and his frequent bouts with asthma had prevented extensive contact with youths his age, yet his social accomplishments at Harvard are staggering. During his sophomore year he joined the Institute of 1770 and he was later a member of the Hasty Pudding Club. As a senior he was president of Alpha Delta Phi, vice president of the Natural History Society, editor of The Harvard Advocate, and elected as a member of the Class Committee. His greatest honor came when he was elected to the prestigious Porcellian Club, which took only eight members from each of the upper classes.¹⁷

Theodore entered college with the intention of making a career of natural history, but because Harvard "utterly ignored the possibilities of the faunal

¹⁶Owen Wister, Roosevelt: The Story of a Friendship 1880-1919 (New York: The Macmillan Company, 1930), pp. 4-5.

¹⁷Lorant, Theodore Roosevelt, pp. 156-157.

naturalist, the outdoor naturalist and observer of nature . . . [and] treated biology as purely a science of the laboratory and microscope. . ."¹⁸ he abandoned his hopes. Disillusioned, Theodore turned to history and began to cultivate a mature interest in the subject, and by graduation he had already finished the early chapters on his first book, The Naval War of 1812.¹⁹

Roosevelt graduated as a Phi Beta Kappa from Harvard on June 30, 1880, yet he always felt his education failed to prepare him for his future. "I thoroughly enjoyed Harvard, and I am sure it did me good," he later wrote, "but only in the general effect, for there was very little in my actual studies which helped me in after-life."²⁰

Shortly before his graduation Roosevelt became engaged to Alice Lee of Chestnut Hill, Massachusetts, and as he looked forward to their wedding day he wrote in his diary, "Only four months before we get married. My cup of happiness is almost too full."²¹ Such anticipation was a welcome relief for Theodore was still recovering from the shock of his father's untimely death two years earlier.

¹⁸Roosevelt, Autobiography, p. 26.

¹⁹Ibid., p. 24.

²⁰Ibid.

²¹Quoted from Theodore Roosevelt's Diary in Putnam, Theodore Roosevelt, p. 197.

The passing of the elder Roosevelt devastated his son and left him an emotional cripple tormented with feelings of guilt and failure. Unaware that his father was in constant agony and dying from an intestinal obstruction, Theodore wrote his sister in December that he was "uneasy about Father," and that when he returned home for the holidays he would surely give his father a "rowing up for not taking better care of himself."²² Two months later on February 10, 1878, his father died.

Two days later Theodore wrote:

He had just been buried. I shall never forget these terrible three days; the hideous suspense of the ride on; the dull inert sorrow, during which I felt as if I had been stunned, or as if part of my life had been taken away; and the two moments of sharp, bitter agony, when I kissed the dear dead face and realized that he would never again on this earth speak to me or greet me with his loving smile, and then when I heard the sound of the first clod dropping on the coffin holding the one I loved dearest on earth. He looked so calm and sweet. I feel that if it were not for the certainty, that as he himself has so often said, 'he is not dead but gone before,' I should almost perish. With the help of my God I will try to lead such a life as he would have wished.²³

Considering the close relationship that had existed between the two Roosevelts and the almost morbid attitude towards death and funerals common to the late nineteenth century, young Theodore's emotions are understandable.

²²Roosevelt, Letters, p. 31.

²³Quoted from Theodore Roosevelt's Diary in Putnam, Theodore Roosevelt, p. 148.

Theodore might well have sought strength and comfort from the memory of his father, but it was the memory of his father that left him confused and distraught.

Shortly before his death the elder Roosevelt told his son how proud he was of him and of all his children Theodore was the closest to his heart.²⁴ The influence of the elder Roosevelt upon his son need not be reemphasized. Yet in death his influence was perhaps greater, for young Theodore now had to live up to a memory, not a man. For the first time in his life, Theodore was without the counsel of his father. No longer could he return home for fatherly advice and understanding. The numerous diary entries show Roosevelt troubled by self-doubt and the fear that he would never be the man his father would have expected. "I owe everything I have or am to Father. He did everything for me, and I nothing for him."²⁵ Another entry reads, "I often feel badly that such a wonderful man as my father should have had a son of so little worth as I am. . . . I am much inferior to Father morally, and mentally as [well as] physically."²⁶

Gradually the self-doubt and confusion passed, and ten months later he wrote, "With the help of my God

²⁴Putnam, Theodore Roosevelt, p. 148.

²⁵Quoted from Theodore Roosevelt's Diary in *Ibid.*, p. 150.

²⁶Quoted from Theodore Roosevelt's Diary in *Ibid.*, p. 151.

I shall try to lead such a life as he would have wished, and to do nothing I would have been ashamed to confess to him."²⁷ The memory of his father never faded from Theodore's mind, but it ceased to be a burden and became a lasting source of strength and inspiration.

Theodore and Alice were married on October 27, 1880, his twenty-second birthday, in the Unitarian Church of Brookline, Massachusetts. Following a brief honeymoon at Oyster Bay, Long Island, they returned home to Manhattan and took up residence with Mrs. Roosevelt, Sr., on West 57th Street. Still unsettled on his future Roosevelt entered Columbia Law School and frequently read during the evening hours in the law office of his uncle, Robert Barnwell Roosevelt, a well known New York attorney and political reformer.

"To Help The Cause of Better Government"

It is difficult to determine exactly when Roosevelt began to take an active interest in politics. The first reference to a possible political career in his diary comes on August 18, 1879, the summer before his senior year.²⁸ "I shall probably either pursue a scientific course, or else study law, preparatory going into

²⁷Quoted from Theodore Roosevelt's Diary in Ibid., p. 141.

²⁸Putnam, Theodore Roosevelt, p. 178.

public life."²⁹ Late in his senior year he remarked to friends, "I am going to try to help the cause of better government in New York City; I don't know exactly how."³⁰ In all likelihood, Roosevelt joined the Twenty-first District Republican Association during the fall of 1880, for in his autobiography, published in 1913, he wrote that it was over thirty-three years ago that he became affiliated with his party.³¹

Although a Republican, Roosevelt can perhaps be better described as a latter day Federalist. An admirer of Alexander Hamilton, Roosevelt, like many of his class, had become disillusioned with politics and politicians. The graft, corruption and political bosses that characterized late nineteenth-century government on all levels served to remind Roosevelt and like minded men that the reigns of power had passed to men with little concern for the public welfare. Men such as Roosevelt and his close friend Henry Cabot Lodge still regarded themselves and their class as the rightful proprietors of the public trust. It was they, men of wealth and position, intelligence and learning, that could best serve the public as its elected and appointed officials.

²⁹Quoted from Theodore Roosevelt's Diary in Ibid.

³⁰Thayer, Theodore Roosevelt: An Intimate Biography, p. 21.

³¹Roosevelt, Autobiography, p. 59.

Years later Roosevelt wrote that "a man's first duty is to pull his own weight and to take care of those dependent upon him."³² But since he was free from financial worry because of a handsome inheritance left by his father Roosevelt had no immediate need for money. In his sole venture into politics the elder Roosevelt hoped to be appointed Collector of Customs for the Port of New York, and he was outraged when Senator Roscoe Conkling appointed another candidate considered to be amenable to the Republican political machine.³³ Thus as Roosevelt prepared to "help the cause of better government" the memory of his father served as an inspiration and a challenge.

The Twenty-first District Republicans held their meetings in Morton Hall, "a large barn-like room over a saloon,"³⁴ that served as a full time club-room and recreation center for party faithfuls. During the fall of 1880 Roosevelt began to attend the monthly meetings and frequently showed up "so the men could get accustomed to me."³⁵ Shortly thereafter he attracted the attention of Joe Murray who, a year later, successfully managed Roosevelt's nomination as the party's candidate to the state assembly.

³²Ibid., pp. 57-58.

³³Putnam, Roosevelt, pp. 146-147.

³⁴Roosevelt, Autobiography, p. 59.

³⁵Ibid., p. 60.

The Roosevelt name was well known in New York and during the campaign young Theodore enlisted the support of numerous prominent citizens. Theodore Dwight, Dean of Columbia Law School, Joseph Choate, future Ambassador to the Court of St. James, and Elihu Root, future Secretary of War, all family friends, signed petitions supporting Roosevelt's candidacy. Columbia students, especially athletes, actively supported Roosevelt, and with the help of his party Theodore carried the silk stocking district, as the twenty-first was known, by 1,500 votes, nearly twice the usual Republican majority.³⁶

Young Roosevelt arrived in Albany on January 2, 1882, a cold Monday afternoon. Having turned twenty-three only two weeks before the election, Roosevelt's extreme youth no doubt struck many of his colleagues as humorous. Yet the Assembly quickly discovered that Theodore would not be content with allowing others to make his decisions for him.

Roosevelt's first opportunity to address his colleagues came on January 24. The Democrats had become embroiled in a party squabble that threatened to split their ranks, and many Republicans hoped to exploit the situation to their advantage. Roosevelt spoke briefly, but startled many when he urged his party to remain aloof and allow the Democrats to settle their own differences.

³⁶Ibid., p. 66.

The New York Assembly in 1882 had 128 members, and as a young reformer it is understandable that Roosevelt approached his colleagues with apprehension and suspicion. Thus during his first few weeks in Albany, Roosevelt and other reform minded assemblymen began to "size up" their fellow legislators. "A very careful study," he later wrote, "conducted purely with the object of learning the truth, so that we might work more effectually" showed that nearly a third of the members were "open to corrupt influences in some form or other."³⁷

Only Roosevelt's closest associates were aware of the study and its findings, and even in later years Roosevelt preferred to use the pronoun we rather than name those who had participated. One can only conjecture as to who joined Roosevelt in this effort, but it is a safe guess that his "closest friend,"³⁸ William Thomas (Billy) O'Neil played an active role.

The bond of friendship between Roosevelt and O'Neil is interesting, for until he arrived in Albany Roosevelt had rarely ventured beyond the class lines that still in the late nineteenth century distinguished one family from another. By ancestry, antecedents and surroundings Roosevelt and O'Neil came from different worlds. The thirty-

³⁷Theodore Roosevelt, American Ideals--The Strenuous Life--Realizable Ideals in The Works of Theodore Roosevelt (New York: Charles Scribner's Sons, 1926), p. 50.

³⁸Roosevelt, Autobiography, p. 67.

four year old O'Neil came from Franklin County in the Adirondacks, where he operated a small crossroads store. "In all the unimportant things we seemed far apart," Roosevelt wrote of O'Neil. "But in all the important things we were close together. . . Fortune favored me. . . If fate had been a little kinder, I believe he would have done good service for the country in any position in which he might have been put."³⁹ Beginning with his political career one of the most striking features of Roosevelt's character is the wide variety of people with whom he associated. Be they kings and queens, statesmen, cowboys, athletes or intellectuals, Roosevelt found common ground with all.

The Young Reformer

During his freshman year in Albany Roosevelt acquired a reputation for hard work and honesty. He introduced four bills, was appointed to the Committee on Cities, and drew the ire of many for his opposition to bills he considered undesirable.

In March Roosevelt spoke against a bill that would raise the salary of New York City policemen and firemen and another that would establish a minimum wage for laborers in cities with populations over 100,000. Roosevelt's opposition came not from any desire to deprive people of

³⁹Ibid., pp. 67-68.

a pay raise but rather from a desire for sound fiscal spending and possibly from the suspicion that the bills concealed some irregularities. The first bill passed and the second was defeated. Roosevelt's opposition to the bills drew favorable comment from the Tribune which called him the "watchdog over New York's treasury."⁴⁰

Throughout the year Roosevelt's reputation as a brash, young politician unafraid of the bosses of the machine continued to grow and attract the attention of the various reform clubs springing up around the state. In the fall of 1882 Roosevelt addressed the New York City Reform Club and explained his interest in politics came from the "deplorable lack of interest in the political questions. . . among respectable, well-educated men-- young men especially." Such men he concluded "should have more weight in public matters than they do."⁴¹

As a respectable, well educated young man himself, Roosevelt's message was obvious and it served as a plea and as a warning. Unless such people renewed their participation in public affairs, the graft and corruption that infected government on all levels of government could only worsen. A less obvious message was Roosevelt's

⁴⁰New York Tribune, March 22, 1882. Unless otherwise cited all references are to New York City newspapers.

⁴¹Ibid., October 13, 1882.

growing disgust and disillusionment with his class for refusing to recognize its social and political responsibilities.

For the past decade voters outraged at the corruption and scandals in the nation's capital had increasingly turned to the Democratic Party for reform, and in 1882 New York Republicans prepared for disaster. Fortunately for Roosevelt he was considered more of a reformer than a Republican and as such he received enthusiastic praise in many New York newspapers. A week before the election Carl Schurz praised Roosevelt as one of "three almost beardless youths who proved to be the exponents of the power and honesty of the City of New York," and who "stemmed the tide of corruption in that fearful legislative gathering."⁴²

Roosevelt easily defeated his Democratic opponent 4,225 to 2,016 votes. His 67% majority was a 4% increase over his previous year's victory, and considering Grover Cleveland, the Democratic candidate for governor, swept the state by 190,000 votes and the twenty-first district by 1,800, Roosevelt's victory is particularly impressive.

If the Republicans feared a landslide they got an avalanche. Even Republicans from the so-called safe districts suffered defeat. Less than a week following

⁴²New York Times, October 28, 1882.

the election a discouraged Roosevelt wrote Billy O'Neil, "the next house will contain a rare set of scoundrels, and we Republicans will be in such a hopeless minority that I do not see clearly what we can accomplish, even in checking bad legislation."⁴³

The strength of Roosevelt's victory drew considerable attention and upon his return to Albany he received the Republican nomination for Speaker of the Assembly. The honor was symbolic for with an 84 to 41 majority the Democrats could easily determine the outcome of the election. The nomination did, however, place Roosevelt at the head of his party and it showed the respect and influence the twenty-four year old assemblyman had gained in his first year of politics.

Roosevelt's interest in reform politics led him in many directions, and through his various committee assignments and investigations he came to see the problems of political reform were often closely related to problems in the criminal justice system.

Roosevelt believed that the function of government was to maintain order, and reform should begin with individuals rather than institutions. In a society in which "all men are created equal" and guaranteed certain rights, privileges and immunities under the Constitution and given an equal opportunity to better their lives, all

⁴³Roosevelt, Letters, p. 58.

people should obey the law. Roosevelt was uncompromising in his belief that those who broke the law should be punished. Problems of cultural adjustment faced by the newly arrived immigrant poor, economic hardships caused by a disproportionate distribution of wealth, and the social problems of any large metropolitan area were not excuses for breaking the law.

To label Roosevelt a hard-liner on law and order would be an under statement. Law and order was an explosive subject with Roosevelt, and in reading his numerous speeches, letters and articles on the subject one is struck by the consistency of his thought and his aggressive and at times violent language.

In February 1883 Roosevelt introduced a bill calling for the reestablishment of the whipping post! Officially entitled "An Act to Provide for the Infliction of Corporal Punishment Upon Male Persons in Certain Cases," the bill called for the public whipping of any adult male who caused bodily harm to women or to boys under fourteen. It is doubtful if anyone other than Roosevelt took his bill seriously, for it died in committee. However, it is typical of Roosevelt's approach to criminal justice. He had little patience with those who talked of rehabilitation or how the problems of the poor or socially disadvantaged related to crime. It was Roosevelt's idea that being tied to a post and

publicly flogged would so humiliate the offender that he would never again dare to commit such a crime. For Roosevelt punishment was rehabilitation. Commenting on Roosevelt's bill the Morning Journal sarcastically called for the "reestablishment of the stocks, the ducking stool and the pillory; and once having advanced to this point, there will be little trouble in paving the way for the thumbscrew and the rack."⁴⁴

Two months later in a speech before the Assembly Roosevelt, still smarting over the defeat of his bill, denounced those who would molly-koddly criminals. The purpose of prisons, he stated, is to stop crime and control offenders. "The criminal is simply a wolf who preys on society and who should be killed or imprisoned like the wolf of the forest."⁴⁵

As an avid reader of newspapers Roosevelt might have profited from an article in the Herald which described him as "a fluent and vigorous speaker and he has the courage of his convictions, but he has little tact and says and does many things that a calmer judgment would disapprove."⁴⁶ Had Roosevelt not been so sincere it would be easy to consider him a crank. His forensic fulminations and his extreme measures such as the whipping

⁴⁴New York Morning Journal, February 18, 1883.

⁴⁵New York Star, April 19, 1883.

⁴⁶New York Herald, February 11, 1883.

post bill are not without an element of humour. In later years Roosevelt learned to guard his words, but even as an experienced statesman he still showed a tendency to use inflammatory rhetoric.

As a reformer Roosevelt was disturbed by the flagrant and chronic examples of inefficiency and corruption in government and politics. Partly as a result of a Democratic congressional landslide in 1882 Congress passed the Pendleton Civil Service Act in January 1883. Designed to eliminate the corruption and abuse resulting from the spoils system, the act established the Civil Service Board and provided competitive examinations for applicants for Federal appointments. As vice president of the New York Civil Service Reform Association Roosevelt now fought to secure the passage of a similar bill in the Assembly. Governor Cleveland made it clear that he would deliver the Democrats, but it was up to Isaac Hunt, Billy O'Neil and Roosevelt to line up the Republicans.⁴⁷

On April 9, Roosevelt spoke in support of the bill and demanded that civil service be removed from politics "where it now lies festering, a reproach and a hissing to all decent men. . ."⁴⁸ Professional politicians from both parties managed to delay the passage of the bill,

⁴⁷Putnam, Theodore Roosevelt, p. 281.

⁴⁸Times, April 10, 1883.

but owing to Cleveland's persistent efforts the bill became law during the closing days of the session.⁴⁹

A week earlier Roosevelt attracted state wide attention when he attempted to recommit a bill designed to reform the New York City Charter but which had been severely weakened by crippling amendments. Supported by other young reform minded assemblymen, Roosevelt denounced the amendments as "the most gigantic partisan fraud of the session" and charged the aldermen of New York City as being "a public laughing stock" and a ridiculous and scandalous body."⁵⁰

The foregoing examples of Roosevelt's legislative behavior not only shed light on his political views, but also on his willingness to cross party lines to achieve common ends. It is interesting to speculate that had Roosevelt gone along with his party's bosses he might never have been more than a mediocre politician. Roosevelt's rhetoric notwithstanding, he was not, like many reformers, a fanatic who lost all sight of practical goals or objectives. Indeed, it was his practical approach to issues that characterized his political career.

⁴⁹Alan Nevins, Grover Cleveland: A Study in Courage (New York: Dodd, Mead and Company, 1932), p. 123.

⁵⁰New York Evening Post, March 30, 1883.

Corruption and Investigation

Corruption in the New York City government had been known to many and suspected by others for years, and on January 15, 1884, the Assembly appointed a special five man committee, chaired by Roosevelt, to investigate. Roosevelt's appointment was a new high in his young political career, for it was far superior to any previous assignment.

The appointment was welcome news, for Mrs. Roosevelt was in her eighth month of pregnancy and Roosevelt could now spend his free hours near his wife. After returning to Albany on February 6, Roosevelt wrote his wife, "How I did hate to leave my bright, sunny little love yesterday afternoon. I love you and long for you all the time, and oh so tenderly."⁵¹

The hearings began on January 19 at the Metropolitan Hotel. Roosevelt planned to meet the committee on Friday, Saturday and Monday of each week so the members could return to Albany to conduct their legislative duties. Roosevelt and his fellow members had high hopes of exposing the corruption of the city government, but the committee's effectiveness was compromised when one of its members thought that "the moral restraints of his native place no longer applied" and was "caught red-handed by a plain-clothes man doing what he had no business

⁵¹Roosevelt, Letters, p. 64.

to do."⁵² The incident is not without humor, but unfortunately for the investigation the embarrassed committee-man, fearing public exposure, became quiet and uninquisitive. Years later Roosevelt wrote, "I never saw terror more ghastly on a strong man's face than on the face of this man. . .when he feared that. . .the committee might . . .expose him even if the city officials did not."⁵³

It is to Roosevelt's credit that he never divulged the identity of the committman nor did he stand in judgment of him. Indeed, in describing the incident Roosevelt was sympathetic and understanding.

Sometime during the second week in February Roosevelt received a telegram in Albany. Hours later he boarded a train and began the trip home. It was nearly midnight when Roosevelt reached Manhattan, and within the hour he arrived at 6 West 57th Street. His mother lay dying in an upstairs bedroom and his wife was near death, suffering from complications from her pregnancy. The only welcome news was his two day old daughter, Alice, was in good health. Roosevelt was at his mother's bedside when she died on February 14 at 3 a.m. in the same room where his father had spent his last days six years earlier. Eleven hours later Roosevelt's wife died.

⁵²Roosevelt, Autobiography, p. 87.

⁵³Ibid.

Two days later on February 16, the Roosevelt family and friends gathered at the Presbyterian Church on 55th Street. Visibly shaken the Rev. Dr. John Hall prayed that God give Roosevelt the strength to carry on his duties. The choir sang the hymn "Angels of Jesus, Angels of Light." The two rosewood coffins were then carried from the church to Greenwood Cemetery for interment. Following a brief prayer Roosevelt said his final goodbye to his mother and his beloved Alice.

Nearly a year later Roosevelt wrote, "And when my heart's dearest died, the light went from my life for ever."⁵⁴ Never again did Roosevelt speak of his first wife. No mention of his marriage is made in his autobiography and he never mentioned his wife to his daughter.⁵⁵ Years later he would write his sister Corinne whose daughter's fiancé had died, "The one and only thing for to do now is to treat the past as past, the event as finished and out of her life, to dwell on it. . . would be both weak and morbid. . . let her never speak one word of the matter henceforth, to you or anyone else."⁵⁶

Roosevelt's reaction to the deaths of his mother and wife seems extreme, but he was not one to indulge in

⁵⁴Quoted from "Confidential source No. 1" in Pringle, Theodore Roosevelt, p. 51.

⁵⁵Putnam, Theodore Roosevelt, p. 390.

⁵⁶Roosevelt, Letters, XI., p. 966.

self pity. Outwardly he carried himself with dignity and courage, but there were no doubt moments when he could not help think of how his mother cared for him during his childhood illnesses and of the days not so long ago when he and Alice strolled along the banks of the Charles River. One can only speculate at the inner trauma Roosevelt suffered, for his diaries are silent on the subject and he makes no mention of his mental state in his autobiography. Still another problem is Roosevelt's Letters contain only three pieces of correspondence from February 14 to May 1. However, one letter is particularly revealing. Two days after the funeral Roosevelt wrote Andrew White, a family friend and former president of Cornell University, "I shall come back to my work at once, there is now nothing left for me except to try to live as not to dishonor the memory of those I loved who have gone before me."⁵⁷

Six years earlier Roosevelt used the term "gone before" following the death of his father when he wrote, "I feel that if it were not for the certainty, that as he himself has so often said, 'he is not dead but gone before'."⁵⁸ Again during a time of tragedy Roosevelt drew strength from his religion. The following morning Roosevelt returned to Albany and on Saturday he was once

⁵⁷Ibid., I., p. 65.

⁵⁸Supra, p. 18.

again in New York to resume his committee's investigations into the city government. Had the elder Roosevelt lived he would have been proud of his son.

Roosevelt's wealth and social position had not insulated him from the seamy side of New York life, yet the disclosures before his committee presented a picture of gambling, prostitution and corruption beyond anything he imagined. On April 19, a man giving his name as Michael O'Malley told the committee of prostitution in his neighborhood.

I witnessed the following during an August afternoon in 1883; two men were solicited by the female inmates of No. 142 to enter said house. It seems that their offers were not satisfactory to said inmates and they were driven into the street and there assaulted with bottles from the stoop, balcony and basement of said house by the said inmates, black and white, and driven by them along the sidewalk toward 7th Avenue in a cut and bleeding condition. I have seen the female inmates of these houses herein mentioned secrete [sic] clubs behind the wood posts of the railings and with said clubs assault men who succeeded in freeing themselves from their grasp. On one occasion I saw the female inmates of Nos. 144 and 146 during the early part of the evening beat a man with sticks and clubs into the street and gutter and upon arising they again beat and drove him into within about 100 feet of 7th Avenue. . . .I have seen one of the former inmates of No. 144 expose her naked posterior to young school girls while they were standing on the sidewalk in front of said house. . .this female beast, together with other like cattle, are now quartered at the house No. 106.⁵⁹

Nearly a month later the committee's legal counsel discovered during a cross examination of Captain Alexander

⁵⁹Quoted from Committee Hearings in Putnam, Theodore Roosevelt, p. 406.

Williams that O'Malley allegedly kept a disorderly house that had been raided on three occasions.

Q. Did Mr. O'Malley keep a disorderly house? . . .

A. He owned the property and let it to those people. I drove them out and Mr. O'Malley could not let it to that party again and he occupied it himself then.

Q. Don't you know that Mr. O'Malley stated that he was obliged to come there because it could not be rented to anybody?

A. I know this, that Mr. O'Malley. . .let it and knew what it was let for and I raided it twice. . .⁶⁰

A short time later Roosevelt questioned Captain Williams.

Roosevelt: Could not that street have been kept in a better condition than it was prior to its being closed up the other day?

Williams: Did you see the street?

Roosevelt: Several times.

Williams: How bad was it?

Roosevelt: Very bad.

Williams: Ask you to come in?

Roosevelt: They would ask any man.

Williams: Not unless he went along looking. I passed through there and they did not know me or molest me. I was not looking for women. . . .

Roosevelt: They may have known you. Certainly they will speak to any man whatever and any man who comes from outside the city, no matter how strict a man may be, he will tell you he considers it a pretty bad street.

⁶⁰Quoted from Committee Hearings in Ibid., pp. 406-407.

Williams: Yes, and that is what he is looking for.

Roosevelt: I regret to find the Captain such a pessimist about human nature.

Williams: I say men outside of town that go in 27th Street are looking for it.⁶¹

In his desire for first hand knowledge Roosevelt frequently walked the streets in the rougher and more crime infested neighborhoods. On an April evening Roosevelt observed a man wearing prison stripes with his "person all exposed" being pursued by a mob. Roosevelt asked a policeman standing in front of a saloon why he failed to do anything. The officer replied he was "too tired."⁶²

Despite such incidents and the testimony of the likes of Michael O'Malley and Captain Williams, Roosevelt came away from the committee hearings with a favorable impression of the New York City police. He reported the "patrolmen and many, if not most, of the captains" were capable and honest officers. However, Roosevelt was critical of the method by which officers were appointed to the force, (a letter of recommendation from one of the four police commissioners), and of the records of the physical examinations which showed selection was a matter of political favor. "Men rejected at one

⁶¹Quoted from Committee Hearings in Ibid., p. 407.

⁶²Quoted from Committee Hearings in Ibid., pp. 407-408.

examination for insufficient height, weight or girth of chest would at the next show an increase in the necessary particulars that would seem hardly explicable on other grounds," he wrote.⁶³ Roosevelt thus urged that the police department be included in the Civil Service Bill then before the legislature.⁶⁴

Roosevelt also advised that the four man Police Commission be reorganized because a single member could block the will of the majority in many cases and two members could paralyze the workings of the board. Roosevelt was particularly critical of the present commission and charged that "no police captain or patrolman can be expected to rigorously enforce the laws if he finds that his superiors are indifferent to whether he does so or not."⁶⁵ As long as hush money is paid to the police, he concluded, illegal gambling, prostitution and violations of the Sunday closing laws would continue.

The Committee's investigation of the New York City Police Department provided Roosevelt with first hand experience of the problems of criminal justice and police administration. The committee's conclusions show that it failed to probe the inner workings of the department and the problems of police corruption. Such is understandable

⁶³Quoted from Committee Hearings in Ibid., p. 408.

⁶⁴Putnam, Theodore Roosevelt, p. 408.

⁶⁵Quoted from Committee Hearings in Ibid., pp. 408-409.

for none of the committee members had any experience in dealing with the problems of criminal justice in general or police corruption in particular. Furthermore, Roosevelt's preconceived ideas of law and order most likely served to prejudice his views in favor of the police. Indeed, from the scant information available in secondary sources, Roosevelt was too willing to accept the testimony of police officers. It is interesting to note that while Roosevelt was aware of police corruption, his reports dealt with the problems of administration and organization.

Nothing better illustrates the naivete of Roosevelt and his committee than the assumption that corruption would disappear through internal reform. Several months after the committee concluded its hearings the police department was brought under the state's new civil service law. During the first three years of its enactment 913 men were appointed to the police force, 93 per cent of which had originally applied to the police commissioners for appointment. During the same period 815 men made application to the civil service board and only 135 passed!⁶⁶ As for the physical examinations the surgeons continued to eliminate those who lacked political pull.

⁶⁶James F. Richardson, The New York Police: Colonial Times to 1901 (New York: Oxford University Press, 1970), p. 291.

Roosevelt correctly saw the problems of the four man bipartisan police commission, but it was not until the turn of the century that a single commissioner replaced the board.

Following the investigation the committee was thanked by the legislature, its report was filed, and its conclusions and recommendations forgotten. During the next decade the graft and corruption that infested the city government and the police department flourished. Only later would Roosevelt discover what he failed to learn during his investigation: that the corruption of the police department was an outgrowth of the corruption in city and state government.

By spring 1884 Roosevelt was a well known and respected figure in the New York Republican Party, and reform elements looked to him for leadership in the upcoming elections. To those who wished to rid the party of corruption and political embarrassment the two leading presidential candidates, President Chester Arthur and former Secretary of State James Blaine, were unacceptable. Thus Roosevelt led a group in support of Senator George F. Edmunds of Vermont. Elected to the senate in 1866, Edmunds had served as president pro tem since 1882 and had won the respect of reformers with his struggle for honest government. In his personal and political life Edmunds reflected his New England heritage of nationalism,

individualism and a rigid sense of morality. Unfortunately for his supporters, Edmunds was a colorless figure who at times seemed to be a body in search of a personality.

Roosevelt hoped to win for Edmunds the votes of New York's four Republican delegates-at-large to the national convention in Chicago, where they might possibly nominate a reform candidate or at least show the party the strength of the reform movement. It is doubtful if Roosevelt or Edmunds supporters seriously thought their candidate could be nominated. Yet, they never expected to be routed. Blaine took a commanding lead from the first ballot, and on the fourth ballot he received the nomination with 541 votes. Edmunds ran a distant third with 41 votes.

The Republican Party had overwhelmingly said no to Roosevelt and reform. The New York World reported Roosevelt's eyes "flashing with indignation,"⁶⁷ and when asked if he would support Blaine Roosevelt replied he was "going cattle-ranching in Dakota" and attributed Blaine's nomination to "mistaken public enthusiasm."⁶⁸

On April 30, 1884, Roosevelt wrote Simon North, editor of the Utica Morning Herald. Although he made no

⁶⁷New York World, June 7, 1884.

⁶⁸New York Daily Tribune, June 7, 1884. Roosevelt later supported Blaine during the campaign. See Roosevelt's Autobiography, p. 90.

specific mention of the recent death of his wife it is clear she weighed heavily on his mind. "I have known sorrow too bitter and joy too keen to allow me to become either cast down or elated for more than a very brief period." Roosevelt was also disturbed by the "very real and positive hostility" directed at him from members of his party. "I will not stay in public life," he concluded, "unless I can do so on my own terms; and my ideal, whether lived up to or not, is rather a high one."⁶⁹

By twenty-six Roosevelt had experienced a lifetime of hope and tragedy. His personal and political misfortunes demanded he rest. Yet his letter to North shows that retirement from public life was only to be temporary and he would return after "a few years."⁷⁰

⁶⁹Roosevelt, Letters, I., p. 66.

⁷⁰Ibid.

CHAPTER III

VIOLENCE AND VIGILANTES

Life In The West

The Civil War had temporarily retarded the settlement of the West, but by 1873 the Northern Pacific Railroad reached as far as Bismarck, North Dakota, beginning a period often called the Second Dakota Boom. Taking advantage of the Homestead Act, thousands of settlers poured into the territory from 1875 to 1885 and the population of the Dakota Territory jumped from 20,000 to 539,583, and Montana's population reached 142,924.¹ Yet, despite this rapid growth settlements remained little more than small frontier outposts with neighbors often separated by fifty miles or more. The once proud Sioux and Cheyenne warriors that annihilated Custer would soon, like the other plains tribes, be reduced to a few scattered raiding parties and the once plentiful buffalo was fast disappearing.

Roosevelt arrived in the West with his political career uncertain and the death of his wife still heavy

¹Richard B. Morris, ed., Encyclopedia of American History (New York: Harper and Row, 1953), pp. 454-455.

on his mind. He was not unfamiliar with the Dakotas, for a year earlier he had spent several weeks there hunting buffalo and had become fascinated with the land and its people. Life in the Dakotas would give Roosevelt the time he needed to reflect upon his personal and political misfortunes and the chance to be free from old problems and personalities as he considered his future.

Following his first trip West Roosevelt invested \$40,000 of his \$125,000 inheritance in cattle ranching.² The substantial amount of his investment stemmed more from his sense of adventure than his sense of economics, something he never developed. Yet there was reason to believe the investment would return handsome dividends for since the Civil War beef prices had risen sharply. And there was General James Brisbin's The Beef Bonanza, or How to Get Rich on the Plains, published in 1881. A veteran of over ten years in the West, Brisbin wrote, "Highly as Nebraska, Wyoming and Colorado have been spoken of for herd lands. . . I think I know of a better cattle country. Montana has undoubtedly the best grazing grounds in America and parts of Dakota stand merit."³

Curiously enough the so-called "Bad Lands" appeared to be the best cattle ranching land in the

²Busch, Theodore Roosevelt, p. 55.

³Quoted from General James Brisbin's Beef Bonanza, or How to Get Rich on the Plains in Putnam, Theodore Roosevelt, p. 335.

Dakota territory. An area of about two-hundred long and thirty miles wide, the "Bad Lands" followed the northward course of the Little Missouri River. The area took its name from the early French fur trappers who called it mauvaises pour traverser. Thousands of years earlier the glaciers eroded the land into a curious setting of canyons, mountains, buttes, plateaus and gulches that flanked the river. During the summer months temperatures often soared above 100 degrees and during the winter climatic conditions resembled those of northern Siberia. So desolate and difficult was the land that before the Civil War people referred to the Great Plains as "The Great American Desert," and the federal government considered using it as a permanent reservation for Indians.

Upon his return to the West in 1884 Roosevelt entered into a partnership with Joe and Sylvane Ferris and William Merrifield, owners of the Maltese Cross Ranch (sometimes called the Chimney Butte), "a log structure with a dirt floor,"⁴ located a few miles south of Medora, a small frontier outpost on the Little Missouri. Roosevelt enjoyed ranch life "to the full,"⁵ and he soon brought out two friends from Maine, William Sewall and William Dow, to help him in second venture, the Elkhorn Ranch. Roosevelt delighted in the rugged ways of the West, but

⁴Roosevelt, Autobiography, pp. 97-98.

⁵Ibid., p. 98.

he also missed the simple pleasures of the East. Thus at the Elkhorn he built "a low ranch-house. . . , with a veranda, and. . . a bedroom for myself, and a setting room with a big fireplace. I got out a rocking chair. . . and enough books to fill in three shelves, and a rubber bathtub..."⁶

Roosevelt supposedly once remarked that he learned more from a Biddle novel than he did at Harvard. Eurastus Biddle published dime novels that gave "true" accounts of life in the West. Complete with Indian attacks, cattle rustlers and gun fights, the illustrated novels depicted cowboys dressed only as an easterner who had never seen one could imagine. When he arrived in the Dakotas, Roosevelt looked as if he had just ridden out of a Biddle novel. John C. Fisher, superintendent of the Northern Pacific Refrigerator Car Company, described him as "a slim anaemic-looking young fellow dressed in the exaggerated style which new-comers on the frontier affected, and which was considered indisputable evidence of the rank tenderfoot."⁷ He also noted that with one exception Roosevelt was the only man in the Bad Lands who wore glasses. The Bad Lands Cowboy, the territory's single sheet newspaper, also noted Roosevelt's arrival and

⁶Ibid., pp. 98-99.

⁷Quoted by Herman Hagedorn, Roosevelt in the Bad Lands (Boston: Houghton Mifflin Company, 1921), p. 102.

reported "the young New York reformer made us a very pleasant call Monday in full cowboy regalia."⁸

Frontier Justice

Because of the sparse settlement the enforcement of law and order was a constant problem. The Bad Lands Cowboy reported that in Billings County, an area the size of Massachusetts, there lived only 122 men and twenty-seven women!⁹ With the absence of effective legal machinery men lived and died by their own rules, and as such many people found it convenient to compromise with law breakers rather than fight them. Cattle and horse thieves found small ranchers easy prey, and with little confidence in the law small ranchers often found it better to ignore the thefts rather than risk the revenge of the raiders. Thus the peaceful surrender of cattle and horses became a form of tribute for many ranchers.

In the spring of 1884 Arthur T. Packard, a University of Michigan graduate and editor of the Bad Lands Cowboy, announced that there would be a meeting of interested people to deal with the problem of "frisking," as rustling was commonly called. There is no evidence that Roosevelt or his partners suffered at the hands of the "friskers," but as an advocate of law and order with a

⁸Quoted in Ibid., p. 104.

⁹Quoted in Ibid., p. 136.

strong sense of moral duty it is understandable that he took interest in the situation. It is unknown if Roosevelt and his partners approached the June meeting with any preconceived plans, but Merifield nominated Packard and he was elected chief of police. Years later Packard said, "I have always felt there was something I did not know back of that meeting. I think Roosevelt started it, as he and I were agreed the smaller ranchers were losing enough cattle and horses to make the difference between profit and loss."¹⁰

Little is known about Packard's character, but if he can be taken at his word he was a man of courage and determination. Commenting on his newspaper he stated, "Every printed word bore my brand. There was no libel law; no law of any kind except six-shooter rights. And I was the only man who never carried a six-shooter!"¹¹

The title police chief is misleading, for Packard had no men under his command. His duties were those associated with any law officer, but usually he kept a watch on "floaters," as transients were called. Arrests were few, for Packard was able to persuade undesirables that it would be best for them to leave town. On the more serious occasions when violence was likely, Packard

¹⁰Quoted in Ibid., p. 137.

¹¹Quoted in Ibid., p. 132.

found it better to let people settle their own differences.¹²

Cattle and horse stealing remained a problem, and even the eastern newspapers began to comment on it. The New York Sun reported a man named Axelby to be the "head of a trusty band as fearless and as lawless as himself. . . [who] has repeatedly announced his determination not to be taken alive."¹³

Regular law officers found it impossible to cope with the outlaws and on at least one occasion Federal authorities clashed with Axelby and his men and failed to make arrests.¹⁴ Thus it is understandable how Granville Stuart, a "forty-niner" reared in the West, and other outraged ranchers decided to take matters into their own hands. Very little is known about Stuart's vigilante movement, but Violence in America refers to it as the "most lethal movement" in American vigilante history, accounting for at least thirty-five lives.¹⁵

Hearing that a vigilante movement was about to be launched, Roosevelt volunteered to join. Stuart thanked him, but explained that his lack of frontier knowledge

¹²Ibid., pp. 136-139.

¹³Quoted in Ibid., p. 141.

¹⁴Ibid., p. 141.

¹⁵Hugh Davis Graham and Ted Robert Gurr, ed., The History of Violence in America (New York: Bantam Books, 1969), p. 175.

and experience did not suit him to such a venture. Thus begins one of the most interesting aspects of Roosevelt's career.

Roosevelt makes no mention of Packard, Stuart or the vigilantes in his autobiography. The most authoritative account of Roosevelt's life in the West is Herman Hagedorn's Roosevelt in the Badlands. The book is a narrative with little analysis and constructed on interviews Hagedorn held thirty years after Roosevelt left the West. Considering Roosevelt's subsequent career it is possible that some old friends might have taken liberties with their memories of Roosevelt.

Known as the "stranglers" Stuart's vigilantes spread terror over the land. The identity of the "strangers" was secret. Some said they came from Texas, others claimed they were hired by the big ranchers for thirty dollars a month. As police chief, Packard not only tolerated such lawless activity, but he "often knew beforehand what men were to be hanged."¹⁶ On one occasion Packard reported in the Bad Lands Cowboy the hangings of two men who appeared on the streets of Medora later that day! That night they were hanged.¹⁷

As often happens with such extra legal groups, the vigilantes used their power to settle personal scores.

¹⁶Hagedorn, Roosevelt in the Bad Lands, p. 193.

¹⁷Ibid., p. 194.

Innocent settlers found themselves victims of unexplained prairie fires and too often there was no attempt to determine a person's guilt or the nature of the alleged crime. There is reason to believe that Stuart's "stranglers" combined the functions of law and order with driving small settlers from the land. Popular outrage, however, became such that the movement ended as quickly as it began.¹⁸

It is true that as a newcomer Roosevelt was unaccustomed to the ways of the West and it is understandable that Stuart would refuse his offer to join the vigilantes on such grounds. What is surprising is that Roosevelt would ask to join such a group. Until the spring of 1884 there is nothing in his career to indicate he would sanction vigilante justice. True, Roosevelt was a hard core law and order advocate, but he was also a man with a strong sense of morality and justice.

Curiously enough it was Roosevelt's sense of morality and justice that attracted him to Stuart's vigilante movement. A detailed search of Roosevelt's works reveals only two articles that touch upon vigilante justice. In 1888 he wrote in Century magazine that while the outcome of Stuart's acts had been "wholesome" several of the "sixty odd victims" had been "perfectly innocent men."¹⁹ And in a second article in Century he

¹⁸Ibid., pp. 192-197.

¹⁹Theodore Roosevelt, "Sheriff's Work on a Ranch," Century Magazine, May, 1888, p. 43.

wrote, "Notorious bullies and murderers have been taken out and hung, [sic] while bands of horse and cattle thieves have been regularly hunted down and destroyed. . . and as a consequence most of our territory is perfectly law-abiding."²⁰

Roosevelt saw the maintenance of law and order as everyone's civic and moral responsibility. Only so long as laws were obeyed and respected could society and government function. Under the circumstances it is understandable that he would support vigilante activity. The alternative was anarchy in which decent settlers would continue to be easy victims of the lawless elements of the territory. In his few statements on vigilante justice Roosevelt never attempted to rationalize or even defend his position. Indeed, one is struck by his callous disregard for the innocent civtims. "Generally, the vigilantes," he wrote in 1889, ". . .do really good work, but I have rarely known them [to] fail, among the men whom they killed for good reason, to also kill one or two either by mistake or to gratify private malice."²¹ Yet, it is also clear that Roosevelt saw vigilante justice as something to be used only under unusual circumstances. Speaking as police commissioner in 1895 and later as

²⁰Theodore Roosevelt, "Ranch Life in the Far West," Century Magazine, February, 1888, p. 505.

²¹Hart and Ferleger, Roosevelt Cyclopedia, p. 627.

President, he repeatedly condemned lynching and those officials who put public sentiment ahead of the law.²² Such statements represent a change of audience rather than a change of attitude, for Roosevelt was addressing people who lived in areas where law and order were well established.

There is, of course, the obvious paradox of Roosevelt, a hard core law and order advocate, volunteering to join an illegal organization. Yet, the inconsistency is superficial. On the fringe of civilization, justice and injustice were little more than abstract terms, and people legitimized their actions by what they perceived as right and wrong for time and circumstances did not permit otherwise. Lawlessness presented a threat to people and property, and rather than acting outside the law Roosevelt perceived the vigilantes as establishing law and order. Indeed, for Roosevelt vigilante activity took on the form of a moral crusade against the forces of evil. It was unfortunate that innocent people were hurt, but such was a necessary evil if law and order was to be established. Roosevelt clearly saw the limitations of law enforcement officers on the frontier and saw law and order as the responsibility of the people. Commenting on the "roughs and criminals" that "infest every frontier town," he wrote that they would grow in numbers until "the decent

²²Ibid., pp. 321-322.

citizens become sufficiently numerous and determined to take the law into their own hands and drive them out."²³

Bullies, Horse Thieves, Rioters

Roosevelt's personal experiences with law breakers and trouble makers were few, but sufficient in number to shed additional light on his approach to such problems. Shortly after he arrived in the West he set out looking for horses that had strayed from his ranch. Late one evening he entered Nolan's Hotel in Mingusville, a small frontier outpost thirty-five miles west of Medora. As he tells the story in his autobiography, a loud, drunken stranger with guns drawn looked in his direction and announced, "Four eyes is going to treat." Roosevelt laughed good naturedly at the remark and seated himself at a table behind the stove. The stranger then approached him and in "very foul language" repeated his demand. "Well, if I've got to, I've got to," Roosevelt replied. Then, as the stranger least expected it, Roosevelt sent a hard right fist followed by a left to his jaw. As the stranger hit the floor both guns discharged. Roosevelt took the guns and the other patrons "who were now loud with their denunciation" of the stranger locked him outside in a shed.²⁴ The incident with the Mingusville

²³Roosevelt, "Ranch Life in the Far West," p. 504.

²⁴Roosevelt, Autobiography, pp. 125-126.

bully is significant, for until then Roosevelt was regarded as "a good deal of a joke" by most westerners.²⁵

On occasion Roosevelt served as a deputy to Sheriff Bill Jones, a "thoroughly good citizen when sober,"²⁶ and a good man with his fists and guns. Known as "Foul-mouthed Bill," for his colorful language, Jones ran Medora by methods Roosevelt found "unconventional" but effective.²⁷ Little is known about Jones or his methods, but in his autobiography Roosevelt describes how Jones stood at the polls with one hand on his gun and the other pointing unregistered voters towards the jail. All were intimidated except one, whom Jones knocked cold with a single blow.²⁸

Curiously enough Roosevelt tells little about his role as a deputy sheriff in his autobiography or his article "Sheriff's Work on a Ranch." Yet it is clear that he admired Jones as a law officer. Jones's methods were simple and free of legal technicalities, and more importantly they were effective. On the frontier Roosevelt understood the necessity of maintaining order

²⁵Hermann Hagadorn, Notes made by Hermann Hagadorn in preparation of his Roosevelt in the Bad Lands. Theodore Roosevelt Memorial Library, Harvard University.

²⁶Roosevelt, Autobiography, p. 118.

²⁷Hagadorn, Roosevelt in the Bad Lands, p. 115; Roosevelt, Autobiography, p. 120.

²⁸Roosevelt, Autobiography, p. 119.

sometimes required law officers and decent minded citizens to compromise the spirit of the laws.

In the spring of 1886 a man named Mike Finnegan, after a night of heavy drinking, took a shot at John Fisher. Police Chief Packard witnessed the incident and moments later knocked Finnegan unconscious. Known as the "Redhead," for his shoulder length hair, Finnegan was a stocky, mean-looking man who enjoyed a reputation for trouble. Because jails rarely proved to be an obstacle to escape Packard sealed his captive in a box car, but with the help of a friend Finnegan escaped. The winter of 1886 is still remembered as one of the worst in the territory's history, and with escape by land impossible Finnegan stole a skiff from Roosevelt's ranch and set out on the Elkhorn River.

On March 27 Roosevelt wrote Lodge, "I shall start down the river with two of my men in a boat we have built while indoors, after some horse-thieves who took our boat the other night. . .[but] we have little chance of catching them."²⁹ Indeed, two days later a furious blizzard covered the land with ice and snow and sent temperatures near zero. The following morning the storm moderated and Roosevelt and Bill Sewall and Bill Dow packed two week's provisions and began pursuit of the thieves.

²⁹Hagadorn, Roosevelt in the Bad Lands, p. 372.

The chase proved short. Only two days later on April 1 Roosevelt captured the thieves without a struggle. "We simply crept noiselessly up and rising, when only a few yards distant," he wrote Lodge, "covered them with the cocked rifles while I told them to throw up their hands."³⁰ Ten days and three hundred miles later Roosevelt turned Finnegan and his two friends, a German named Pfaffenback and a half-breed named Burnsted, over to the authorities in Dickinson.

Dr. Victor Hugo Stickney, who treated Roosevelt's badly blistered feet, described him years later as "the most bedraggled figure I'd ever seen. His clothes were in rags. He was scratched, bruised and hungry, but gritty and determined as a bull dog."³¹ Roosevelt's friend and fellow rancher, John Simpson, remarked, "No one but you would have followed those men with just a couple of cow-hands. You are the only real damn fool in the country."³²

Considering Finnegan's reputation, the hazardous conditions and the nature of the theft perhaps Roosevelt was a fool to risk his well-being and the safety of two others by pursuing the thieves, but as he later explained:

³⁰Ibid., pp. 383-384.

³¹Hagadorn, Notes.

³²Hagadorn, Roosevelt in the Bad Lands, p. 385.

In any wild country where the power of the law is little felt or heeded and where everyone has to rely upon himself for protection, men soon get to feel that it is in the highest degree unwise to submit to any wrong without making an immediate and resolute effort to avenge it upon wrongdoers, at no matter what cost of risk or trouble. To submit tamely and meekly to theft or to any other injury is to invite almost certain repetition of the offense.³³

Roosevelt's pursuit and capture of Finnegan shows to what lengths he would go to protect his property and to see law and order maintained. Most ranchers would gladly have given their boat to be rid of Finnegan and his friends, but for Roosevelt to do so would have been a compromise with his principles. To allow Finnegan to go unpunished for any reason would be an outrage as great as the crime itself. Many people expressed surprise that Roosevelt did not hang his captives but Roosevelt explained, "I didn't come out here to kill anybody. All I wanted to do was to defend myself and my property. There wasn't anyone around to defend them for me, so I had to do it myself."³⁴

Finnegan was more than a boat thief. He was a fugitive from justice and suspected of the "worst of frontier crimes,"³⁵ horse stealing. In spite of his statements on vigilante justice, it is significant and to

³³Roosevelt, Letters, pp. 384-385.

³⁴Hagadorn, Roosevelt in the Bad Lands, p. 386.

³⁵Roosevelt, "Sheriff's Work on a Ranch," p. 43.

Roosevelt's credit that in the one case when he could act as judge, jury and executioner without fear of the legal consequences, he chose, at the risk of his own life, to work within the law!

On the evening of May 4, 1886, a labor meeting in Haymarket Square Chicago turned into a riot when police attempted to disperse the crowd. Someone threw a bomb into the police ranks killing seven officers and wounding seventy others. From Medora Roosevelt wrote his sister, Anna:

My men here are hardworking, labouring men, who work longer hours for no greater wages than many of the strikers; but they are Americans through and through; I believe nothing would give them greater pleasure than a chance with their rifles at one of the mobs. When we get the papers, especially in relation to the dynamite business they become more furiously angry and excited than I do. I wish I had them with me, and a fair show at ten times our number or rioters; my men shoot well and fear very little.³⁶

Roosevelt's knowledge of the Haymarket Riot came from hysterical newspaper accounts. He made no distinction between the Knights of Labor and the anarchists who preached violence and revolution. It was not that Roosevelt was insensitive to the plight of the poor or the problems of labor, but he had no sympathy with those who sought to rectify their grievances by unlawful means.

By the time Roosevelt arrived in the West his social philosophy was already developed. On the frontier

³⁶Roosevelt, Letters, pp. 100-101.

he observed society in its simplest form and his experiences reinforced his outlook. Throughout his career Roosevelt repeated his belief that the "one all important element in good citizenship in our country is obedience to law, and nothing is needed more than the resolute enforcement of law."³⁷ It would be an exaggeration to say Roosevelt took a Hobbesian view of man and society. Yet he saw society engaged in a constant struggle between right and wrong, good and evil. In his interpretation of law Roosevelt cared more for the spirit than the letter. He had no use for what he called "hair-splitting" technicalities.³⁸ Rioting strikers in the cities like horse thieves on the frontier posed a threat to government and society and it was the legal obligation of law enforcement officers and the moral obligation of decent citizens to uphold the law for the protection of society. "Without the habit or orderly obedience to the law," he wrote, "without stern enforcement of the laws at the expense of those who defiantly resist them, there can be no possible progress, moral or material, in civilization."³⁹

³⁷Roosevelt, Works, XIII, p. 133.

³⁸Hart and Ferleger, Roosevelt Cyclopedia, p. 286.

³⁹Ibid., p. 301.

CHAPTER IV

"FIGHTING VILE CRIME AND HIDEOUS VICE"

Return to Politics

Roosevelt's decision in 1886 to leave ranching life and return East came from his desire to reenter politics and his growing relationship with Edith Carow, his childhood sweetheart. In October Roosevelt, not yet twenty-nine, reluctantly accepted the Republican nomination for mayor of New York City. The campaign set Roosevelt against Abram S. Hewitt, a Democrat, successful businessman and former congressman, and the Union Labor candidate, Henry George, reformer and author of Poverty and Progress (1879). George found an instant constituency in labor and the Irish, and his blistering indictment of society and his radical tax theories so frightened political and economic conservatives that many Republicans considered voting Democratic! Only the fear that Tammany might become uncompromising with the spoils of victory led the party to nominate its own candidate.¹

Roosevelt entered the campaign with his usual enthusiasm. He promised to fight "against the spoilsmen

¹Roosevelt, Letters, p. 110.

who are eating up the substance of the city,"² and he charged as a "deliberate untruth" the accusation that he favored low wages for workingmen. Only by "that capacity for steady, individual self-help which is the glory of every true American," he stated, could people be helped.³

It is, of course, impossible to determine how many Republicans crossed party lines and voted Democratic, but Roosevelt believed it might have cost him the election. The final count gave Hewitt 90,552 votes, George, 68,110 and Roosevelt 60,435.⁴ Several months later Puck predicted Roosevelt's political demise:

Be happy, Mr. Roosevelt, be happy while you may. You are young--yours is the time of roses--the time of illusions. You see not the rouge on old checks, the power on the wrinkled forehead. . . . Do not let it annoy you if we smile. . . . You have heard of Pitt, of Alexander Hamilton, of Randolph Churchill, and of other men who were young and yet who, so to speak, got there just the same. Bright visions float before your eyes of what the Party can and may do for you. We wish you a gradual and gentle awakening. We fear the Party cannot do much for you.⁵ You are not timber of which Presidents are made.

Despite his defeat Roosevelt had run well against formidable opposition. He carried five districts, including the twenty first, and he did better than any previous

²Theodore Roosevelt, Campaigns and Controversies, in The Works of Theodore Roosevelt, XIV (New York: Scribner's Sons, 1926), pp. 68-69; 70-71.

³Ibid., p. 76.

⁴Roosevelt, Letters, p. 110.

⁵Quoted from Puck magazine in Pringle, Theodore Roosevelt.

Republican candidate in a three-way race since the Civil War.⁶

Less than two months after his defeat Roosevelt married Edith Carrow at St. George's Church in Hanover Square, London. Following a three month holiday in England and Europe, Roosevelt and his bride returned to New York to contemplate an uncertain future. The years between 1887 and 1898 have been largely ignored by Roosevelt's biographers. At present there is no adequate work covering his years as Civil Service Commissioner (1889-1895) and the lack of attention to his career as a New York City police commissioner need not be reemphasized.

Appointed to the Civil Service Commission by President Benjamin Harrison, Roosevelt and his family moved to Washington, D.C., in 1889. By temperament and character Roosevelt was a man of action, but now for the first time he found himself bored and frustrated by rules, policies, regulations and red tape. His accomplishments were modest, but at a dinner in Baltimore in 1892 he spoke with pride of how he successfully introduced marksmanship as part of the examination for custom guards on the Texas border.⁷ Years later President Harrison described his relationship with Roosevelt. "The only trouble

⁶Roosevelt, Letters, p. 110.

⁷Busch, Theodore Roosevelt, pp. 92-93.

I ever had with managing him was that. . .he wanted to put an end to all the evil in the world between sunrise and sunset. . . ."8

The Society for the Prevention of Crime

During Roosevelt's Washington years the citizens of New York City became increasingly concerned with the crime and corruption that infested all levels of local government. In 1878 concerned citizens formed the Society for the Prevention of Crime and elected Dr. Howard Crosby president, an office he held until 1891. Under Crosby's leadership the society failed to see the police as a source of corruption, and in its desire to rid the city of crime the society never got beyond deploring minor infractions of the law.

Following Crosby's death the presidency passed to the Reverend Charles Parkhurst, an outspoken Presbyterian minister who had attracted attention by his denunciation of municipal corruption from the pulpit. On February 14, 1892, Parkhurst shocked an unsuspecting congregation when he stated that ". . .crime in this city is entrenched in our own municipal administration, and that what ought to be a bulwark against crime is a stronghold in its defense."⁹ Nine days later Parkhurst was

⁸New York Times, April 22, 1900.

⁹Reverend Charles Parkhurst, Our Fight with Tammany (New York: Charles Scribner's Sons, 1895), pp. 12-13.

summoned before a Grand Jury and asked to substantiate his charges. Embarrassed, he explained he knew nothing more than what he had read in the newspapers and he had no personal knowledge of any wrong doing by city officials.

For the next several weeks Parkhurst, Charles W. Gardner, a private detective, and other members of the Society, carried out their own investigation and in March they presented the Grand Jury with 284 affidavits that charged vice, gambling, prostitution and police corruption flourished throughout the city. "Anyone who . . . denies that drunkenness, gambling and licentiousness in this town are municipally protected," Parkhurst charged, "is either a knave or an idiot."¹⁰ On March 13, the Grand Jury ordered the District Attorney to produce all evidence regarding the cases referred to by Dr. Parkhurst and the Society's agents. City officials and police officers were summoned before the Grand Jury, but because they were often unresponsive the jury was unable to gather sufficient evidence to warrant an indictment against any individual. However, enough was learned to bring about an investigation of the police department.¹¹

On March 31, the Grand Jury reported its findings. (1) The police department was well organized and the streets of New York safe. (2) Gambling, prostitution,

¹⁰Ibid., p. 76.

¹¹Ibid., pp. 81-83.

and Sunday liquor sales were common and not interfered with by the police. (3) Police lacked the initiative or desire to raid disorderly houses. (4) Police captains rarely made reports on the disorderly houses in their precincts. (5) The police were either incompetent or corrupt.¹²

Never before in the city's history had such an indictment been handed down against the police. Police Commissioner McCiave defended the department and stated, "If my information is correct, the police in this city is [sic] the best in the world."¹³ James J. Martin, President of the Police Board of Commissioners, responded, "The accusation that the police are in the pay of disorderly and gambling houses is both inconsistent and absurd."¹⁴ And Inspector Alexander Williams remarked, "I have been a police officer for twenty-six years, and the Reverend Dr. Parkhurst and the members of his church have contributed more to houses of prostitution than I have, and have derived more benefits from them."¹⁵

Statements such as Williams' only served to further discredit the police in the public mind. Under public pressure Police Superintendent William Murray resigned

¹²Ibid., pp. 84-87.

¹³New York Tribune, April 2, 1892.

¹⁴New York World, April 3, 1892.

¹⁵Ibid.

on April 12, and was replaced by Chief Inspector Thomas Byrnes, well known as the detective who captured the notorious Manhattan bank robbers years earlier. Parkhurst and his Society welcomed Byrnes appointment and hoped he would provide the initiative the leadership the New York City Police so badly needed. Two days later Byrnes summoned all captains to his office and announced that he was "fully determined to enforce the laws."¹⁶ Police captains were now assigned to new precincts, and the following Sunday only half of the normally operating saloons were open for business. The Society hailed the return of law and order and the Herald reported that the days of gambling houses and disreputable resorts were numbered.¹⁷

The enthusiasm that accompanied Byrnes appointment proved to be short lived, and by the middle of May many people were asking how an incompetent or corrupt captain in one precinct could be expected to improve himself and his record in another precinct. The crack down on illegal Sunday liquor sales quietly ended and prostitution and gambling continued unabated.

For the next two and one-half years Parkhurst and the Society waged an open war with Byrnes and the police. In August and October of 1893 the Society wrote the Police

¹⁶New York Recorder, April 19, 1892.

¹⁷New York Herald, April 16, 1892.

Commission that disorderly houses flourished in the eleventh precinct, but the Commission, on the testimony of Byrnes, Inspector Williams and Captain William S. Devery, steadfastly maintained that no such houses existed. The Society, however, showed how the police attempted to white wash the testimony of its members and it also secured the arrest and conviction of the keepers of the four houses named in its complaint. On November 29, the Society secured four indictments against Captain Devery, charging him with misdemeanors for allowing such houses to exist in his precinct. The following day the Morning Advertiser congratulated Parkhurst and the people "striving to clean out the moral plague spots which are corrupting the municipality."¹⁸

In the crusade against vice, gambling, prostitution and illegal liquor sales Parkhurst and the Society had become a quasi-police force and well-intentioned citizens increasingly looked to them for the leadership city hall failed to provide. The indictment of Captain Devery signaled the growing strength of the Society, and on December 7, 1893, Superintendent Byrnes lashed out at Parkhurst and charged him with seeking revenge against the police because an officer refused to testify in support of a church member's divorce suit. Byrnes further charged that Parkhurst had "intrigues with women" and

¹⁸New York Morning Advertiser, November 30, 1893.

that he had sought to compromise the integrity of various city officials. Finally Byrnes announced that Parkhurst had a vacationing friend in Europe bring him "some of the most abominable French pictures."¹⁹

Byrnes was never one given to diplomacy, but his outlandish charges against Parkhurst show the sense of helplessness and frustration that gripped police headquarters. Only two years earlier Parkhurst and the Society were little more than well-intentioned reformers with a small following and slight influence. Now they stood in the forefront of a growing public demand that the police department rid itself of corruption and be held accountable for its actions.

In April 1894, the police department hoped to regain public confidence at Devery's trial. The charges against Devery were minor, but in a larger sense they spotlighted the corruption that infested police headquarters. The defense was unable to disassociate Devery from his fellow officers and the proceedings had the effect of putting the entire police department on trial. Despite what the Society believed to be ample evidence for conviction, the jury acquitted Devery, whereupon his fellow captains broke into cheers and carried him from the courtroom.

¹⁹New York Herald, December 7, 1893.

Curiously enough Devery's acquittal proved to be to the Society's advantage for it convinced many people that police corruption had reached new heights. For the next several months the Society continued to monitor police activities, and on January 25, 1894, the Chamber of Commerce appealed to the state legislature for a thorough investigation of the New York City Police. Four days later the state senate authorized an investigation and appointed Senator Clarence Lexow chairman of a five man bi-partisan committee. The Republican controlled legislature appropriated \$25,000 for the investigation, but the Democratic governor, Roswell P. Folwer, fearful the investigation might embarrass his party, vetoed the measure. The state Chamber of Commerce then appropriated \$17,500 so the committee could begin.²⁰

The Lexow Investigation

The investigation officially began on March 9, 1894, and when the committee concluded its work several months later its five volume report presented a shocking account of bribery, graft and corruption. Patrolmen testified their rank commonly sold for \$300, and Captain Timothy J. Creeden explained how he bought his position for \$15,000. It was further learned that protection for

²⁰Gerald Astor, The New York Cops: An Informal History (New York: Charles Scribner's Sons, 1971), pp. 54-55. The state legislature later appropriated the necessary funds for the investigation.

prostitution ranged from \$25 to \$75 a month and it cost \$500 for a house to reopen after being closed.²¹ Even fruit peddlers paid from \$20 to \$100 for their sidewalk "spot" to do business.²² The committee also found that in 1892 the Liquor Dealers Association entered into an agreement with Tammany Hall to exchange police protection for political support.²³

Most shocking of all was the widespread existence of election fraud. The committee concluded that "in a very large number of the election districts of the city of New York, almost every conceivable crime against the elective franchise was either committed or permitted by the police, invariably in the interest of the dominant Democratic organization. . .commonly called Tammany Hall."²⁴ Indeed, the committee charged the police with:

Arrest and brutal treatment of Republican voters, watchers and workers. . .canvassing for Tammany Hall candidates; invasion of election booths. . . general intimidation of the voters by the police directly and by Tammany Hall election district captains in the presence and with the concurrence of the police. . .; illegal registration and repeating [of votes], aided and knowingly permitted by the police. . .²⁵

Following the committee's disclosures, the Committee of Seventy, an outgrowth of the Society for the

²¹Richardson, The New York Police, pp. 176-188.

²²Astor, New York Cops, p. 70.

²³Richardson, New York Police, p. 188.

²⁴Ibid., p. 233.

²⁵Ibid.

Prevention of Crime, nominated William L. Strong, a successful merchant with little political experience, as a nonpartisan candidate for mayor. Strong easily defeated his Democratic opponent by over 45,000 votes, and as mayor one of Strong's first acts was the reformation of the police department.

In his autobiography Roosevelt wrote, "The work of the Police Department. . . was in my line, and I was glad to undertake it."²⁶ His correspondence, however, suggests otherwise. Sometime during the early months of 1895 Roosevelt mentioned to Lemuel Ouigg, a New York legislator, his interest in being a police commissioner, but on March 26 he expressed "great surprise" that Quigg had suggested his name to Mayor Strong, and stated that Frederick D. Grant, son of the illustrious general, would be a better choice. Quigg, however, continued to press Roosevelt's candidacy, but by April 7 Roosevelt was still undecided. The following week Strong offered Roosevelt the position through a third party. Roosevelt refused, but upon meeting with Strong he agreed to join the police board "subject to getting decent colleagues."²⁷

One can only speculate as to Roosevelt's indication, but as a former assemblyman, U.S. Civil Service

²⁶Roosevelt, Autobiography, p. 173.

²⁷Roosevelt, Letters, pp. 437; 439; 442.

Commissioner and candidate for mayor he likely expected a greater share in the spoils of victory, for the Republican Party had been instrumental in Strong's election.

President Roosevelt

Roosevelt took office on May 6, 1895, and joined his fellow commissioners Avery D. Andrews, a thirty-one year old West Point graduate, lawyer and Democrat; Frederick D. Grant, also a West Point graduate and Republican; and Andrew Parker, a lawyer and anti-Tammany Democrat. At its first meeting the board elected Roosevelt president, and although he had no more authority than each of the other three commissioners he became the board's spokesman and presided over its meetings.

In an effort to restore public confidence in the police the commissioners unanimously agreed to discontinue their predecessors policy of wearing \$100 gold badges purchased with public funds. Roosevelt announced that each commissioner would now purchase at his own expense a simple \$15 silver shield that read "Commissioner--Police Department of New York." And in an effort to put further distance between himself and his predecessors Roosevelt stated, "Personally I should be satisfied with a copper cent stamped P.C."²⁸ Roosevelt then created a mild sensation when he announced the appointment of Miss

²⁸New York Evening Sun, May 10, 1895; New York World, May 11, 1895.

Minnie G. Kelly as his private secretary at a salary of \$1,700, a savings of \$1,200.²⁹ Secretary to the president of the police board was a position traditionally reserved for males with political pull, and Miss Kelly's unprecedented appointment caused the Recorder to report it as "another illustration of the onward march of women" ³⁰ Questioned on the Board's future policy Roosevelt replied, "Every man in the force will have to stand upon his own merits, and all appointments and promotions will be made for merit only, and without regard to politics." ³¹

The Press enthusiastically endorsed the new board and reported, "There is a new Police Board in town. If any one doubts it let him ask the astonished policemen who have for years been exercising their 'pulls.' 'Pulls' don't go with the present Police Commissioners." ³²

Byrnes and Williams

The first challenge to the Police Board came from Superintendent Thomas Byrnes. Born in Ireland, Byrnes came to New York as a child. He served two years in the

²⁹New York World, May 10, 1895.

³⁰New York Recorder, May 10, 1895.

³¹Avery D. Andrews, "Citizen in Action: The Story of Theodore Roosevelt as Police Commissioner" (unpublished manuscript in the Theodore Roosevelt Memorial Library, Harvard University), p. 19.

³²New York Press, May 14, 1895.

Union army during the Civil War and in 1863 he joined the police force. He rose rapidly in the ranks and made roundsman in 1868 and captain two years later. In 1880 Byrnes became chief of detectives and in 1888 he was promoted to chief inspector at an annual salary of \$5,000. Finally, it will be recalled, Byrnes replaced William Murray, who resigned as superintendent in 1892. During his years on the force Byrnes established numerous connections with Tammany politicians and Wall Street bankers, and in 1894 before the Lexow Committee he estimated his wealth at \$350,000!³³

As superintendent Byrnes' power came mainly from corruption and influence pedaling, for the city charter placed the responsibility of running the police department in the hands of the three inspectors and made them directly responsible to the Police Board. So limited was the superintendent's authority that he could not reassign, suspend, or even transfer patrolmen without a formal resolution by the board.

As a military man Andrews understood the problems of divided authority and in March he proposed to the board a resolution designed to reorganize the police department. Most importantly the resolution placed the superintendent in charge of all routine police matters and made the inspectors and all precinct commanders

³³Richardson, New York Police, p. 210.

directly responsible to him.³⁴ The two organization Republicans then on the board, Charles Murray and Michael Kerwin, blocked the passage of Andrews' resolution, but a short time later Danforth E. Ainsworth, a Republican, introduced a similar act in the state assembly. Ainsworth introduced his bill with the finest of intentions, but it showed the naivete of those who fail to understand the problems of police administration and corruption. Designed to increase efficiency and discipline, the Supplemental Police Bill, as it was known, made the superintendent virtually independent of the Police Board and gave him the authority to try all cases against members of the police force, and in doing so it opened the way to avenues of corruption heretofore unimagined.

Aware that passage of the bill would give Byrnes dictatorial powers, Roosevelt denounced it as "hopelessly vicious and . . . drawn to perpetuate the worst and most corrupt abuses that have flourished in this department . . ."³⁵ Mayor Strong and the commissioners supported Roosevelt's position and even Ainsworth withdrew support from his bill when he learned of its possible consequences.³⁶ Because legislation referring to New York

³⁴ Andrews, "Citizen in Action," p. 31. Andrews failed to realize that his resolution would open new avenues of corruption for police superintendents so inclined.

³⁵ Roosevelt, Letters, p. 455.

³⁶ Ibid., p. 456.

City required the mayor's approval or two-thirds approval of the legislature the fate of the Ainsworth bill was sealed, but the problem of Superintendent Byrnes remained.

Roosevelt realized that as long as Byrnes remained in the department meaningful reform was impossible. Indeed, Byrnes and his friend, Inspector Alexander Williams, symbolized police corruption at its worst. Williams, a large, powerfully built man, joined the force in 1866 and made captain eight years later. Assigned to the "tenderloin district," Williams sold police protection to gambling houses, madams, pimps and saloon keepers. Known as "Clubber," Williams' reputation for brutality was well known throughout the department and by 1887 over 350 complaints had been lodged against him and he had been fined 224 times.³⁷ A frequent visitor to Williams office at police headquarters, Lincoln Steffens wrote, "Many a morning when I had nothing else to do I stood and saw the police bring in and kick out their bandaged, bloody prisoners, not only strikers and foreigners, but thieves, too, and others of the miserable friendless, troublesome poor."³⁸

On May 18 Roosevelt wrote Lodge, "I think I shall move against Byrnes at once. I thoroughly distrust him,

³⁷Richardson, New York Police, pp. 204-205.

³⁸Lincoln Steffens, The Autobiography of Lincoln Steffens (New York: Harcourt, Brace and Company, 1931), p. 207.

and cannot do any thorough work while he remains."³⁹ Mayor Strong questioned Roosevelt's decision, but with the support of his fellow commissioners, especially Parker, Roosevelt convinced Byrnes and Williams to retire rather than risk an open fight with the Police Board and further embarrass their careers.⁴⁰

By the end of its first month the new Police Board had successfully urged the defeat of the Supplemental Police Bill and forced the retirement of the department's two most notorious officers. If Roosevelt feared his new position might lead to political obscurity, he could delight in the fact the New York press had made him an overnight celebrity and a symbol of honest police administration. He would soon discover, however, that all publicity would not be favorable and the problems of administration and corruption would pose challenges far more difficult and complex than the removal of Byrnes and Williams.

People and Problems

To a large extent the problems of police administration in the late nineteenth century reflected the social, economic and political unrest of the nation. The period from the end of the Civil War to the beginning of

³⁹Roosevelt, Letters, p. 458.

⁴⁰Ibid., p. 459; Richardson, New York Police, p. 250.

the twentieth century is sometimes called "The Great Upheaval," for it was a time of unprecedented labor turmoil and violence. This period might also be called the "Era of the New American," for unlike the pre-Civil War years when the great wave of immigration came from Western Europe, new immigrants began to arrive from Eastern and Southeastern Europe. The problems created by the Irish, Germans and Scandinavians during the early part of the century paled by comparison to those accompanying the arrival of the Italians, Hungarians, Poles, Slavs, Russians and Jews. Like his predecessor the new immigrant came from the rural communities of Europe, but few took up farming in their new home. The majority settled in the cities where they were often forced to take the hardest and lowest paid "foreign jobs."

During this period New York was a city of contrasts. Beautiful ladies and smartly dressed gentlemen strolled only blocks from wretched poverty. Millionaire Jay Gould could utter "The public be damned" as the impoverished and semi-literate struggled to make an existence. During the summer months the affluent flocked to the numerous resorts on Long Island Sound as the less fortunate struggled to survive another epidemic of small pox or colera. Yet, even for the rich life could be difficult. Narrow streets, crowded with every kind of horse drawn and hand pulled vehicle imaginable, made travel, at best,

uncomfortable. Ten thousand horses littered the streets each day and when the temperature reached seventy the stench became unbearable.⁴¹

The rapid growth of the city's population reflected the great wave of immigration, and from 1880 to 1900 New York grew from a population of 1,080,330 to 3,437,202 residents.⁴² Unable to find or afford decent housing scores of thousands sought shelter in cheap tenements (a house occupied by three or more families). In 1890 Jacob Riis reported the city to have 37,316 tenements with a population of 1,250,000 and the cost of maintaining "our standing army of paupers, criminals, and sick poor" to be \$7,156,112.94.⁴³ In the heavily crowded tenth, eleventh and thirteenth wards the population exceeded 250,000 people per square mile.⁴⁴ Commenting on the slum conditions, Dr. Elisha Harris of the New York Prison Association stated, "The youngest criminals seem to come almost exclusively from the worst tenement house districtsThose very domiciles are nurseries of crime, and of the vices and disorderly courses which lead to crime."⁴⁵

⁴¹Lorant, Theodore Roosevelt, p. 45. The figure 10,000 is an average of the figures on this page.

⁴²Morris, Encyclopedia of American History, pp. 467-468.

⁴³Jacob Riis, How the Other Half Lives (New York: Garrett Press, Inc., 1970), pp. 275, 262.

⁴⁴Ibid., p. 301.

⁴⁵Quoted in Richardson, New York Police, p. 166.

In a study of 278 prisoners, Jacob Riis discovered a four year old trained to crawl through small openings to rob cash registers and street gangs of youths no older than eight.⁴⁶

Considering the ethnic diversity of New York's population, group conflict was inevitable. Old hatreds and rivalries frequently surfaced in America and on one occasion over one hundred people were wounded when the state militia fired into a crowd of Irish protesting a Scottish celebration.⁴⁷ Separated from native Americans by language, custom and tradition, the new immigrants often distrusted the police and preferred to settle differences according to native custom. Ethnic neighborhoods took on the character of closed societies and strangers often received a brutal welcome.

Throughout much of the later nineteenth and early twentieth centuries the New York police continually faced the problem of working with such a diverse constituency. Often Old World custom clashed with city and state law. Should the police enforce moral laws or attack the more serious problems of crime? Should the police attempt to combat crime in the impoverished tenement districts or should they accept it as unalterable fact?

⁴⁶Jacob Riis, The Battle With The Slum (New York: The Macmillan Company, 1902), p. 241.

⁴⁷Richardson, New York Police, p. 166.

Although police salaries and benefits compared favorably with those of other cities (patrolmen received a maximum yearly salary of \$1,400 and five days paid vacation) the department suffered from a lack of manpower. Whereas New York had one policeman for every 475 citizens in 1876, the ratio increased to one for every 540 citizens by 1896. To compensate for the lack of manpower patrolmen worked a two-platoon system of nine hours a day on patrol and seven hour on reserve in the station house, usually an outdated, inadequate facility that was also used to house the homeless until 1896.

Another obstacle to law enforcement was the lack of adequate communication and transportation. Often separated from help by miles and hours patrolmen frequently found it convenient to ignore problems that required their assistance. Similarly, citizens often found it easier to settle their own difficulties than take the time to find a policeman. As early as 1883 Chicago had installed a system of signal boxes throughout the city that provided patrolmen with direct communication with headquarters, but by 1899 New York was still using her forty-year-old telegraph network that required messages to be spelled out letter by letter by a system of bells.⁴⁸

⁴⁸Ibid., pp. 168-172.

Midnight Prowls

During his first month in office Roosevelt described the police as "the most important, and the most corrupt department in New York,"⁴⁹ and in an effort to gain first hand knowledge of police efficiency he began a series of midnight patrols during the spring of 1895. Disguised by a large overcoat and a wide-brimmed hat pulled down over his face, Roosevelt prowled the back streets of the city during the late evening hours in search of unsuspecting patrolmen negligent of their duty. On one occasion he found a patrolman drinking a glass of beer outside a saloon. Spotting Roosevelt the patrolman dropped his glass and ran down the street. After fifty yards Roosevelt had him by the collar and ordered him to appear for a hearing the following day. On another occasion Roosevelt noticed a patrolman talking with a lady and asked him why he was not about his duty. "What's that to you?" the officer replied. Then, speaking to the lady the officer asked, "Shall I fan him, Mame?" "Sure, fan him to death," Mame agreed. At this point Roosevelt identified himself and the patrolman and Mame fled in opposite directions.⁵⁰

Roosevelt's midnight prowls made him an overnight sensation. The Tribune reported his patrols would "do

⁴⁹Roosevelt, Letters, p. 458.

⁵⁰Pringle, Theodore Roosevelt, p. 139.

more than anything else to tone up the force [for] just such a stimulus is needed."⁵¹ In the World Arthur Brisbane wrote, "We have a real Police Commissioner. . . He makes our policemen feel as the. . . little froggies. . . [yet] he looks like a man of strength. . . a determined man, a fighting man, an honest, conscientious man, and like the man to reform the force."⁵² And the upstate Ithaca Daily News declared it would support Roosevelt for the Republican presidential nomination in 1896.⁵³

It is doubtful if Roosevelt learned anything of significance from his midnight prowls, but more importantly the publicity he created did much to restore public confidence in the police. Roosevelt also realized the necessity of upgrading department morale, and he startled old timers when he broke department tradition and lunched at Vranden Morh's beanery, a favorite of laborers and patrolmen.⁵⁴ Roosevelt was also quick to recognize gallantry, and within two years over one hundred officers received recognition for heroism.⁵⁵

⁵¹New York Tribune, June 15, 1895.

⁵²Quoted by William Henry Hargraves, The Life and Times of Theodore Roosevelt (New York: Collier Books, 1961), p. 86.

⁵³Pringle, Theodore Roosevelt, p. 139.

⁵⁴Max Fishel, Notes by Max Fishel dealing with Roosevelt's years as New York Police Commissioner, Theodore Roosevelt Memorial Library, Harvard University.

⁵⁵Roosevelt, Autobiography, p. 182.

As president of the Police Board, Roosevelt was spokesman for the department and though he would not tolerate corruption, neglect of duty or the use of excessive force, he was quick to defend an officer when he thought him to be wrongly accused of misconduct. On one occasion when the London (England) Daily Mail reported as "a sample illustration of police outrages to which the people of New York tamely submit," a case allegedly involving an Englishman and his wife, Roosevelt wrote S.J. Pryor, the managing editor, to clarify the incident and defend the reputation and conduct of Officer Mulcahey, whom the Daily Mail had wrongly accused of police brutality.⁵⁶

Sunday Liquor and Police Corruption

At the height of his popularity Roosevelt shocked New Yorkers with his announcement that he intended to enforce the Sunday Closing Law. In a statement to the press on June 20, 1895, he stated:

I do not deal with public sentiment. I deal with the law. How I might act as a legislator or what kind of legislation I should advise has no bearing on my conduct as an executive officer charged with administering the law. I shall try to procure the enforcement of the Sunday Closing Law, not by spurts, but with steadily increasing rigor. If it proves impossible to enforce it, it will only be after the experiment of breaking many a captain of the police in the endeavor to secure the enforcement has first been tried.⁵⁷

⁵⁶Roosevelt, Letters, pp. 548-550.

⁵⁷Roosevelt, Works, XIV, p. 181.

Roosevelt saw the Raines Law, as it was popularly known, as "one of the chief reasons for police blackmail and corruption."⁵⁸ The law prevented the sale of alcoholic beverages on Sunday, but because many New Yorkers--especially German-Americans--preferred their beer to the enforcement of the law many of the city's ten to fifteen thousand saloons did business as usual on the Sabbath. Over the years Tammany officials and their corrupt Republican allies in the city administration reaped huge profits from the selective enforcement of the law. The larger, more profitable saloons served as clubs for political hacks, ward healers and politicians and very often the owners were powerful political figures themselves. But for the thousands of smaller saloon keepers who lacked political influence regular payments were made to the police and city hall for the privilege of doing business on Sunday. Thus, to use Roosevelt's words, "officers of the law, the politicians, and the saloon-keepers became inextricably tangled in a network of crime and connivance at crime."⁵⁹

Roosevelt's decision to enforce the Sunday Closing Law did not reflect his personal views on alcohol. Though he rarely drank anything stronger than light wines, he was not a prohibitionist. Indeed, as an assemblyman he

⁵⁸Roosevelt, Autobiography, p. 194.

⁵⁹Ibid., p. 195.

spoke out against a referendum on a state prohibition amendment in 1884. "I cannot sit still and hear the arguments in favor of prohibition," he stated, ". . .without at least raising my voice against it."⁶⁰ Similarly Roosevelt did not agree with his critics that in enforcing the Sunday Closing Law he was enforcing a "blue" law, a law that was obsolete and never intended to be enforced. He saw the selective enforcement of the Sunday Closing Law as a source of police corruption and he was determined to eliminate it.

Roosevelt was not the first to attempt to enforce the Sunday Closing Law. Ten years earlier Mayor Abram S. Hewitt proposed a high license fee approach to the problem of Sunday drinking. He wished to keep the cheap saloons closed on Sundays but allow respectable restaurants that purchased a license to serve light wines and beer. Hewitt ordered Superintendent William Murray to enforce the Sunday Closing Law. The police did so, but in the process they invaded the best hotels and restaurants and thoroughly discredited Hewitt's campaign with the well-to-do. Democratic Governor David B. Hill twice vetoed Hewitt's high license bills, the police returned to their policy of selective enforcement and blackmail, and here the situation rested until the spring of 1895.⁶¹

⁶⁰New York Times, January 25, 1884.

⁶¹Richardson, New York Police, p. 185.

The enforcement of the Sunday Closing Law touched off a storm of protest. The Herald, Sun, Journal, and Advertiser denounced Roosevelt, but it was Joseph Pulitzer's Evening World that reached a new low in yellow journalism. In the August 26 edition the Evening World reported the story of a mother who sought ice for her sick child. On a Sunday morning the mother entered a saloon and asked to buy ice so she could lower her daughter's fever. The saloon-keeper refused her money but gave the woman ice and wished her well. At this moment a police officer appeared and arrested the man and woman for violation of the Sunday Closing Law. The story concluded with the mother at her daughter's side:

I was kept away, darling. I couldn't get the ice. Suddenly the words died on her lips. She knelt by the bed and took a little wasted hand in hers. Then, raising her face, she gazed up with dry eyes that yet saw nothing and whispered: "Thy will be done, O God! Thou knowest best!" For the child was dead.⁶²

Not all publicity was bad. The Evening Telegram commented that "Commissioner Roosevelt honors himself. . . and the entire police service when he compliments. . . Patrolman Edward J. Burke. . .for arresting an Ex Assemblyman who he found violating the Sunday Excise Law. . ." ⁶³ Surprisingly, the organ of the liquor-sellers, the Wine and Spirit Gazette supported Roosevelt. Believing that

⁶²New York Evening World, August 26, 1895.

⁶³New York Evening Telegram, June 25, 1895.

Sunday liquor sales did not compensate for police corruption, the Gazette stated, "Future events will show that the present Police Commissioners were true and sensible friends of liquor traffic."⁶⁴ Despite such favorable publicity, Roosevelt must have wondered what had become of the public demand to bring an end to police corruption. Indeed, Governor Hill, who signed the Raines bill into law, blasted Roosevelt for his enforcement of it, and General James S. Clarkston of Iowa, former chairman of the Republican National Committee, charged Roosevelt with making votes for Tammany.⁶⁵ Even the various Good Government clubs who had long denounced police and municipal corruption turned their wrath upon Roosevelt.⁶⁶

By far the most vocal opposition to Roosevelt came from the German-Americans, who regarded their Sunday beer as part of their Old World heritage. In July the German newspaper, Staats-Zeitung, alleged that crime had increased dramatically since the new Police Board came to power. Roosevelt answered the charges in a letter to Carl Schurz, well known reformer and spokesman for the German community. Using the period from June 1 through the second week in July and comparing it to a corresponding period of time the previous winter Roosevelt reported a decrease

⁶⁴Andrews, "Citizen in Action," p. 94.

⁶⁵Ibid., pp. 84-86.

⁶⁶Roosevelt, Letters, p. 466.

of sixty-six felonies and an increase of twenty-six felony arrests under the new Police Board. Roosevelt further stated that public drunkenness had decreased as a consequence of the enforcement of the Sunday Closing Law.⁶⁷

The opposition to Roosevelt took various forms, and at times it was not without an element of humor. Edmund Grosse, leader of the German-American protests, argued that the saloons were the only public lavatories for men, and that closing them on Sunday created a public health hazard. In September the German community planned a massive protest parade. Knowing the atmosphere would be anti-Roosevelt, someone sarcastically sent him an invitation. Roosevelt accepted and laughed good-naturedly as a coffin labeled "Teddyism" and signs reading "Roosevelt's Razzle Dazzle Reform Racket" and "Liberty, Priceless Gem, Where Hast Thou Flown?" passed the reviewing stand. Then a German shouted to the crowd, "Wo ist der Roosevelt?" Standing so he could be seen by all Roosevelt replied, "Hier bin Ich!" Surprised at the presence of their guest the audience and marchers burst into laughter and what began as a rally to embarrass Roosevelt turned into a personal triumph for the police commissioner.⁶⁹

⁶⁷Ibid., pp. 472-473.

⁶⁸Andrews, "Citizen in Action," pp. 809.

⁶⁹Pringle, Theodore Roosevelt, pp. 144-145; New York World, September 26, 1895.

Public sentiment, of course, was a major obstacle to the enforcement of the Sunday Closing Law. A second obstacle was the application of the law, for it permitted a man to take liquor with his meals. In July a delegation of hotel-keepers visited police headquarters and asked what constituted a meal and under what circumstances they could serve liquor on Sunday. Hotel people contended that anything from cheese and crackers to a sandwich was a meal and eligible to be accompanied by liquor. Shortly thereafter a magistrate ruled that seventeen beers and a pretzel comprised a meal and the press announced that the Roosevelt tyranny had ended.⁷⁰

As if the Raines Law were not enough, the state legislature further complicated matters when it passed a second law sponsored by Senator Raines in April 1896. The law continued the provision that hotels could serve liquor with meals on Sunday, but defined a hotel as a building with ten bedrooms and dining facilities. The bill opened the way to commercialized vice and overnight hundreds of new "hotels" appeared.

Compromised by the courts and complicated by the passage of the second Raines law, the Sunday Closing Law now became almost impossible to enforce. For Roosevelt it was a blessing, for although his fellow commissioners,

⁷⁰Roosevelt, Autobiography, p. 58.

especially Parker whom he called an "invaluable ally,"⁷¹ supported his policy of Sunday closing he had become increasingly unpopular with members of his party. Roosevelt understood the political consequences of his actions and in August he wrote Lodge, "I think that my action on the whole will help the Republican party, even though it may not avert a Tammany victory. . . [in the upcoming election]." ⁷² Two months later Edward ("Smooth Ed") Lauterbach, Chairman of the Republican County Committee, disavowed party responsibility for Roosevelt's actions,⁷³ and the following month the Republican Party suffered a crushing defeat at the polls as 30,000 German-Americans crossed over to the Democrats.⁷⁴

Considering the obstacles to the enforcement of the Sunday Closing Law, it is to the credit of Roosevelt and his fellow commissioners that they did not compromise their position. To the citizens of New York the enforcement of the law meant Sundays without beer. To Republicans it meant political embarrassment. To Tammany Hall and corrupt city and police officials it meant the loss of illegal revenue. But to Roosevelt the enforcement of the law represented an assault on police corruption and

⁷¹Roosevelt, Letters, p. 467.

⁷²Ibid., p. 476.

⁷³Ibid., p. 483.

⁷⁴Harbaugh, Theodore Roosevelt, p. 38.

the removal of politics from the police department.

Speaking for the Police Board Roosevelt stated:

. . .we have nothing to do with Republicanism or Democracy in the administration of the police force of the city of New York. Personally, I think I can best serve the Republican party by taking the police force absolutely out of politics. Our duty is to preserve order, to protect life and property, to arrest criminals, and to secure honest elections. In striving to attain these ends we recognize no party; we pay no heed to any man's political predilections, whether he is within or without the force. In the past, "politics," in the base sense of the term, has been the curse of the police force of New York; and the present board has done away with such politics.⁷⁵

It is difficult to judge the success of Roosevelt's enforcement policy. Certainly he did not eliminate political influence or corruption from the department. Under the previous police board the selective enforcement led to 8,260 arrests from 1893 to 1894 and 8,572 arrests from 1894 to 1895.⁷⁶ Under the Roosevelt board arrests dropped to 2,782 during the first year and 2,311 arrests during the second year.⁷⁷ Roosevelt argued that the dramatic decline in the number of arrests showed the success of his policy for it indicated a decline in the number

⁷⁵Roosevelt, Works, XIV, pp. 184-185.

⁷⁶Report of the Police Department of the City of New York for the Year Ending December 31, 1896. (New York: The Martin B. Brown Company, 1897), p. 25.

⁷⁷Report of the Police Department of the City of New York for the Year Ending December 31, 1897. (New York: The Martin B. Brown Company, 1898), p. 38. Arrest statistics given for violation of the Sunday Closing Law for 1896 do not agree with those given in the Report of 1896.

of saloons open for illegal Sunday business. Such reasoning, however, is misleading for it does not take into consideration the impact of judicial decisions and the second Raines law which so compromised the original law that enforcement became nearly impossible. Furthermore the number of arrests is one of the least accurate measurements of the success or failure of law enforcement. The success of Roosevelt's enforcement of the Sunday Closing Law cannot be measured in arrests, the number of saloons closed or the decline in public drunkenness on Sundays. Indeed, the success of Roosevelt's policy was the policy itself. Under intense political and social pressure Roosevelt and his fellow commissioners remained united in their determination to enforce the law honestly and impartially. For the first time in the recent history of the city the police commissioners refused to play politics, and this in itself is significant.

A Divided Police Board

Roosevelt's enthusiasm for his work and his dynamic personality did not always meet with the approval of his fellow commissioners. Indications that all was not well on the Police Board first appeared in August, 1895. At this time Captain Joseph Eakins, a veteran of twenty-nine years on the force, was on trial before Commissioner Andrews charged with failing to close a disorderly house in his precinct. Eakins tearfully denied

he was negligent of his duty and referred to his trial as a "crime." Commissioner Grant then asked Eakins if he heard him correctly refer to the proceedings as a crime. "Yes," replied the captain. Grant rose from his chair, buttoned his coat and walking from the room said, "Well, I agree with you."⁷⁸ Two days later Grant repeated his belief that the trial was a crime and said Eakins "is a competent officer and ought to be made an inspector."⁷⁹ Following Grant's remarks the New York press reported the Police Board to be torn by internal dissension and divided by personalities. Roosevelt moved immediately to head off further speculation and called a special meeting of the commissioners to discuss the situation. It is unknown if Roosevelt and Grant met privately, but before the meeting Grant announced to the press, "I regret my utterance of last Friday evening at the trial of Eakins. While I spoke from the heart and on conviction, I did not reflect when I spoke that I was acting injudiciously."⁸⁰ The following day the Times reported a "bustling, jocose and rubicund" Roosevelt emerged from the meeting and although he refused to comment on the proceedings it

⁷⁸ Andrews, "Citizen in Action," p. 64; New York Recorder, August 3, 1895.

⁷⁹ Andrews, "Citizen in Action," p. 65; New York Mail Express, August 5, 1895.

⁸⁰ New York Times, August 6, 1895.

was clear that everything was again harmonious on the Police Board.⁸¹

The harmony, if it ever really existed, proved to be short lived. On January 2, 1896, Roosevelt wrote Lodge, "I have said the latter [Parker] is a liar a dozen times; I cannot shoot him, or engage in a rough-and-tumble with him. I hardly know what course to follow as he is utterly unabashed by exposure and repeats lie after lie with brazen effrontery."⁸²

For the next fifteen months Roosevelt and his former "invaluable ally" lashed out at each other with charges and counter charges both in private and in the press. In the ensuing conflict Commissioner Andrews joined with Roosevelt and Grant sided with Parker, and at times emotions ran so high board meetings could not be held.

The split between Roosevelt and Parker and the division of the Police Board grew out of conflicting personalities and political aspirations. During the Lexow Committee's investigation Senator Thomas ("Boss") Platt, king-pin of the Republican party, introduced a bill in the state legislature calling for the creation of a bipartisan police board. Publicly Platt argued that such a

⁸¹Ibid.

⁸²Roosevelt, Letters, pp. 504-505.

board would eliminate the graft and corruption that the Lexow committee had exposed. Privately he hoped to take advantage of the political spoils of the department and partial control of the election machinery controlled by the police. Mayor Strong signed the bill into law on May 8, 1895, but not before he angered Platt with the forced resignations of Charles Murray and Michael Kerwin, two organization Republicans, and appointees Roosevelt and Grant. Nothing could have been more fatal to Platt than Roosevelt's rigid enforcement of the law (especially the Sunday Closing Law), which embarrassed many Republicans.

By the end of the year Roosevelt was on the "verge of open war" with the Republican political machine and convinced that Grant and Parker had joined forces with Platt to legislate him out of office.⁸³ It is questionable if Roosevelt's fears were warranted, but the following year only the governor's veto prevented the passage of a Platt supported bill that would have drastically altered the composition of the Police Board. Whatever the case, Roosevelt and Andrews were convinced that their two fellow commissioners were working with Platt to eliminate the present Police Board.⁸⁴

⁸³Ibid., pp. 482, 499, 504.

⁸⁴Richardson, New York Police, p. 254; Andrews, "Citizen in Action," p. 116.

Politics notwithstanding, Roosevelt's enthusiasm for his work and his aggressive personality contributed significantly to his split with Parker and the division on the Police Board. Roosevelt failed to understand that he was a police commissioner and not the police board. Within months after taking office Parker complained to Roosevelt's friend Joseph Bishop, "Scarcely a day passes that there is not something from him in the papers about what he is doing and the Police Board is doing, and the public is getting tired of it. It injures our work."⁸⁵ To Lincoln Steffens Parker protested that Roosevelt "thinks he's the whole board," and suggested Roosevelt was using his position as a stepping stone to something higher.⁸⁶

Parker's assessment of Roosevelt is unfair, but not unwarranted. Roosevelt's relations with the press did not hinder police work. Indeed, the headlines Roosevelt created did much to restore public confidence in the police. As for Roosevelt using his position for political advancement, the charge is ridiculous, for his rigid enforcement of the law put him at odds with members of his own party. Roosevelt, however, did tend to forget he was a police commissioner and not the police board. Too often he took his fellow commissioners for granted. And most

⁸⁵Bishop, Theodore Roosevelt and His Own Time, p. 63.

⁸⁶Steffens, Autobiography, p. 258.

importantly, in his relations with the press Roosevelt might have mentioned his fellow commissioners who became lost behind the Roosevelt headlines.

As a result of the internal discord that divided the four commissioners Grant and Parker frequently refused to attend board meetings, thus making business impossible. On other occasions Parker used his influence with Police Chief Peter Conlin to block promotions within the department. On May 18, 1896, an important meeting was scheduled for 10:30 a.m. At 10:40 Roosevelt sent word to Grant and Parker, who were in the same building, that he and Andrews awaited them. They sent word that they would soon be present, but when Grant and Parker failed to appear by 11:15 Roosevelt remarked to Andrews, "I regret extremely that we cannot have a meeting." Roosevelt was particularly upset because he wanted a resolution calling for \$300,000 to be appropriated by the Board of Estimate for the salaries of eight-hundred new patrolmen.⁸⁷

The following day Roosevelt made a formal complaint to Mayor Strong, charging Parker and Grant with obstructing police business. On May 28, the Sun reported that Strong had asked for Parker's resignation.⁸⁸ Parker responded to the mayor's request by stating, "I am here,

⁸⁷ Andrews, "Citizen in Action," p. 250.

⁸⁸ New York Sun, May 28, 1896; Andrews, "Citizen in Action," p. 250.

and here I remain."⁸⁹ Parker's refusal to resign led Strong to initiate removal proceedings against the commissioner, and to secure the services of Roosevelt's close friend, Elihu Root, to act as prosecutor.

For several months the New York press reflected the division on the Police Board, and as Parker's trial approached it lashed out at the commissioners with renewed abandon. The Evening Post labeled Parker an "incorrigible political intriguer" and stated his trial "marks the first official step by the Mayor to rid the municipal service of one of the men who were put into it simply because they were 'organization' men."⁹⁰ Again, however, it was Pulitzer's World that carried the most sensational story. At a recent board meeting, the World reported, Roosevelt played with a pistol and "it may have been only a forgetful desire for emphasis that made him wave the weapon menacingly in the air and point its uncomfortable appearing muzzle at the object of his most forcible remarks," but Parker remained cool and unmoved.⁹¹

Parker's trial took place in Strong's office during June and July. In a sense Roosevelt was also on trial for the proceedings would determine which personality would dominate the Police Board. Under oath and

⁸⁹Andrews, "Citizen in Action," p. 120.

⁹⁰New York Evening Post, June 9, 1896.

⁹¹New York World, June 4, 1896.

with Parker not more than six feet from him, Roosevelt charged his fellow commissioner "was guilty of neglect of duty, that he was mendacious, treacherous, capable of double dealing and exercising a bad influence on the [police] force."⁹² Parker's counsel, General Benjamin F. Tracy, a Republican and former Secretary of the Navy, vigorously defended his client and cross-examined Roosevelt for six straight hours, but he could not alter the fact Parker had missed twenty-four of forty-six board meetings and created long and needless delays in police business.⁹³

Convinced of Parker's guilt, Mayor Strong now formally ordered the commissioner from office, but because of what Andrews termed the "beautifully intricate potentialities of bi-partisan theories in municipal government,"⁹⁴ Strong's order carried little weight. A provision in the state constitution required the approval of the governor to remove a member of the police board, and Governor Frank S. Black, a Platt Republican, refused to approve Strong's order. Nine months later, when Roosevelt resigned his position to become Assistant Secretary of the Navy Parker still remained on the Police Board.

⁹² Andrews, "Citizen in Action," p. 122.

⁹³ Ibid., p. 120; Roosevelt, Letters, p. 546.

⁹⁴ Andrews, "Citizen in Action," p. 124.

Roosevelt also found it difficult and at times impossible to deal with the many Tammany officials in the city government. On May 5, 1896, Roosevelt and Mayor Strong attended a meeting of the Board of Estimate to request that \$11,000 be appropriated to pay the expenses of policemen who had used their own funds to obtain evidence to be used in prostitution cases and against violators of the Sunday Excise law. For nearly an hour the Board ignored Roosevelt and the Mayor and discussed garbage contracts. Finally Strong explained Roosevelt's need for the appropriations. Ashbel Fitch, the comptroller, replied, "We have had this proposed transfer of funds up for consideration before and I have opposed it. I doubt if we can do it legally."⁹⁵ Roosevelt accused Fitch of obstructing police business and explained that the department already owed one captain \$300, but Fitch refused to take Roosevelt seriously and made light of his remarks. Roosevelt exploded with anger at Fitch and a violent altercation followed. The next day the Tribune reported the following exchange.

Fitch: I would never run away from you!

Roosevelt: You would not fight.

Fitch: What shall it be, pistols or--

⁹⁵Avery D. Andrews, Scrapbooks containing newspaper clippings dealing with the New York Police. Theodore Roosevelt Memorial Library, Harvard University, p. 237; New York World, May 6, 1896.

Roosevelt: Pistols or anything you wish.

Mayor Strong: Come, come. If this does not stop I will put you both under arrest.⁹⁶

The encounter with Fitch was a typical case of Roosevelt's temper getting the better of him, and to the New York press it was one of the most sensational stories of the year. All major newspapers gave exaggerated accounts of a possible duel and the Journal reported that Fitch fought thirty duels in Hidelberg and told of Roosevelt's fights with "fierce grizzly bears in the Wild West."⁹⁷

Fitch persisted in his opposition to the appropriations, and only after he was served a writ of mandamus did the Board of Estimate, in Fitch's absence, appropriate the \$11,000.⁹⁸

Despite the internal discord on the Police Board and the opposition of Tammany officials, the Roosevelt board made substantial improvements in the Police Department. Shortly after taking office Roosevelt announced,

We are going to have fitness, physically, mentally and morally [which will], constitute the standard and basis of admission to and promotion in the Department, and any one who will not aid in that, we don't want around."⁹⁹

⁹⁶New York Tribune, May 6, 1896.

⁹⁷New York Journal, May 7, 1896; Andrews, Scrapbooks, p. 239.

⁹⁸New York Sun, May 16, 1896; Andrews, Scrapbooks, p. 247.

⁹⁹Andrews, "Citizen in Action," p. 56.

All old applications were thus discarded, and all new applicants were required to pass rigorous physical and mental examinations administered by a special civil service board established within the department and an interview by the newly created three man Police Examination Board.

Civil Service

The civil service examinations for patrolmen covered six categories: spelling; penmanship; letter writing; social science (geography, history and government); arithmetic; and city information, (see Appendix I). During the first nine months the department examined 3,170 candidates and rejected 55 per cent for physical reasons and 30 per cent for mental deficiencies. Only 15 per cent made it to the eligible list.¹⁰⁰

Roosevelt made an effort to meet personally with each candidate invited to join the force, and he insisted that candidates be selected in the order their names appeared on the list, rather than skipping around to hire favorites as previous boards had done. Owing to the high attrition rate the Police Board encouraged applicants throughout the state with newspaper advertisements and actively recruited candidates who had failed at the two service academies. All candidates were approved on a

¹⁰⁰Ibid., p. 59.

probationary basis during which time they learned their duties, studied the police manual and drilled before being assigned to work with experienced officers.¹⁰¹

Under the new police board the first examination for patrolmen was held on July 15, 1895, to fill 355 vacancies. By the end of the year 206 new patrolmen were appointed and fifty-eight more were appointed on probation. The following year the legislature increased the authorized size of the patrol force by 800 men, and in that year the Police Board appointed 958 new patrolmen and 398 probationary officers for a total of 1,396, more appointments than had been made during the six year period from 1888 to 1893!¹⁰²

In the effort to reestablish police morale and discipline one of the most important changes was the dismissal of policemen for infractions that had previously warranted mere reprimands. In 1895 the new Board dismissed 68 officers and the following year 81 followed. Thus in its first twenty months the new Police Board dismissed 149 police officers, more than had been dismissed during the previous four years.¹⁰³

Roosevelt's determination to improve standards and remove politics from the police department did not

¹⁰¹Ibid., pp. 61-62.

¹⁰²Report of the Police Department, 1896, p. 6.

¹⁰³Ibid., p. 7.

meet with everyone's approval. On one occasion Dr. Marvin Palmer, a well known New York physician, strolled into Roosevelt's Mulberry Street office with a letter of recommendation from a city official and asked to be appointed to the position of police surgeon. As Roosevelt finished reading the letter he said, "Here's how you can get the position." "How?" asked Palmer. "Stand first on the Civil Service list," replied Roosevelt. As Palmer rose to leave the office he said, "You can go to hell."¹⁰⁴

Innovation and Standardization

The Roosevelt board was also able to improve police efficiency by instituting new techniques and improving old ones. During the late nineteenth century a Frenchman named Alphonse Bertillon invented a method of identification based on anthropometrical measurements of several parts of the body. The measurements along with a detailed record of physical peculiarities and photographs of a person's profiles constitute the Bertillon system. The Paris police compiled records of 15,000 of Europe's criminals, and the system quickly gained acceptance by police offices in Belgium, Switzerland, Holland, Spain, Italy, Chicago, Milwaukee, St. Louis, Nashville and Cleveland.¹⁰⁵ The Roosevelt board adopted the Bertillon system and to

¹⁰⁴Wister, Roosevelt, p. 51.

¹⁰⁵Report of the Police Department, 1896, pp. 13-14; Andrews, "Citizen in Action," p. 108.

facilitate identification a photographic gallery was established at police headquarters. The latter was no doubt a welcome relief to the citizens of New York who often found themselves in the company of criminals while being photographed in the city's various studios.

One of the most important changes was the abolition of the "tramp" lodging houses. By law, the Police Board was required to provide shelter to all homeless vagrants and police stations often became centers of squalor and filth that repelled decent citizens. In 1896 the Police Board announced that henceforth the homeless and vagrant should report to the newly established Board of Charities which would assign them to a municipal lodging house.¹⁰⁶

The Roosevelt board also found numerous station houses in need of repair and some in "a positively unsanitary condition."¹⁰⁷ In more than one case the Board of Health condemned portions of stations houses, and the Building Department condemned the prison in the Tenth Precinct and ordered the building razed to prevent its collapse. Under the Roosevelt board construction began on a new station house in the Ninth Precinct and the older buildings were renovated as quickly as time and

¹⁰⁶Report of the New York Police Department, 1896,
p. 12.

¹⁰⁷Ibid., p. 16.

money would permit. The board also placed fire-escapes on nearly all police buildings.¹⁰⁸

The most popular innovation of the Roosevelt board proved to be the bicycle squad. Proposed by Commissioner Andrews, the bicycle squad was organized in December, 1895, with four officers assigned to the heavy traffic areas of Eighth Avenue and Western Boulevard. As late as the 1890s New York City still had no traffic regulations and the streets swarmed with every kind of vehicle imaginable. Roosevelt originally expressed skepticism of Andrews' proposal and Parker and Grant found it humorous, but the bicycle squad, which may have been the first of its kind anywhere, proved to be an immediate success in controlling traffic and arresting "scorchers," as speeding bicyclists were called, and running down thieves and pick-pockets.

The bicycle squad also proved to be valuable as a public relations vehicle and soon grew to nearly one hundred members who wore special uniforms, rode in parades, and performed at public celebrations. By the end of the first year the squad had made 1,318 arrests, including 159 "scorchers," and the Evening Sun wondered "How did we get along without the bicycle cops?"¹⁰⁹

¹⁰⁸Ibid.

¹⁰⁹Ibid., pp. 15-16; Andrews, "Citizens in Action," pp. 100-102; New York Evening Sun, May 7, 1897. It is

During his two years on the Police Board Roosevelt took particular interest in "the man in the ranks, the man with the night stick,"¹¹⁰ as he called the men who patrolled the streets. Shortly after taking office Roosevelt was told a story of how it took three officers all firing several shots to kill a mad dog, and in the process they wounded a pedestrian. It is questionable if the story was true, but an investigation revealed that police officers received no training in the use of firearms. Many officers carried cheap, dangerous revolvers of various patterns and calibers, many of which posed a threat to the man carrying the weapon as well as to others. A committee of experts was appointed to determine what weapon was best suited for police work and it was agreed to adopt the .32 caliber Colt. Officers armed with revolvers in good condition were allowed to keep their weapons, but all others were ordered to arm themselves with the new revolver. In the fall of 1895 the Board established a School of Police Pistol Practice held at the rifle range of the Eighth Regiment Armory, and appointed a roundsman named Petty, a former national pistol champion,

interesting to note that the Ann Arbor, Michigan, police have begun using bicycle police. See Detroit Free Press, August 26, 1975.

¹¹⁰ Andrews, "Citizen in Action," p. 169.

instructor to train officers in the care and use of firearms.¹¹¹

The Roosevelt board also recinded the nearly three year old order of former Superintendent Thomas Byrnes and reissued nightsticks to all patrolmen. Byrnes believed the nightsticks provoked violence and ordered officers instead to carry fourteen inch "billie" clubs, but following the death of patrolman John T. Delehanty in September, 1895, Roosevelt stated, "A policeman, if he is armed at all, should be well armed and we [the Police Board] will hold every man responsible for any misuse of the stick."¹¹²

Roosevelt drew a sharp distinction between police behavior toward the general public and the force sometimes required to control criminals and mobs. Shortly after taking office the new board dismissed several officers for using unnecessary force in making arrests. Such action served as a warning to all officers, and citizen complaints of police brutality declined sharply. Likewise the board made it clear that it would give its full support to officers required to use force under proper circumstances. In September, 1897, Roosevelt summarized his

¹¹¹Ibid., p. 107. Report of the New York Police Department, 1896, p. 15.

¹¹²Andrews, "Citizen in Action," pp. 125-131; New York Recorder, September 28, 1895; New York World, September 25, 1895.

views on the use of force by police officers in an Atlantic Monthly article.

Our sympathy was for the friends and not the foes, of order. If a mob threatened violence we were glad to have the mob hurt. If a criminal showed fight we expected the officer to use any weapon that was necessary to overcome him on the instant; and even, if it became necessary, to take his life. All that the board required was to be convinced that the necessity really existed. We did not possess a particle of that maudlin sympathy for the criminal, disorderly, and lawless classes which is such a particularly unhealthy sign of social development; and we were bound that the improvement in the fighting efficiency of the police should go hand in hand with the improvement in their moral tone.¹¹³

Despite Roosevelt's aggressive language, he showed himself to be a man of flexibility and understanding. On one occasion he walked through a blizzard to Clarendon Hall, a beer parlor, to have a "glass of ale" and discuss labor problems with union leaders. Jacob Riis reported that Roosevelt refused to tolerate violence in the name of labor, but he promised to help labor representatives secure the enforcement of the municipal hours and wages laws. Following the meeting various labor leaders impressed with Roosevelt's sincerity and honesty expressed their desire to see him become mayor.¹¹⁴

On another occasion, however, Jacob E. Bausch, secretary of the Central Labor Union, asked Roosevelt to withdraw the police assigned to protect the New York Cab

¹¹³Roosevelt, Works, XIII, pp. 127-128.

¹¹⁴Roosevelt, Letters, p. 576.

Company during a labor dispute on the grounds that their presence provoked violence. Roosevelt refused and informed Bausch that the strikers or their sympathizers had already assaulted a number of company employees and "if the strikers are law abiding and peaceable they can have no possible objection to the presence of the police, who will only interfere with the disorderly and lawless. . . ."115

Throughout his career Roosevelt repeated his belief that the "one all important element in good citizenship in our country is obedience to law, and nothing is needed more than the resolute enforcement of the law."116 He had no use for what he called the "hair-splitting" technicalities of the law. Indeed, Roosevelt saw society engaged in a constant struggle between good and evil, right and wrong, and in his interpretation of the law he cared more for the spirit than the letter. Rioting strikers and criminals in the city, like horse thieves on the frontier, posed a threat to government and society and it was the legal obligation of law enforcement officers and the moral obligation of decent citizens to uphold the law for the benefit of society. In a society in which "all men are created equal," guaranteed certain rights, privileges and immunities under the Constitution, and given an equal opportunity to better their lives, there was no

¹¹⁵Ibid., pp. 575-576.

¹¹⁶Roosevelt, Works, p. 133.

excuse for breaking the law. He wrote,

Without the habit of orderly obedience to the law, without stern enforcement of the laws at the expense of those who defiantly resist them, there can be no possible progress, moral or material, in civilization.¹¹⁷

Conclusion

Clearly the most important and yet the most difficult question to answer is what impact Roosevelt had on the New York City Police Department. Roosevelt's decision to resign from the Police Board came from a sense of disappointment and frustration. In March, a month before he submitted his resignation to Mayor Strong, he wrote his sister,

Grant and Parker between them have brought the affairs of the Police Department into an utter snarl. . . I can do very little good there, and it is most bitter to see my work undone. I have no idea what I should do next. . .¹¹⁸

Much work did remain undone, and seventy-five years later the Knapp Commission reported that police investigations have occurred on an average of once every twenty years since before the turn of the century, "and yet the conditions exposed by one investigation seem substantially unchanged when the next one makes its report."¹¹⁹ It is

¹¹⁷Hart and Ferleger, Roosevelt Cyclopedia, p. 301.

¹¹⁸Roosevelt, Letters, p. 585.

¹¹⁹The Knapp Commission Report on Police Corruption, Whitman Knapp, Chairman (New York: George Braziller, 1972), pp. 4-5.

a mistake, however, to dismiss Roosevelt as just another police administrator who meant well but accomplished little. Indeed, Roosevelt's efforts to restore honest police administration to New York City highlight the complexities of the problems he faced.

Upon becoming President of the Police Board Roosevelt inherited a department steeped in corruption that ranged from Inspector Byrnes and Captain Williams down to patrolmen. Police blackmail, protection, kickbacks and other forms of corruption had become so common that they became accepted by many as a matter of routine. This in itself was a major problem, but many people failed to see that it was merely a symptom of a larger problem: municipal and state corruption.

Curiously enough as a police administrator Roosevelt's greatest strength also proved to be his greatest weakness. Throughout his career he repeated his belief that the most important element of good citizenship was obedience to the law and nothing was more important than the resolute enforcement of the law. Roosevelt's sentiments were noble, but he lacked flexibility and as a man of principle he failed to distinguish between those laws that must be enforced and other laws that are better ignored. American legislators have never made a clear distinction between vice and crime, and in the words of Leonhard Fuld, an early student of police administration,

"the American police forces have been corrupted almost solely by the statutes which have been placed on the statute books regulating the leisure of the citizens."¹²⁰

The Sunday Excise Law was a major source of police corruption, but in his decision to enforce the law Roosevelt never considered the impact of his policy upon the public. It is impossible to determine how the enforcement of the law affected police corruption, but it was a public relations disaster, and by the end of the summer Roosevelt had alienated himself from members of his own party, angered a substantial segment of the public, and delighted his political enemies. Furthermore, Roosevelt found himself at odds with the courts, who compromised his enforcement policy; the legislature, which passed a second Raines law; and the governor, who condemned him for enforcing an act he had signed into law! In short, in his attempt to eliminate an aspect of police corruption by enforcing an unpopular law Roosevelt incurred the wrath of large segments of his party, the community, the press, the legislature, the courts and the governor. The only people who enthusiastically supported his policy were his political enemies, who hoped to make political from the confusion.

¹²⁰Leonhard Felix Fuld, Police Administration (Montclair, New Jersey: Patterson Smith, 1909), p. 374.

Roosevelt's attempts to eliminate police corruption were further hampered by the political weakness and inexperience of Mayor Strong, the division on the Police Board and the incredible complexities of the New York City charter. Too often the mayor failed to provide the strong, aggressive leadership needed for reform. Too often when Roosevelt needed Strong's support the mayor reacted with indecision. Within months the Police Board became helplessly divided by personalities. At times it was impossible to transact police business, and even when Strong, acting upon Roosevelt's urging, ordered Parker from office technicalities in the city charter and the state constitution prevented the execution of his order.

As a police administrator Roosevelt was forced to deal with all aspects of society: the courts, the legislature, the mayor, the governor, civic groups, city officials, the public, and finally, when time allowed, the police department itself. In his attempt to eliminate corruption Roosevelt found himself at odds with an informal system of municipal and state corruption that linked powerful political figures, civic leaders, businessmen, political hacks, city and state officials, and the police into an inextricably tangled web of crime. In many ways New York City and state government invited corruption for it divided responsibility and spread authority in such a way that officials could escape responsibility

for their misdeeds. Compounding the problem of police corruption was the public attitude. The public could agree it wanted an honest, efficient police force free of corruption. Unfortunately, the public was also willing to allow prostitution and illegal drinking to flourish. Caught in a cross fire of attitudes between the public and elected officials Roosevelt's effectiveness in eliminating police corruption was seriously compromised. The public failed to understand that its apathy made it a party to the corruption that influenced the police, city and state officials.

For two years Roosevelt struggled against overwhelming odds and at the risk of his own political career to restore honesty and integrity to the police department, and for two years the citizens of New York saw Roosevelt lash out at crime and corruption. If Roosevelt failed to eliminate corruption from the police department his accomplishments are nevertheless impressive. Along with the removal of Byrnes and Williams, 149 officers were dismissed for unprofessional conduct. The introduction of the Bertillon system of identification, the creation of photographic facilities at police headquarters, the renovation of station houses, the creation of a bicycle squad, the introduction of pistol care and practice, and the elimination of "tramp" lodging houses did more to

modernize the New York City police in two years than the work of previous police boards for a half-century.

Following Roosevelt's departure from office in 1897 police corruption returned to its old ways, and within four years the police department was again rocked by another scandal. Considering the number of scandals that followed Roosevelt's tenure in office it is easy to dismiss him as a reformer who meant well but accomplished little. This would be a mistake, however, for Roosevelt brought the police department, as he later did the nation, into the twentieth century. His attempts to reform the police department and eliminate corruption highlight the failures of the system, not the failures of a man. Indeed, Roosevelt's fight against police corruption demonstrates the limitations of any individual and his two years as President of the New York City Board of Police Commissioners highlights what is still a major problem in police administration--the all too brief tenure of police administrators.

The old red brick building at 300 Mulberry Street that housed police headquarters for much of the nineteenth century still stands. With one major exception Roosevelt's office remains much the same today as it did nearly a century ago: on the wall a bronze tablet erected by the New York City Police Department reads--"Aggressive Fighting for the Right is the Noblest Sport the World Affords."

APPENDICES

APPENDIX I

The following is a list of typical questions asked of police applicants taking the Police Department Civil Service exam.

1. Othography: The exam does not list any of the twenty words applicants were asked to correctly spell.
2. Penmanship: Applicants were examined on the legibility, neatness, rapidity, correctness and uniformity of letters and punctuation.
3. Letter Writing (also called Copying on some exams): Applicants were required to correctly copy the following paragraph.

The following schedules show some portion of the work performed by the Bureau of Elections during the year: The number of Election Districts in the city in 1893 was 142, an increase of five over the preceding year. The number of election officers in each Election District was appointed, no change in the law having been made in this particular. The number of Inspectors, Poll Clerks and Ballot Clerks who resigned, were removed or failed to qualify was considerably less than in 1892. The preparation of ballots, and all the labor involved in the preliminaries of elections in this city were smoothly and accurately accomplished, and no complaints were received to any failure to comply with the provisions of the statutes governing elections.

4. Social Science:

Name the principal city in the District of Columbia.

Name the four Great Lakes lying between the United States and the British possessions.

Give the name of the President of the Southern Confederacy from 1861 to 1865.

Name two Presidents of the United States who died while in that office.

5. Arithmetic: Applicants were asked to show all work in computing the problems below.

Divide $5/8$ of $3\frac{1}{2}$ by $3/4$ of $3\frac{1}{2}$

Add the following numbers and from the sum subtract 94,298,625

5,681,893
 80,549,769
 4,657,759
 88,694
85,697,499

Multiply 729 by 708 and divide the product by 81.

From the sum of $5/9$ and $17/27$ subtract the sum of $13/18$ and $1/6$.

6. City Information:

In what public park or square is each of the following points of interest.

Washington Arch

County Court House

Egyptian Obelisk

Castle Garden

On what street, and at or near what cross street, is each of the following.

Navarro Flats

N.Y. Athletic Club

Produce Exchange

Merchantile Library

APPENDIX II

The following table of arrests for ten years (not successive) is given in three divisions so comparisons can be made.

	1882	1884	1886	1888	1890
Grand larceny	928	1,531	1,612	1,684	1,714
Burglary	701	762	590	742	701
Robbery	273	283	280	287	257
Arson	15	11	12	13	21
Homicide	117	81	80	110	100
Felonious assault	704	798	704	688	695
Total	2,738	3,466	3,278	3,504	3,488

	1892	1893	1894	1895	1896
Grand larceny	1,877	1,947	1,888	1,807	2,193
Burglary	742	730	814	820	830
Robbery	240	232	291	286	298
Arson	25	14	19	26	17
Homicide	111	122	124	156	156
Felonious assault	681	702	769	981	1,082
Total	3,767	3,774	3,905	4,076	4,576

APPENDIX III

The following table presents a breakdown of arrests by months and years for violation of the Sunday Excise Law.

	1886	1890	1892	1894	1895	1896
January	148	292	182	487	843	167
February	200	313	131	409	825	146
March	238	368	117	395	788	147
April	274	327	334	497	400	133
May	206	297	393	363	490	156
June	222	387	326	456	930*	116
July	394	321	374	474	475	119
August	313	342	307	341	329	178
September	200	326	305	656	147	117
October	254	319	312	744	189	58
November	184	355	269	539	230	75
December	168	328	256	613	261	98
Total	2,801	3,975	3,306	5,974	5,907	1,510

*Roosevelt's enforcement of the Sunday Excise Law began in June 1895. Roosevelt argued that the steady decline of arrests for violation of the law demonstrated the success of his policy.

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