

A Pickpocket's Tale



THE

UNDERWORLD OF

NINETEENTH-CENTURY

NEW YORK

Timothy J. Gilfoyle



W·W·NORTON & COMPANY NEW YORK LONDON

Factories for Turning Out Criminals

On April 3rd, 1874, I pleaded guilty before Recorder [John K.] Hackett, who sentenced me to state prison for a term of two years and six months. I was not yet sixteen years of age at the time, but through fear of being sent to the House of Refuge, which place at that time was a house of torture, and feared by the boys who had been there, I gave the name of George Dixon, age 18. As the detective had told the judge I was anything but good, he sent me to State's Prison instead of the Penitentiary.

On my arrival there at Sing Sing, my unfortunate father, who was there at the time, learned from someone of my being sent there, and instead of being quiet about it, got permission from the warden to see and speak with me at his office. The result was: "The son of Quimbo Appo, the notorious murderer is now at Sing Sing, etc.," got into the newspapers and made things in general very unpleasant for me, and I was stamped a bad man and put to work in the laundry contract, ironing new shirts.

I was at work only three days when the paid instructor of the contract put a dozen shirts on my table, saying, "You will have to do these shirts today and see that you do them perfect or I'll know the reason why, if you don't." I told him I would do my best, so I started to do so and finished two shirts, but unfortunately while on the third shirt, I had to go and get a hot iron and before I used it, I had dipped it in water to cool off. Then I started to iron the sleeve of the shirt and accidentally scorched it. The result was I reported the accident to the citizen instructor (Spencer by name) and he went to the keeper (Harris by name) and told him that I wilfully burned the shirt. The keeper said to me: "Go and get your hat and coat."

I did so, and he with the instructor, took me to the guard room, where the Principal Keeper was and reported me to him as wilfully

and deliberately burning shirts. "What have you to say about that?" said the P.K. [Principal Keeper]

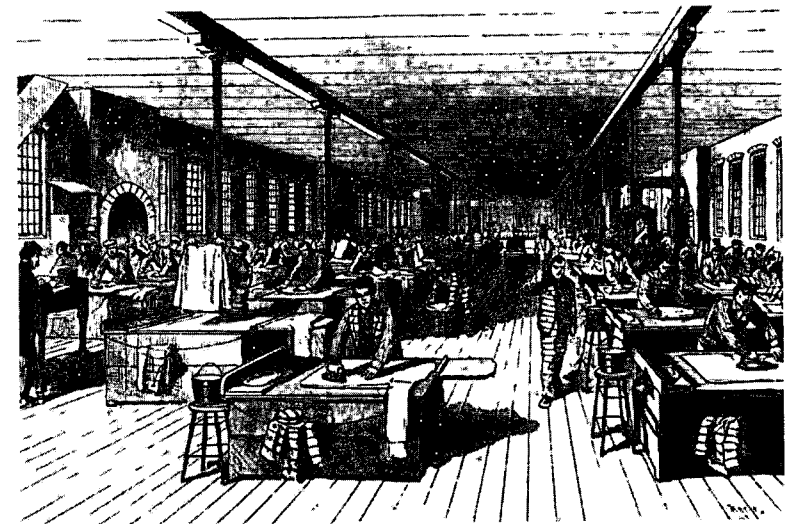
"It was an accident and I could not help it," said I.

"Accident, hey! Couldn't, hey! Well, we'll make you be more careful after this. Take off your clothes," said he.

"Why, Principal, it was an accident, I could not help it," said I.

"Take off your clothes," he again demanded. As I did not respond quick enough, he shouted: "Seize him" and a big, six-foot keeper and another grasped me by the throat, tore off my coat and pants, knocked out my front teeth by shoving me violently over the paddle board, pulled my hands behind my back, handcuffed me and pulled them up behind my back as I lay across the paddle board, by a small tackle attached to a frame work on [the] sides of [the] paddle board. After securing me, the six-foot keeper took a board shaped just like a canoe paddle with small holes in the blade and swung it over his shoulders and brought it down with all his might on my bare back and spine. I counted nine blows and became insensible thereafter.

When I came to, I was lying on the floor and the doctor said, "He's all right now."



The ironing department in the Sing Sing laundry.

The Principal Keeper said to me: "Do you think you can go back and do your work all right now? If you don't, we have a way to make you."

I replied, "You punished me for nothing and the next time I am brought here, you will punish me for something."

"No insolence, take him back to the shop." When I got back to the shop with my teeth knocked out and my body black and bruised from the paddle, I took the shirts that were on my table to iron across the shop to the stove, kicked open the stove door and put the shirts into the fire and slammed the door shut again. I was again brought over to the guard room and asked why I did it and I would not answer, and he said: "Put him in again" but the Doctor said: "No, lock him up in the dungeon."²

So they took me to the "dark cells" and I lay there for 14 days on two ounces of bread and a gill of water every 24 hours, and when I was taken from the dark cells, I was carried to the hospital injured for life.³

WITHIN DAYS of entering Sing Sing, Appo bore witness to the three fundamental realities of nineteenth-century prison life: work, profit, and torture. Appo's daily prison regimen reflected how prison and state officials sought to transform the penitentiary into a profitable, self-sustaining factory. In order to achieve that goal, state officials demanded inmates work, imposing a rigid and intensive physical regimen on the incarcerated. During his multiple incarcerations, Appo ironed clothes in the laundry, "wheeled" sand and lime dust, served as an assistant tier boy (cleaning the different floors or tiers of the prison hall), chopped wood, and manufactured stoves and hats.⁴ Those prisoners who refused to comply were punished through formal and informal mechanisms of physical abuse and torture.

By the second half of the nineteenth century Sing Sing was America's most famous prison. Originally called "Mount Pleasant Prison," the complex was located thirty-two miles north of New York City in the village of Ossining, New York. The name originated from several Indian names for the location—*Sint Sinks* and *Ossine Ossine*—meaning "stone upon stone." The name was apropos: The penitentiary was literally carved into the steep slopes on the eastern bank of the Hudson River, overlooking Tappan Bay. State officials originally believed that the adjacent stratum of

white marble was inexhaustible. Convict labor, predicted one defender of the location, would soon transform New York City into a "vast expanse of marble palaces." Indeed the New York Customs House (now Federal Hall) and Grace Church on Broadway in New York City were constructed of stone hewn by Sing Sing's so-called "quarry slaves."⁵

On entering Sing Sing prisoners like Appo confronted the main prison hall—a grim, 484-foot-long structure only 42 feet wide and 50 feet high—containing 1,191 prison cells. Inside, the stone walls, floors, and ceilings gave the impression that the building was literally cut out of solid rock. Harshness seemed "to reach out and grip one with ghastly hands," wrote later warden, "a coldness that hovers like a pall, and a heaviness that presses down upon the spirit like a huge millstone."⁶

Sing Sing cells were indeed forbidding. Stacked atop one another in tiers, and secured by heavy iron doors (not bars), walls, floors, and ceilings, were each eighteen inches thick. The cells were, to say the least, tiny: eight feet long, three and a half feet wide, and seven feet high. The sole physical comfort was provided by a two-foot-wide iron cot suspended from the wall by a rope, on which lay a straw mattress and three blankets. Beside the bed were a kerosene lamp, a quart drinking pail, a wash kit, a slop bucket for human waste, and a Bible. Prisoners received soap twice a month, a ration of oil and two ounces of tobacco once each week.⁷

Not surprisingly Sing Sing suffered from inadequate sanitation. Before 1883 the prison lacked any bathing facilities whatsoever. While some prisoners cleaned themselves in the wash basins of the shops (some of which were also used as toilets), most inmates were compelled to bathe in a nearby pond. Consequently most prisoners never bathed in the fall and the winter. Appo claimed that during his incarcerations in Sing Sing he "never saw or knew of a place to bathe after a hard day's work."⁸

The main hall of Sing Sing also suffered from inadequate ventilation. The proximity of the main cellblock to the river, the elevation barely above the tidewater mark, and the heavy stone construction transformed the continually damp cells "into a vast refrigerator," claimed one observer. In winter months inmates could see their breath. "Night buckets," saturated with urine and feces, were a common source of disease and filled the air with an awful stench. Overcrowding made the pungent odors even more "offensive and sickening," wrote one visitor. Within six months of its opening in 1825, the prison surpassed capacity, and officials promptly

doubled up inmates. The practice never stopped for the rest of the century. At peak years, 1877 to 1878, the population exceeded sixteen hundred, a circumstance that one Sing Sing physician admitted was "unwholesome and demoralizing." The combination of overcrowding and small cells convinced more than one warden that Sing Sing was "altogether unfit for human habitation."⁹

By the time of Appo's first incarceration in 1874, Sing Sing was a sprawling, seventy-seven-acre industrial complex, simultaneously a "great human cage" and "a leviathan" factory complex. When in full operation, the prison's tall, redbrick chimneys emitted thick volumes of black smoke. Steam-pipes sent white, billowing clouds into the sky. Passersby could not avoid hearing the great roar of whirling machinery. Inside, horses and wagons moved hither and thither, ship masts towered above the quay walls, and freight trains thundered through the prison grounds. In the age of industry, wrote another observer, Sing Sing was a "vast creative emporium." It was arguably the largest manufacturing complex in the country, if not the world.¹⁰

Sing Sing's multiple workshops were adjacent to the main prison hall. They included three for cabinetmaking, two for iron or stove forging, two for shoemaking, two for saddlery hardware, and one for chain making.



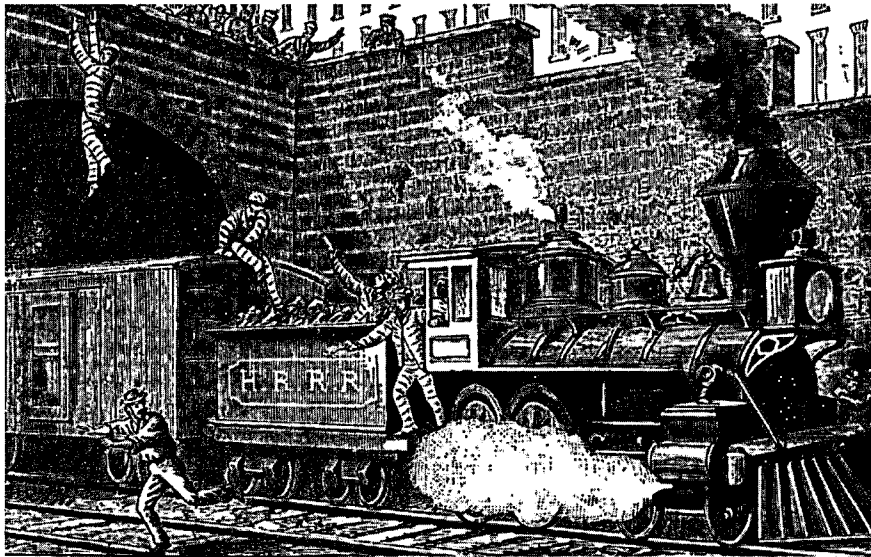
Sing Sing in 1869.

During the 1870s and 1880s, more than nine hundred men daily labored in the stove shop manufacturing between two hundred and three hundred stoves, while another three hundred in the shoe shop produced between 1,500 and 2,300 pairs of boots and shoes. New inmates to Sing Sing, like George Appo, were initially assigned to the laundry, considered to be the severest assignment because temperatures in the drying room often reached 150 degrees. Anywhere between 130 and 160 men washed, dried, starched, and ironed 2,400 shirts daily.¹¹

East of the main hall and the railroad tracks, inmates "broke stones" in five marble quarries. Employing as many as 225 convicts in 1870, the "inexhaustible" supply of marble and limestone required an extensive quarry railroad to move materials about, as well as a marble dust mill, a lime storehouse, and five limekilns. To service this industrial compound, Sing Sing included stables, a barn with more than one hundred hogs that were annually slaughtered on the grounds, a clothing shop, laundry room, kitchen, dining hall, chapel, and hospital.¹²

The size of Sing Sing's labor force dwarfed those of most American factories. In 1880, for example, cotton mills in the United States averaged 228 employees. Although at least five American iron and steel mills employed more than 1,000 workers, the majority were considerably smaller, averaging 140 employees per factory. Even the thirty-six Bessemer and open-hearth steelworks in the United States employed only 302 workers on average.¹³ Prior to Emancipation and the elimination of African slavery in the United States, plantations with more than fifty slaves were considered large; the largest, along the Mississippi River, counted more than two hundred slaves. With the passage of the Thirteenth Amendment and termination of legal slavery, Sing Sing's more than twelve hundred inmates represented perhaps the largest coerced labor population in one location in the United States. Appo had Sing Sing in mind when he wrote that prisons were "nothing more than factories for turning out criminals."¹⁴

But Sing Sing was better understood as a haphazardly organized industrial plantation than an efficient, modern prison. The outside world, for example, regularly penetrated the facility. One public highway bordered its eastern edge, while two others passed through the entire length of the prison complex. The Hudson River Railroad tracks also ran through the grounds, literally within forty feet of the main prison hall. With scores of



The Hudson River Railroad line running through the Sing Sing grounds generated numerous escape attempts by inmates.

trains rushing through the compound daily, desperate convicts sometimes jumped aboard passing locomotives and escaped.¹⁵

Most unusual was the absence of any wall. In 1864 state prison inspectors admitted that visitors were surprised to find the prison “wholly unprotected.” On the western edge, by the Hudson River, one visitor complained that Sing Sing lacked any fence to keep the public out or the convicts in. Inmates, reported Sing Sing officials, enjoyed unobstructed and monumental vistas of the Tappan Zee and the majestic hills towering above the Hudson River. The only safety against inmates taking flight was the small guard force of approximately thirty men. In 1876 the prison reformer Sinclair Tousey bluntly wondered why more did not escape.¹⁶

Outsiders also enjoyed unusual access to the prison property. Local residents routinely used prison wharves “for their own purposes,” complained one state investigatory committee. Grocers and peddlers entered the grounds daily, selling food and other items to prison officials and inmates alike. Nearby villagers even stored their private gunpowder on the Sing Sing premises. Since ordinary citizens enjoyed access to the prison grounds from the railroad tracks, visitors frequently introduced

contraband materials—alcohol, clothing, newspapers, tobacco—by secreting them in holes and other hidden places. Other commodities were less hidden: Sing Sing officials admitted that “lewd” and “disreputable” women regularly entered the prison yard and offered their sexual services.¹⁷

Only in 1876 did the state authorize funds for the construction of a permanent fence. On completion, along with guard towers, in 1878, the twenty-two-foot-high wall was the coup de grace for any unauthorized departure. Reporters claimed that thereafter any escape attempt by even the most daring convict would be considered utterly hopeless. An iron fence along the waterfront completed the prison enclosure in 1879.¹⁸

“THE CONTRACT SLAVE SYSTEM”

Work and torture disciplined the daily lives of inmates like Appo. All labor was organized under a contract system: New York State prison officials leased convicts to outside contractors for a fixed daily sum. Private entrepreneurs then brought raw materials to the prison, paid for the employment of inmates, and marketed the finished products at their own risk. In return the contractors employed convicts and helped maintain the prison. Theoretically the system allowed prisons to meet two fundamental ideals of the state prison system—self-support and inmate employment. Contractors thereby enjoyed cheap and compliant labor.¹⁹

As early as 1824, prison reformers and state officials believed that healthy prisoners should be compelled to work and defray their prison expenses. In 1866 New York State dropped all restrictions on prison labor and empowered state prisons to employ convicts at whatever financially advantageous labor. In 1895 the reformer Frederick Howard Wines admitted that the primary purpose of prison labor was financial profit. The ideal warden, he conceded, “was the man who could show the best balance-sheet at the end of the year.”²⁰

But few could. From 1870 to 1900 all three state prisons annually spent more than one hundred dollars per inmate—an extravagant sum, many believed. In fact the 1870s, the decade of Appo’s first two admissions to Sing Sing, were the most expensive of the century. Between 1870 and 1876, for example, Sing Sing never spent less than \$169 per convict per year, reaching a high of \$316 in 1872. Before 1878 contract labor rarely

made a profit in any of New York's three state penitentiaries. Observers complained that the sum total of New York's three state prisons, with only three thousand inmates and one thousand "graduates," annually cost more than New York's 210 high schools, with more than thirty thousand students and ten thousand graduates.²¹

By 1877, just when Appo began his second Sing Sing incarceration, New York's penal contract labor system was under attack. State investigations revealed that favoritism and fraud were commonplace in awarding contracts. Oral agreements, false damage claims by contractors, and contractors renegeing on their debts to the prisons resulted in annual financial deficits. If state officials were dissatisfied with a contract, their only recourse was to buy out the interest of the contractor, who in turn set his price extremely high. Some Sing Sing contractors made profits of 75 percent above their capital investment. Another, one Alfred Walker, not only had a five-year contract to run the Sing Sing marble and lime-works but served as the Sing Sing warden from 1874 to 1876. Prison management, charged one critic, was better described as "prison mismanagement."²²

Critics called for reform. Former Sing Sing warden Gaylord B. Hubbell recommended abolishing contract labor and substituting state-run prison industries. Reformers associated with the Prison Association, believing that contract labor corrupted prison officials and guards, advocated permanent tenure for all wardens, along with the appointment and removal power over all keepers and guards. Others believed that political influences could be eliminated by adopting a single superintendent overseeing all prisons.²³

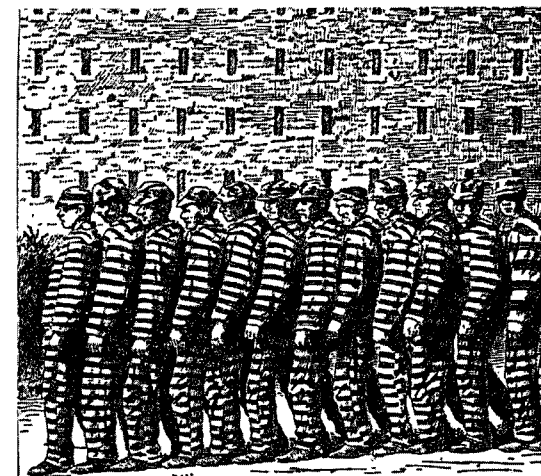
In 1877 the New York legislature did just that. A centralized state department of prisons was created, and Louis D. Pilsbury became the first superintendent. For some Pilsbury was the ideal candidate to transform New York's prisons, representing the third generation of a family intimately involved in nineteenth-century penal reform. Louis and his father, Amos Pilsbury, supervised the Albany Penitentiary for nearly half a century. As one of the first profitable, self-supporting prisons in America, Albany was called by one penal reformer "the model penal institution of the state."²⁴

Inmates, however, detested Pilsbury. To Appo he was little more than "a petty tyrant," a sham reformer who awarded positions only to his polit-

ical allies in Troy and Albany.²⁵ Pilsbury saw his superintendency as an opportunity to make New York's prisons profitable and had no interest in eliminating contract labor. Pilsbury's administration necessitated a new disciplinary regime for inmates, meting out more punishments, forbidding inmates from roaming around the grounds, and forcing all healthy convicts to labor from sunup to sunset.

Above all there was silence. Sing Sing had officially operated under the silent system since opening, but the method had fallen into disuse. Under Pilsbury it returned with a vengeance. "Every convict went through his task of daily work must fold his arms, look down on the floor, not to talk even to a keeper," recounted Appo. "Should you need anything, [you] raise your hand and point out to the keeper what you wanted." Prisoners now worked, ate, and prayed in strict silence; in their few moments of idleness, inmates were expected to cross their arms and look at the ground.²⁶

The lockstep was the most conspicuous aspect of Sing Sing life. Outside their cells inmates marched in group formations of fifty or sixty to meals and workshops. The first individual stepped in advance and marked time, followed by a line of fellow inmates, each of whom placed his right hand on the right shoulder of the prisoner in front of him, his left hand on the same inmate's hip. After lining up they moved in unison in military step, as "close as sardines in a box," wrote one observer. The striped dress, the uniform motion, and the slow-moving mass gave them, wrote another, "the appearance of a gigantic reptile." The physically tight, marching formation enabled guards to monitor more than fifty inmates at once and prevent them



The lockstep.

from sneaking away. The lockstep remained a part of New York prison life until 1900.²⁷

Pilsbury's rediscovered emphasis on discipline and control was not lost on potential contractors, who quickly came forth to bid on the now-disciplined convict labor. By the end of his first year he bragged that every Sing Sing inmate was employed, making the prison self-supporting. Whereas only 558 of Sing Sing's 1,139 convicts were employed on contract labor in 1872, at least 87 percent of them were so employed by the end of 1877. As Appo noted, Pilsbury expanded stove foundry production so significantly that by 1879 about 80 percent of Sing Sing's 1,253 inmates labored in that shop. By the end of 1878 Sing Sing's budget showed a surplus of \$43,000, a vast turnaround from the \$258,000 deficit two years previous.²⁸

PILSBURY'S REFORMS marked a sea change in American incarceration. Sing Sing inmates were like machines, declared one former warden, "wound up in the morning to work so many hours, and at night laid away to remain silent and motionless until the morning came again." Another concurred, noting the absence of talking, idling, and smoking in the prison workshops: "As the machinery, so the prisoners." New York penitentiaries were little more than large factories where profit determined most things, with convict bodies sold to the highest bidder.²⁹

More important for inmates like Appo, the Pilsbury reforms reinforced the shift in power and control over inmates from wardens and guards to private, outside contractors. Inmates were placed in various shops based on the interests of contractors. Even inmates' cell assignments were determined by outside employers. Contractor favoritism and the offering of "overwork rewards" to certain inmates enabled, wrote one critic, "the worst and most degraded fellows to secure the greatest advantage in prison." Favored inmates thus imposed "a system of terrorism" on other prisoners, admitted one contract superintendent.³⁰

In reality such rewards corrupted not only the contract labor system but the very purpose of the penitentiary. In 1871 one Sing Sing contractor admitted that he and other contractors did "things which we knew were contrary to good discipline." Usually this meant paying convicts and keepers an additional six to ten dollars monthly. He insisted that all contractors did this. Another claimed that keepers earned more money from

contractors than as state employees. Contractors, shop superintendents, keepers, and guards admitted to introducing contraband articles to motivate convicts in return for extra work. In time a combination of bartering and monetary exchange emerged, enabling guards, contractors, and civilian employees to ignore formal prison rules and give small "benefits"—liquor, mail, newspapers, coffee, sugar, food, extra tobacco—to select prisoners.³¹

Pilsbury's regime represented an open and public rejection of the rehabilitative ideal. Penitentiaries existed not to transform the character or temperament of inmates, as reformers half a century earlier had argued. Pilsbury, like many critics of prison reform, believed that the purpose of prison was retributive. Once convicts were released, few returned to "honest work," he believed. Not surprisingly Pilsbury was a staunch opponent of such reforms as indeterminate sentencing and parole. Prisons were for punishment. Rehabilitation was a "senseless notion" propagated by "morbid sentimentalists." Military order and coerced labor transformed New York's prisons into profit-making ventures.³²

PUNISHMENT AND INMATE LIFE

Crucial to the maintenance of Sing Sing's internal social and economic order were torture and punishment. Torture—sometimes called "third-degree methods" and "hard-boiled discipline"—was such a common part of Sing Sing life that future warden Lewis Lawes claimed that in the 1870s, "repression and physical suppression were the last words in penal administration."³³

According to official pronouncements Sing Sing punishments during the 1870s were not severe compared with earlier years. Before they were outlawed in 1847, flogging and whipping with the cat-o'-nine-tails were the most often-used punishments. But these were soon replaced with equally terrifying mechanisms of pain: the yoke, the buck, and the shower bath. The yoke—sometimes called the crucifix—entailed strapping prisoners by their outstretched arms and neck to a thirty- to fifty-pound iron bar. The weight of the bar forced inmates to bend forward, imposing the bar's total weight on the lower vertebrae. Soon the arms numbed, hands swelled, and fingers turned purple. As an instrument "of torture and death," some argued that the yoke was worse than the lash.

In the buck an inmate's wrists were tied together in front of his knees. A stick was then passed between the legs and arms, thereby doubling up and binding the body. The stick was then raised onto chairs, forcing the body to swing down. The inmate then had a "choice": allow his head to hang down and let the blood rush to it, or hold up his head by the muscles of his neck. Finally, a convict subjected to the shower bath was stripped naked, held in stocks with his head encased in a troughlike collar tightly secured around his neck. Near-freezing water was then poured over the convict's head. After reaching "high tide," the inmate was threatened with drowning.³⁴

Sing Sing administrators emphasized in their official reports that most punishments did not involve the physical assault of convicts. As in Appo's case, officials resorted to the dark cell, also called the "dungeon" and "the cooler," and an early version of solitary confinement. Sing Sing authorities used ordinary cells three and one half feet wide, seven feet long, and six and one half feet high; covered up all sources of light; and removed all furnishings except for the slop bucket. In some cases inmates were shackled to the floor. Convicts were thus forced to live on three slices of bread and water in cold darkness for days if not weeks at a time. By 1875 and 1876 more than a thousand of the more than thirteen hundred annual punishments were in the dark cell. The practice continued into the twentieth century.³⁵

Appo's experience, however, reflected a hidden world of prison discipline. Specifically, prison officials ignored the ban on corporal punishment after 1869. Most often the principal keeper or his designated assistants were responsible for administering such penalties, the most common of which was the paddle, vividly described by Appo above, literally a twenty-five-by-four-inch perforated board. Upon striking the victim, by one account, "the apertures acted as suckers which raised blisters on the flesh and sometimes brought parts of it away." One principal keeper admitted that some convicts received from one hundred to two hundred blows. An inmate working just outside the principal keeper's office claimed that he counted three hundred blows on several occasions. Most, however, submitted after less than a dozen. The punishment remained in effect until at least 1882.³⁶

Guards and inmates alike considered the paddle a form of torture. Inmate Joseph Morgan testified that a paddled inmate once pulled down his pants in front of him, "and his bottom was like a piece of raw liver."

Dominick J. Killoran testified that not only was one African American teenage inmate unable to sit down for four days after a paddling, but his buttock was so discolored that it "looked as though it had been dyed." Three other inmates' posteriors, he observed, "were all the colors of the rainbow." Guard Norman Blodgett testified that he quit Sing Sing because he could not bear to hear "the moaning and groaning of those fellows" who were paddled. At dinner he passed men silently crying, "Catholics particularly, praying to the Virgin." On learning that they were about to be paddled, some terrified inmates attempted suicide by jumping off the third- and fourth-floor galleries.³⁷

More invidious to inmates was the arbitrary imposition of many physical punishments. Sing Sing guards and agents, for example, were permitted to strike inmates with any object that came to hand. "We have no rule any more than judgment," testified one Sing Sing keeper. Guards, keepers, and contractors admitted that many punishments occurred hastily and went unreported to the principal keeper, who was responsible for keeping a log of all punishments. Shop foremen, for example, punished inmates on the shop floor for refusing to work or performing poor work. Keepers regularly sent convicts to the dark cell without informing the principal keeper.³⁸

Official statistics indicate that these penal practices were commonplace in Sing Sing. In 1864 Sing Sing officials issued 1,403 punishments to 796 inmates, including one who was punished twenty-two times. Public opposition convinced the legislature to abolish all kinds of corporal punishment, except "the dark cell to curb the insubordinate" in 1869. Over the next five years only 350 to 400 punishments were officially recorded in Sing Sing. But beginning in 1874, the year of Appo's first admission to the prison, officials gave out 682 punishments, including 390 in dark cells. During the ensuing two years, things grew worse. Guards issued more than 1,350 official punishments in 1875 and 1,433 in 1876, virtually one per prisoner. In each year more than 1,000 of the punishments were the dark cell.³⁹

The impact of such arbitrary, informal, and publicly hidden forms of punishment was profound. Originally, harsh discipline—however severe or cruel—was justified as a tool of rehabilitation. But with the growing emphasis on profits, physical coercion was increasingly employed to extract more labor from convicts. Contractors enjoyed considerable leeway in the punishment of prisoners, reporting unproductive or rebellious

inmates to keepers who then inflicted punishments. While Pilsbury claimed that the financial success of New York prisons was accomplished "without resort to cruel and unnecessary punishments," official records indicate otherwise. By the 1870s more than half of all prison punishments were related to the contract labor system. Solitary confinement was one means of punishing poor work; inflicting physical pain and torture was another. One former Sing Sing convict charged that men were "butchered to death because they couldn't do the task assigned them." *Harper's Weekly* claimed that Sing Sing inmates were "condemned to work when they are on the verge of death."⁴⁰

Punishments designed to torture and terrorize affected inmate life in two fundamental ways. The first came in the form of resistance, specifically attempted escapes. Before the completion of the surrounding wall and fence in 1879, escapes from Sing Sing were commonplace. From 1870 to 1876 Sing Sing official reports reveal an average of more than ten escapes annually. Even after 1880 officials admitted that escapes from Sing Sing were "frequent," although they diminished after 1884.⁴¹

In the year prior to Appo's first admission, twenty-seven different individuals escaped from Sing Sing. In 1874 Sing Sing officials conceded that convict escapes were frequent and easy because a network of former keepers and burglars systematically assisted convicts.⁴² But most inmates never conspired with Sing Sing guards. Some simply sneaked out of the quarry. A few tried to leave via the river (a route most avoided because they could not swim). Others hijacked passing Hudson River Railroad trains. Some were quite creative. In 1872 friends of convicted bank robber Ned Lyons sent bogus invitations to the funeral of newspaper editor and presidential candidate Horace Greeley to the warden, agent, and clerk of Sing Sing. While the officials were away, Lyons donned civilian clothes and jumped into a waiting carriage just outside the prison.⁴³

A second impact of torturous punishment was the successful suppression of organized inmate resistance. Convicts occasionally protested against the inhumane living conditions. In 1874, for example, convicts led by "Black Jim" refused to work on the grounds claiming that they were maltreated by several keepers. In 1883 more than four hundred inmates refused to work and expressed their discontent with the contract system. Reportedly fourteen fights broke out between inmates and guards, convincing Warden Augustus A. Brush that the prison population was on the

verge of revolt.⁴⁴ But such incidents were noteworthy, in part, because of their infrequency.

More striking was the virtual absence of gangs in Sing Sing. On the surface, conditions were ripe for communal feelings among teenage and young adult males to blossom. Just prior to Appo's admittance to Sing Sing in 1874, the Prison Association complained about "the appalling percentage of minors immured in our State prisons." During Appo's first term in Sing Sing, 16 percent (307 in number) of the 1,877 new inmates were nineteen years old or less. Since teenagers intermingled, worked, and socialized with older inmates, "there is little chance for reformation," conceded one report.⁴⁵

More significantly not only were the majority of Sing Sing's inmates residents of New York City, but many were Appo's teenage neighbors. The youthful, teenage subculture of Donovan's Lane and Five Points literally followed him into Sing Sing. During Appo's first Sing Sing incarceration at least fifteen newly admitted teenage inmates resided within a few blocks of Appo's Donovan's Lane home; by his second incarceration at least twenty-three teenagers were fellow Five Pointers.⁴⁶

Despite these mutual geographic and generational associations, however, organized or collective action by convicts was rare. Appo found none of the oppositional prison subculture that would typify twentieth-century incarceration. Absent was even a communal identity among fellow larcenists. At least a dozen of the nation's leading pickpockets identified in Thomas Byrnes's *Professional Criminals of America* (1886) served time simultaneously with Appo between 1874 and 1876.⁴⁷ Appo never mentioned any interaction with them.

The coercive regime of Sing Sing stifled gang recruitment several ways. Guards—"inhuman brutes," in Appo's words—exercised arbitrary power and punishment. Inmates were granted only one personal visitor every two months, and newspapers were prohibited. Inmates were cut off from their immediate families, while experiencing a physically coercive internment with the lockstep, corporal punishment, hard manual labor, and poor sanitary conditions. Courts treated inmates as "slaves of the state," offering them no access to the legal system.⁴⁸ In Sing Sing privileges and punishments alike were random, based on personal circumstances, and ultimately subject to the individual whims of guards, contractors, and prison officials.

This carceral regime was dramatically different from that of the late-

twentieth-century penitentiary. Most prisons after 1960 were dominated by prison gangs, sometimes with memberships exceeding one hundred. Many gang members were motivated by militant political ideologies; invoked rhetoric and language associated with various movements based on race, religion, or gender; benefited from greater internal freedom (access to television, physical exercise, college extension courses, libraries); and displayed a limited interest in social change within their communities. Such inmates considered the gang a surrogate family and a source of personal identity. Many admitted that the gang provided a sense of belonging and made them "feel like a man."⁴⁹

In Appo's Sing Sing, punishment no longer served merely to discipline or "morally improve" inmates' character. Nor were punishments intended simply to increase production. Corporal punishment in the form of torture enabled prison officials to humiliate and psychologically emasculate inmates. The irregular, unpredictable, and capricious implementation by guards, keepers, and private contractors transformed punishment into an indiscriminate form of terror. Secreted from public knowledge and impulsive in implementation, these punishments gave inmates no recourse of protest, mortified both body and mind, and attacked the very manhood of inmates. A carceral ideal intended to rehabilitate and reform thus evolved into a system of cruelty and contempt. Just as the whip epitomized the violence indigenous to American slavery, so the paddle evoked the hidden terror inherent in Sing Sing.

SING SING'S TORTUROUS industrial discipline humiliated and broke the spirit of many an inmate. But it did little to change their behavior on leaving the penitentiary. Depressed, dispirited, and in his words "injured for life," Appo was released on 2 April 1876.⁵⁰ He quickly returned to pickpocketing.

The "Guns" of Gotham



When I was released from Sing Sing Prison [on 2 April 1876], I had to go to St. Luke's Hospital to be operated on by Professors Otis and Peters. After nearly three months under good medical treatment, I left the hospital. As I had no means or way to obtain the necessities of life, I naturally went back to stealing for a living. But the two years in state prison made me wiser than before so I left New York and went to Philadelphia, where I remained about four months and then returned to New York looking very prosperous.

The year was the Centennial Year, 1876, and near to a close, the time being November. New York City was full of strangers from all parts of the world, and the crooks were all doing well; in general, at their business. In fact, New York was overrun with crooks from the West. . . . I soon became intimately acquainted with the crooks and learned many ways and means to earn money dishonestly with not so much risk as picking pockets, but I could not read nor write and my mode of talking was too slangy. Therefore, I could not operate with safety and success as my general appearance was against me, so I had to continue picking pockets.¹

THE SECOND HALF of the nineteenth century was the era of the "gun"—the pickpocket—in American cities. "Of all the departments of crime as now practiced," admitted America's most famous private detective, Allan Pinkerton, in 1884, "there is not one which contains a larger number of adept operators than that of pickpockets." As regards New York, Pinkerton was right. From 1861 to 1863 the municipality successfully convicted only 74 individuals for larceny. But a decade later, from 1873 to 1875, 519 felons landed in the state penitentiary for the same offense. The period from 1866 to 1887 might better be described as the

age of larceny. During those two decades larceny comprised between one-third and one-half of all crimes in New York State. In the words of one pickpocket, the decades following the Civil War were "the halcyon days for us."²

Yet pickpocketing was a poorly defined crime. Although the act was among the most common and frequently mentioned transgressions in the nineteenth-century city, it never appeared in any criminal code. Picking a pocket or snatching a purse was larceny, "one of the primordial crimes of Western culture," according to the legal historian George Fletcher. Larceny, however, was never authoritatively defined until the twentieth century. Judges punished such acts on the simple assumption that they knew what it was—taking the goods of another. Hence no clear boundaries separated larceny from burglary and robbery.³

Similarly the precise dimensions of the pickpocket's world remain impossible to measure. Purloined goods were rarely recovered, and even smaller proportions of pickpockets were ever prosecuted. In the seventeen known years in which George Appo worked as a pickpocket, for example, he was arrested for and convicted of larceny four times. To the average law-abiding citizen, four convictions were considerable. But Appo picked hundreds—quite possibly thousands—of pockets *without* being apprehended. Once, while working a county fair outside Toronto, Appo pickpocketed approximately twenty-five different individuals.⁴ His four arrests for pickpocketing quite likely account for less—maybe much less—than 1 percent of all his thefts.

Pickpockets like Appo were part of a distinctive criminal order. Numerous observers described pickpockets as "professional thieves" and "artists," part of a social underground fraternity with hidden rules and practices. Allan Pinkerton believed that criminal subcultures replicated the American middle class by dividing into specialized professions, each concerned with their own particular status and reputation. Petty crooks operated in social isolation, noted writer James D. McCabe, Jr., but pickpockets were different: They "have certain habits, attitudes, haunts; they act in certain ways when placed in certain positions." For George Appo such people were "good fellows," individuals who refused to cooperate with law enforcement authorities, who eschewed testifying against enemies. "What constitutes a Good Fellow in the eyes and estimation of the underworld is a nifty crook, a money getter and spender," wrote Appo. A good fellow valiantly accepted the consequences and punishment of an

arrest, even if the crime was committed by another.⁵ A good fellow was a member of a fraternity of thieves.

This fraternity shared a distinctive, arcane language. One reporter confessed that he found pickpockets impossible to comprehend, sounding as if they spoke a foreign tongue. Pickpockets referred to their accomplices (numbering two to six) as "mobs." The streets, parks, or trolleys where they worked were "beats." Pocketbooks were "leathers," and money was a "roll." The actual larceny was a "touch," which was performed by a "wire," a "pick," a "bugger," or a "tool," while "stalls" distracted or jostled the victim. The "cover" made sure the theft took place unobserved. The novelist Herman Melville described the underworld vocabulary as "the foulest of all human lingoos, that dialect of sin and death, known as the Cant language, or the Flash."⁶

This specialized argot even delineated the geography of the illicit trade. "Kirkbuzzers" worked in churches. "Reader merchants" operated around banks. "Carbuzzers" rode streetcars, omnibuses, and other forms of public transport. "Groaners" attended charity sermons. Some pickpockets specialized by working certain kinds of crowds, be they in railroad stations, streetcars, steamboat landings, theaters, racetracks, churches, markets, or busy street corners. Certain pickpockets assumed labels according to *whom* they robbed. Those who preyed entirely on women were "Moll-buzzers" or "flies" that "buzz" around women.⁷

When necessary pickpockets went on a "jump-out," traveling to fairs, circuses, racetracks, sporting events—in essence, any large assembly or festivity in a nearby town. Swarms of pickpockets followed traveling circus shows as they moved about the country. Some concentrated on certain types of public gatherings, such as funerals, weddings, and parades. Such "rovers" literally roamed the United States in search of such gatherings, forcing police officials to take special precautions. For example, before the ceremonies surrounding Ulysses S. Grant's funeral, the opening of the Statue of Liberty, and the Centennial of the Constitution, New York's chief detective, Thomas Byrnes, ordered the summary arrest of all known pickpockets, including Appo. The practice—known as "caging"—was "truly a bold one," admitted Byrnes, "but the ends certainly justified the means." Detectives literally waited at the city's railway stations and arrested suspects on their arrival. The policy continued into the twentieth century.⁸

Pickpocket mobs working in specialized locations were probably the

most successful in the fraternity. Arrest records indicate that individuals working alone—like Appo—were more likely to get caught. More than three-quarters of those prosecuted labored by themselves, and most were simply “working the street.” Quite likely arrested pickpockets like Appo enjoyed no relationship with a “percentage copper”—a police officer who tolerated their pilferings for a bribe or “percentage” of their haul. Still, many ignored the danger. “If I needed a dollar quick I’d take any risk,” admitted one pickpocket. “I’d jump on a car, and tackle the first sucker I saw.”⁹

Streetcars—with more than 90 million annual riders nationwide by the 1880s—were among the most favored workplaces for pickpockets. Riders complained that the cars were so bumpy and crowded that it was impossible to feel the arms or hands of adjacent passengers. By the 1860s, New York streetcars conspicuously posted signs warning BEWARE OF PICKPOCKETS! Many passengers felt their pockets immediately on reading the warning, allowing conscientious thieves to determine which ones to pick. Nearly a decade later, a state assembly report admitted that well-known pickpockets routinely boarded streetcars, “hustled” passengers with ease, and made “scarcely any concealment of the matter.” If a conductor resisted or warned passengers, pickpockets simply took “the first opportunity to knock him on the head.”



Harper's Weekly satirized streetcars as "Pickpocket's Paradise."

Conversely, sympathetic drivers frequently worked in league with pickpockets.¹⁰

Pickpockets did not often knock people on the head, however. The craft attracted individuals who avoided violence. “Knockdown pickpockets”—individuals who physically assaulted pedestrians, snatched the object, and immediately ran away—were rare. “The pickpocket never commits violence, as the footpad, the burglar or the garroter does,” concluded one detective. “He performs his work unostentatiously, unobtrusively—I might say delicately.” Pickpocket dress and fashion placed a premium on blending into the general populace. Law enforcement officials like George Washington Walling argued that leading pickpockets were “stylishly dressed, easy in their manners and correct in speech.” Pickpockets like Jim Caulfield confirmed as much, emphasizing that they always tried to be neat, clean, and as fashionable as possible. An attractive personal appearance, he admitted, was part of “the capital of a grafter.”¹¹

Pickpockets may have differed over precisely where and how they worked, but they shared certain demographic characteristics. First, picking pockets was a young man's game. More than three-quarters (80 percent) of those arrested were male, more than half (56 percent) being fifteen to twenty-four years of age. Like Appo, however, many pickpockets continued working well into adulthood. (Appo's final conviction occurred when he was twenty-six.) Fully a quarter of all arrested pickpockets during these years were twenty-five to twenty-nine years old, and another 17 percent continued their stealthful ways throughout their thirties. Less than 4 percent were forty or over. Finally pickpockets were striking in their affluence. Among the more than 150 different occupations claimed by arrested pickpockets, 60 percent identified themselves as skilled craftsmen or higher-status professionals—49 percent claimed that they labored in occupations such as blacksmithing, cabinetmaking, and machine making, while another 11 percent were clerks, bookkeepers, and shopkeepers. A few even described themselves as “gentlemen” and “entrepreneurs.”¹²

Females were part of this criminal fraternity. Detective Allan Pinkerton, for example, believed that female thieves were as successful as their male competitors. His counterpart and rival detective, Thomas Byrnes, even considered female pickpockets to be more dangerous. Like their male counterparts, many women worked in “mobs” and directed their

pirating toward men. Most significantly female pickpockets tended to be poorer than men, the majority occupying the lowliest wage-labor positions, such as servants and prostitutes; more than half were associated with a brothel, concert saloon, barroom, or boardinghouse. Sex was the lure.¹³ Michael Springer, for example, agreed to treat several females in an East Tenth Street restaurant. After ordering wine and sitting down beside one young woman, Springer suddenly felt her hand in his pants. "What are you doing with your hand in my pocket?" he asked. Sexual stimulation was not her purpose—Springer was missing \$273.¹⁴

Pickpockets prospered in nineteenth-century New York and other urban centers for many reasons. First, the forced, physical intimacy of the new, densely packed industrial city made picking pockets easy. "It's only a big city that can furnish one of this craft with his daily supply of purses and pocketbooks, jewelry and small wares," declared one observer. Moreover, fashion encouraged pickpocketing. For most of the nineteenth century, men tended to carry valuables in their coats, not their pants.

Before the Civil War frock coats tended to be long, extending to the mid thigh, if not the knee, and providing a protective cover for the front pants pocket. But after 1860 the shortened length of frock coats facilitated pickpocketing. Although overcoats were longer, they included external pockets with no flaps. By midcentury many New Yorkers argued that a majority of the city's pickpockets were newsboys and bootblacks who learned the technique during cold weather when pedestrians wore overcoats with external change pockets.¹⁵

During the final decades of the century, frock coats were replaced by the popular sack coat. "Every man in America, multi-millionaire as well as laborer, wears a sack coat," wrote one designer. "It is the great American business coat,

A sack coat.



Frock coats did not discourage pickpockets.

and in other countries is recognized as the badge of the American." Sack coats were short, extended to the waist, included a small collar, and offered comfort and easy movement. Most important, with a plentiful number of pockets, the sack was a coat waiting for a pickpocket.¹⁶

Most men on the street did not guard their valuables with proper care. Gentlemen routinely kept their watches in the lower vest pockets, making them easy objects to steal without detection. Allan Pinkerton complained that people were naive, putting bankbooks and money in outside pockets, thinking that a robbery was impossible if they kept their hand on their pocket. Pickpockets simply distracted such people and removed their wallets. After one arrest George Appo recounted how the judge gave his victim "a lecture on his carelessness with his valuables, as such was the cause of leading boys into temptation to steal."¹⁷

Female clothing was even easier to pilfer. Nineteenth-century women generally wore layers of clothing, some with long skirts and hoops under-

neath, making it difficult to detect the touch of a pickpocket. On streetcars and other forms of public transit, the dresses of seated women frequently fell over the legs of passengers sitting beside them. Pickpockets then simply slid a hand underneath the dress and cut out the pocket.¹⁸

A third contributing factor to the rise of pickpocketing was tolerance by law enforcement officials. "The old system," wrote journalist Lincoln Steffens, "was built upon the understood relations of the crooks and the detective bureau." "Professional" criminals were allowed to operate "within reason." For pickpockets specific blocks or streetcars were divided among themselves, each of whom had a "monopoly." In return for such privileges, pickpockets reported on others who violated such agreements, and were expected to return stolen goods on police request.¹⁹

When larceny on streetcars grew excessive, "the riot act was read to the dips," claimed one pickpocket. Some pickpockets were "shaken down" by police, forced to pay a bribe or risk arrest.²⁰ Other cops resorted to "four-flushing"—arrest an old crook or "doormat thief," portray it as a big arrest, and ignore the more important criminals. During the 1860s well-known burglars and pickpockets like William Vosburg and Dan Noble reportedly bribed police officials in central headquarters on a weekly basis. Some police detectives were so familiar with certain pickpockets that they could identify them from a simple description of when and how a victim lost his or her possessions. Even when the police hauled pickpockets into court, they hired clever attorneys who fought these arrests with writs of habeas corpus.²¹

But the greatest incentive for pickpockets was the exorbitant amount of cash in people's pockets. Nineteenth-century businessmen, bank messengers, and ordinary pedestrians routinely carried large quantities of money and other valuables on their persons. This was especially true in the Wall Street area before 1880. "It is remarkable," concluded another detective, "how careless business men are about their watches, however valuable they may be." Some cases involved extraordinary sums. In 1866 a Williamsburg Bank messenger was picked clean on his way to the Park National Bank of New York with a satchel containing fourteen thousand dollars in cash and checks. The carpet manufacturer J. H. Higgins was separated from the sixteen thousand dollars he was carrying to pay his workers' wages. A federal judge was pickpocketed at an apple stand at

Nassau and Liberty Streets in the 1870s while carrying seventy-five thousand dollars' worth of bonds in his wallet.²²

Appo himself admitted that it was easy to get rich quick. After a few days of pickpocketing, he usually accumulated six to eight hundred dollars. Once while traveling through Toronto, Canada, he went on a "jump out." "There was a big county fair going on," he recalled, "and I left the fair grounds with \$600 and 22 watches." Court cases confirm that Appo's success was not unusual. For victims who prosecuted their pocket pickers between 1859 and 1876, the median cash value of all purloined money was thirty dollars (roughly four hundred dollars in early-twenty-first-century dollars). One-quarter lost more than one hundred dollars (equivalent to nearly fifteen hundred dollars today). Examples abound of individuals losing astonishing amounts. Leonard Haskin unknowingly surrendered \$1,478 to a pickpocket in the Hudson River Railroad Depot. James McKenna lost \$977 while walking the street. Frank Linton absconded with \$2,767 from an unidentified woman on the street. The \$4,440 in Harvey Nevins's pocket disappeared after he sauntered down Nassau Street. George Boyden lost \$6,252 to a pickpocket on a Brooklyn streetcar. Charles Gibbons, a self-described "gentleman," proved less gentlemanly when he pilfered \$900 from detective George McWaters's pocket.²³

Necessity demanded that pedestrians carry significant sums of money. (Credit cards did not become a financial instrument until the twentieth century.) Only a minority of Americans entrusted their money to banks, so few people rendered payments with personal checks. Even then, many merchants refused such forms of payment, especially from strangers. Hence to purchase most goods—expensive or cheap—shoppers had to carry cash. This reality made the streets of New York and other American cities pickpocket heaven.

The perception that pickpocketing was an increasingly common urban experience produced a hostile public reaction. Prior to the Civil War, pickpockets evoked little public fear. Novelists like George Thompson treated such thievery as a unique urban adventure, while George Foster portrayed the best pickpockets as "genteel." Even the detective Thomas Burnes described pickpockets as "an interesting class of thieves." One newspaper openly acknowledged that "a tinge of romance [was] connected with the profession of picking pockets."²⁴

The romance disappeared after 1870. In that decade, New Yorkers were besieged with numerous publications warning residents of the dangers presented by pickpockets and other criminals. Charles Loring Brace's *The Dangerous Classes of New York and Twenty Years Among Them* (1872) and Edward Crapsey's *The Nether Side of New York; or, the Vice, Crime and Poverty of the Great Metropolis* (1872) were but two examples reflecting a new consciousness of the city's criminal dangers. The New York State Assembly even created a special select committee in 1875 to investigate and address Gotham's growing crime rate.

Critics of crime frequently singled out pickpockets for attack. In 1883 the newspaper *Truth* declared that the pickpocket was "the meanest of criminals . . . ; the sneaking weasel of society." Trials should be quick, sentences extreme (two to five years of hard labor), and justice summary. Pickpockets and similar thieves should be "showed no mercy." Nearly a decade later the *Times* classified the thieves and pickpockets who loitered around Chatham Square and the Bowery as Gotham's worst criminals. For detective Thomas Byrnes, the pickpocket was a contagion, like a case of smallpox in a tenement: "He is a menace to all about him, and should be put where he could do no damage."²⁵

Criminal prosecutions of pickpockets reflected this growing fear. Between 1859 and 1876 the number of pickpockets brought to trial by the district attorney nearly quintupled, increasing from 52 to 242. Since no systematic sentencing policy existed in New York's criminal courts, judges enjoyed wide discretion to crack down whenever and on whomever they wanted. Examples abound reflecting the judicial intolerance of street crime. One thirty-four-year-old pickpocket received a five-year sentence for picking \$210. A twenty-two-year-old stole ten cents; the judge sentenced him to two and a half years in the penitentiary. Upon learning that a thirty-five-year-old female was an experienced pickpocket, the judge sentenced her to five years in prison, specifically "to protect the community from pickpockets." Even pleas of poverty and contrition fell upon deaf ears. Young, unemployed men begged judges for mercy, only to be sent to Sing Sing for terms ranging from two to five years.²⁶

Youthful mischief likewise engendered little judicial sympathy. One fourteen-year-old Irish immigrant was convicted of stealing one dollar; for that he was sent to the House of Refuge for a year. When two

teenagers, in separate cases, were convicted of pilfering fifty cents, they each received three-year sentences. Similarly one nineteen-year-old was sent to Sing Sing for five years for stealing eighty cents; another was given four years for absconding with five cents.²⁷

These harsh punishments reflected a new conception of larceny. During the second half of the nineteenth century, Anglo-American courts expanded the law of larceny to encompass a broader range of cases and common law. Whereas earlier larceny law was based on "stealthy or forcible conduct," new interpretations of such criminal behavior encompassed taking that was outwardly innocent. As criminal law increasingly protected social interests, police and courts intervened prior to the occurrence of harm. Hence larceny came to be defined as a crime against property, and police began arresting suspects as soon as they simply touched another with the intent to steal.²⁸

In fact larceny (and hence pickpocketing) was treated more severely in New York City than in the rest of New York State. In 1860 the legislature passed a law applicable only to the city whereby any "stealing, taking and carrying away" of property from a person was to be treated as grand larceny, even if the property was less than twenty-five dollars in value. Simply touching a potential victim, or even his or her clothing, now constituted an assault with intent to steal, irrespective of whether any violence was inflicted. One judge later remarked that these statutes deliberately addressed a defect in criminal law that previously rendered pickpocket convictions difficult if not impossible.²⁹

In reality "degrees" of grand larceny now meant little. Any intent to take something was a felony, irrespective of the amount or value of the article. Stealing \$499 from a safe in the daytime was grand larceny in the second degree with a maximum sentence of five years. By contrast picking a man's pocket of a train ticket after sunset was grand larceny in the first degree with a maximum sentence of ten years. In fact picking pockets was more severely punished than stealing trademarks, counterfeiting labels, adulterating food or drugs, declaring an unearned dividend on stock, or committing corporate fraud. Those crimes were simple misdemeanors. Nineteenth-century law, concluded the attorney Arthur Train, distinguished the grafter from the professional thief, the bribed politician from the bank robber.³⁰

In general the New York nineteenth-century judiciary was extraordinar-

ily lenient in meting out punishments from 1830 to 1880. Violent crimes like assault and battery were punished with fines, probation, and indeterminate sentences 25 percent of the time. Serious offenses like rape and manslaughter were rarely penalized with prison terms approaching the available statutory maximum. In the most comprehensive examination of New York City's 1,560 murders from 1800 to 1875, the historian Eric Monkkonen found that only 10.7 percent of all murderers were caught, tried, and convicted. Of those convicted 75 percent were sentenced to seven or fewer years in prison; only 2 percent (thirty-one total) were executed.³¹

Not so with pickpockets. After 1870 New York's judges punished such convicts not only with increasing severity but with more rigor than murderers. Of the twenty-one convicted pickpockets sentenced in the Court of General Sessions in 1859 and 1864 for stealing one hundred dollars or more, only two, or 10 percent, received sentences of three years or more. By contrast after 1871 54 percent of pickpockets convicted of stealing one hundred dollars or more received such stern sentences. Meanwhile, two-thirds of those convicted of stealing one dollar or less were sentenced to one or more years, and nearly half drew sentences in excess of two years. Perhaps most significant was that sentences longer than four years were rare before 1870, but thereafter 12 percent were given such punishments.³²

Appo confronted this changing judicial reality on multiple occasions. Recorder John K. Hackett, for example, was well known for his unremitting hatred of pickpockets. Once, while sitting on the bench, he proclaimed "that the law ought to condemn them to be shot." On another occasion Hackett instructed a jury that simply because a purloined watch was not found in the possession of a pickpocket was no reason to acquit, because "pickpockets generally went in couples." The jury rendered a verdict of guilty; Hackett happily sentenced him to five years in Sing Sing.³³

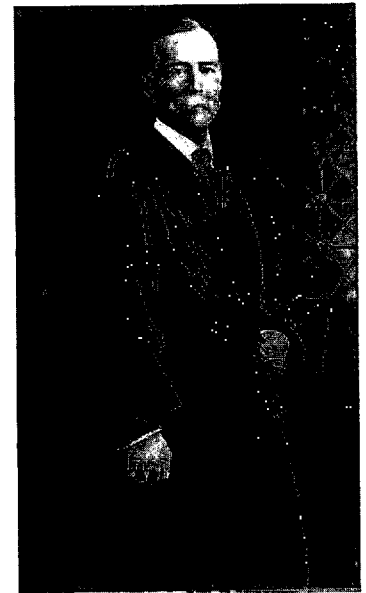
This was not unusual. Between 1871 and 1874 Hackett issued harsh sentences to a variety of pickpockets. One Civil War widow and former inmate in a lunatic asylum received a five-year sentence from Hackett. He sentenced another man to five years in Sing Sing for stealing a sixty-dollar watch. One boy caught robbing his mother of eight dollars was

sentenced to twenty-five years in prison. And on 3 April 1874, Hackett sentenced seventeen-year-old George Dixon, better known as George Appo, to two and a half years in Sing Sing.³⁴

Another judicial adversary of pickpockets was Henry A. Gildersleeve. "Dear old Gildy," as his friends called him, was a Civil War veteran who ultimately captained the American rifle team to a world championship. Elected judge of the Court of General Sessions in 1875, he served until 1889; when he failed to be reelected because of opposition from the city's liquor dealers. For a short time he returned to the private practice of law. By 1891, however, he was back on the bench, serving first as a justice of the New York Superior Court from 1891 to 1896 and then on the New York Supreme Court until 1911. During his judicial career Gildersleeve disposed of more than fifteen thousand criminal cases, decisions that were reportedly reversed in only two instances. The writer Francis Wellman described him as a "gentler, milder mannered judge" who never issued a death sentence.³⁵

Gildersleeve's mild manner, however, rarely extended to pickpockets. In 1876, for example, a seventeen-year-old Five Points clerk was accused of pilfering a watch. Authorities never found the purloined item on the young man. The owner admitted that the watch was relatively inexpensive, worth only eighteen dollars. The defendant consistently denied the charge. And even on convicting, the jury recommended leniency. Gildersleeve ignored all this; he sentenced the accused to three years in prison. Such property crimes, he believed, reflected "a spirit of lawlessness, bred of extravagance or greed of great riches," which was "spreading throughout our community." Gildersleeve concluded that a new "class of criminals" now existed.³⁶

Six months later Appo came before Judge Gildersleeve:



Judge Henry A. Gildersleeve.

☛ In the month of December, 1876, I was again arrested for picking the pockets of Arad Gilbert, of a gold watch. I pleaded guilty on January 9th, 1877, and was sentenced by Judge Gildersleeve to State Prison for a term of two years and six months at hard labor.³⁷

6

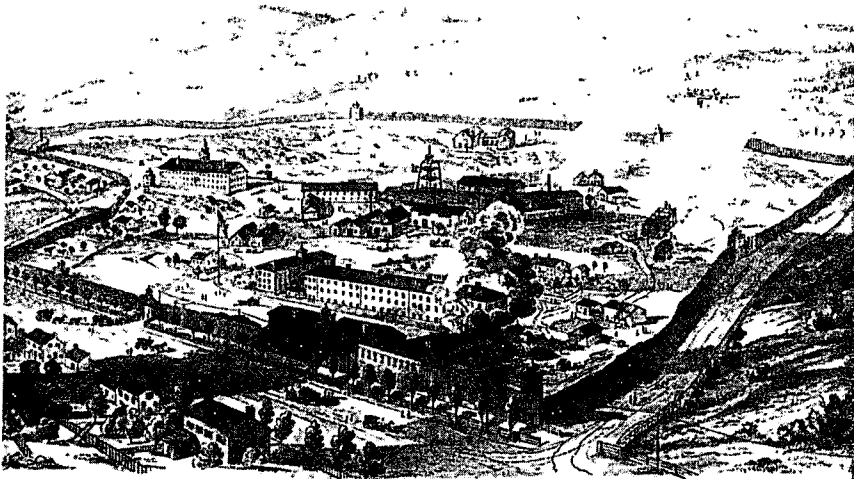
Drafted

=

☛ On my arrival at the Sing Sing Prison, I was assigned to work by the doctor out in the open air, wheeling sand. I worked outdoors for about six months and during the course of that time, I learned to read and write pretty good through the kind and patient teaching of an old German scholar with whom I had the good fortune to be doubled up in the same cell. This man was 70 years old and pleaded guilty to forgery and was sentenced to two years and six months. His name was Louis Stein. I was then transferred from outdoor work to the jail hall as an assistant tier boy. The work was very hard and the confinement and dampness of the place made me very sick after four months work.

I was then taken and sent away in a "draft" with fifty other convicts to the Clinton State Prison at Dannemora, where I was put to work chopping and sawing wood. In those days there was no coal used at the prison. All fires were burning log woods and there were no railroads running from Plattsburg to the prison, about 17 miles. It was very tough to be shackled hand and feet, put into an open cart with no springs, and in the coldest part of the winter with no covering and carried from Plattsburg Railroad Station to the prison over the rough mountain road, those 17 miles and with nothing to eat or drink save the water on the train from Sing Sing to Dannemora.¹

ON 13 OCTOBER 1877 George Appo was drafted. Reflecting the emphasis on contract labor and industrial production, New York's three major prisons borrowed, or "drafted," convicts from one another whenever they suffered a labor shortage. Equally important, Sing Sing relied on drafts to relieve overcrowding, and the years of Appo's second Sing Sing incarceration were among the most overcrowded in the prison's history. Official



Clinton State Prison in 1869.

reports listed the year-end populations in both 1877 and 1878 in excess of sixteen hundred souls. By contrast Clinton penitentiary's population hovered around six hundred.²

Established in 1845, Clinton State Prison was nestled at the base of the Adirondack Mountains in Dannemora, New York, seventeen miles west of Plattsburgh and twenty miles from the Canadian border. Because the town was located on top of a supposedly inexhaustible vein of iron ore, the community was christened "Dannemora," after a well-known Swedish mining center. Clinton, however, suffered from isolation, epitomized by poor roads, no nearby railroad station, and an elevation exceeding that of nearby Plattsburgh by seventeen hundred feet. The harsh environs led some prison officials to label the region "the Siberia of America."

State officials admitted that the prison was built in an isolated location to avoid competition "with the honest mechanical classes." They hoped inmates would mine the iron and thereby provide for their keep. But by the 1870s, 70 percent of the surrounding ten-thousand-acre forest was gone, cut down for wood and coal. A treeless six-mile landscape now surrounded the prison. Furthermore, the plentiful vein of ore proved to be so deep that it extended under private real estate, forcing New York

State to pay a royalty of one dollar per ton of mined ore to the neighboring property owners.³

Nevertheless, by the 1870s, from fifty to one hundred Clinton inmates annually mined iron ore. Two privately owned mines, nine hundred to one thousand feet in length, were located on the western edge of the prison complex. The ore was then forged into iron bars, metal plates, and nails in the prison's rolling mills. Clinton also burned forty thousand cords of wood annually to manufacture charcoal, much of which was then consumed in the prison forges.⁴

Appo's selection for the draft probably indicated that he suffered a poor relationship or a bad reputation with Sing Sing officials. Principal keeper Archibald Biglin himself acknowledged that no rules governed the process. Keepers generally informed the principal keeper of troublemaking inmates, who were then punished by drafting. Those drafted, whom Biglin described as "the hardest men," usually had the longest sentences and most punishments.⁵

Superintendent Louis Pilsbury claimed that drafts were beneficial to the health of inmates. The elevated location, clean air, generous diet, and plentiful employment at Clinton "arrested the progress of chronic diseases," believed Pilsbury. The healthy environs even justified transferring sick prisoners to Clinton.⁶

By the 1880s, however, prison officials increasingly acknowledged the drawbacks of drafting. Sing Sing warden Augustus Brush complained that many prisoners were poor, and their families and friends simply could not afford visits so far upstate. Clinton officials also believed that drafting was a way for Sing Sing and other prisons to get rid of undesirable inmates. In 1872 Warden John Parkhurst of Clinton complained that his prison ended up with "the sick, the lame, the imbecile and the decrepit." Worse yet, Sing Sing officials often sent prisoners during the severest part of the winter, further hastening their physical decline.⁷

In his fifteen months at Clinton, Appo managed to avoid the mines. At first he was assigned to work the furnaces that transformed wood into charcoal. But the contracted employer, after receiving payment from the state, left the wood exposed to the elements, rendering it worthless. Appo then moved to the hat-making operation, which employed more than two hundred inmates when he began in June 1878. The prison's contract labor force grew steadily during Appo's term in Clinton, accounting for 60 percent of the inmates by the end of the 1870s.⁸

Despite the severe climate, some believed that prison life was less harsh in Clinton than Sing Sing and Auburn. Although Clinton's cells were only slightly larger than those in the other prisons, the main hall was newer and less crowded than Sing Sing's, containing but 544 cells (compared to the nearly 1,200 in Sing Sing). Although doubling up of inmates took place during Appo's term in Clinton, the overcrowding was never as severe as in Sing Sing. Since Clinton lacked a common mess hall, inmates ate meals in their cells, offering a level of personal privacy absent in Sing Sing.⁹

More important, the extensive prison grounds at Clinton provided inmates with considerable space to roam about. Even more than Sing Sing, the Clinton complex was dotted with small houses and shanties for convicts to warm themselves during the winter months. Officials complained that these structures served as hiding places for convicts, enabling them to "cook, traffic and plot." Like Sing Sing, Clinton lacked extensive bathing facilities. There was one bathtub in the barbershop and a slightly larger facility in the hospital. During warm weather inmates bathed at the mines once a week. In wintertime they rarely even washed.¹⁰

Like their Sing Sing counterparts, numerous Clinton inmates enjoyed informal privileges that dramatically affected the quality of prison life. For example, convicts were given a weekly ration of tobacco, which many promptly exchanged with the prison employees and guards in return for a newspaper. Other prisoners claimed that alcohol was available for fifty cents a pint. And, as at Sing Sing, outside contractors introduced contraband articles to encourage convicts to do extra work.¹¹

More often than not, prisoners with money simply bought privileges. One guard, for example, allowed a convict to cook and eat steak in his cell every Sunday night. Other officials permitted certain convicts to keep and maintain chickens and other fowl on the prison grounds. The most trustworthy inmates guarded entrances and ran outside errands for prison officials. During the 1890s Plattsburg residents testified that convicts were regularly seen visiting local hotels and saloons with female friends.¹² Appo, however, received no such benefits.

I had a tough deal from being hounded and punished by a keeper named Haggerty, who had charge of the jail hall. This keeper in 1878 and I had trouble with each other. In fact, he was the most inhuman brute that ever existed in my estimation and many a poor,

unfortunate convict was driven insane and made sick unto death from this brute's inhuman treatment. He had charge of the dark cells and did most of the paddling of convicts under punishment at that time.¹³

I had been reported for having a piece of a New York newspaper (The Herald) and reading it in my cell on a Sunday. The guard who caught me reading it unlocked my door and took me and the piece of newspaper to the guard room and the deputy warden asked me where I got it. I told him the truth, that I found it in the officers toilet. He demanded to know which one. I refused to tell him, not wishing to get my shop keeper or the contract foreman into trouble. Consequently, he ordered me locked up in the dark cell and kept there until I told where I got the newspaper. I was then taken and put in the "cooler," as the dark cells were called. As it was on a Sunday, keeper Haggerty was off duty for that day, but on Monday morning he came to the dark cells to feed the men in the coolers on two ounces of bread and a gill of water.

When he came to my door, he swung it violently open and shouted at me. "D—— you! Get up here and take your ration."

"I don't want it," I replied.

"You don't, hey? I'll bet you will before I get through with you," and he threw the little piece of bread at me and the gill of water on the cell floor, and then slammed the door and locked it.

In about an hour the deputy came with Haggerty, opened my door and said to me: "Have you made up your mind to tell me where you put that paper?"

"I have told you all that is necessary and I have nothing more to say," said I.

"We will see about that," said Deputy Warden [James] Moon.

Keeper Haggerty said to him: "You see he has thrown his ration of bread and water on the floor."

"What did you do that for?" asked Moon.

"I did not throw it there. The keeper did and threatened me because I told him I did not want it."

"You lie!" said Haggerty and violently pushed me back from the door into the cell and slammed the door. Haggerty every morning came. When I refused to accept the punishment rations, he would swear at me and throw the bread and water on the floor, where he

would find the bread still lying there each morning on the floor where he threw it. For 14 days, I never even drank a drop of water or ate a crumb of bread.

Finally, on the 15th day, he came and found me lying on the floor weak and sick. He came in the cell, gave me a kick and said: "Get up on your feet." I got up and as he stepped out from the cell, I picked up the wooden pail and threw it and all its contents at his head, and I fell helpless on the floor. The doctor, Ferguson by name, came and gave orders to remove me to the screen cell.¹⁴

These cells are not so bad as the coolers as there is a cot and one gets two meals a day. In these screen cells at that time, there were three other poor fellows gone insane from brutal treatment. One poor fellow, named Mike Hicks, was chained down to a ring bolt on the floor where he died. I used to hear keeper Haggerty cursing and kicking this poor fellow every day. I reported it to the doctor who told me to "shut up."

One day the doctor came and took Mike Hicks up to a room in the hospital, a dead man, and put me in confinement to a light cell. This all happened in 1878.¹⁵

Clinton was a troubled facility. With only a small staff of poorly trained guards—roughly one for every forty to fifty inmates—it employed harsh punishments to maintain discipline. Just prior to Appo's arrival at Clinton, at least three guards were suspended and six prisoners attempted to escape. On 5 June 1877, four inmates attacked a guard and were later severely punished. While Appo served his Clinton term, he must have heard of, if not witnessed, several escape attempts. On separate occasions two convicts "stowed away" at night to elude authorities, only to be discovered in a snowbank. Another escaped from the meadow while raking oats but was captured five days later. The most serious attempt came in April 1878, when five members of a work detail seized the officer in charge, forced him against the fence surrounding the prison, and used him as a shield while the inmates hacked at the planking of the stockade. Only the marksmanship of several guards forced the inmates to surrender.¹⁶

A few months later convict Michael Feeney attempted "to raise a riot among the men working in different shops," according to principal keeper James Moon. Feeney first attacked and knocked keeper D. E. Gay

unconscious with an iron pipe. When Feeney grabbed and cocked Gay's revolver to shoot him, another prisoner intervened, seized Feeney, and struggled to remove the weapon. Feeney, however, broke away and fired one shot at a guard. The prisoner then dashed through the shop, yelling to his fellow inmates to join him. When Feeney ran into the next shop, he fired at still another guard and repeated "his invitation to convicts to join him in a rush for the front gate," according to Moon. Two keepers returned fire, including Haggerty, who hit Feeney in the leg. For his trouble Feeney was tried and convicted, the judge adding an additional ten years to his previous twenty-year sentence.¹⁷

Outsiders corroborated Appo's charges that Clinton was a violent place. In 1891, for example, a newspaper reporter who had posed as a guard described Clinton as "a den of brutality of the vilest description." Most keepers and guards were little more than "creatures without souls or hearts, utterly devoid of intelligence." He specifically cited the very individuals Appo accused—James Moon and hall keeper Michael Haggerty. Both were described as "reckless," operating with impunity and virtually no supervision from the warden. A critic characterized Moon as "the worst product of a lumber camp—intemperate, profane, swaggering, and ignorant of any of the amenities of civilization." Haggerty was hated for shackling inmates to a long steam pipe by the wrists with their feet barely touching the floor, and then beating them. Some remained suspended for periods of twelve, twenty-four, and thirty consecutive hours, their only relief coming with unconsciousness. Inmates labeled this "Haggerty's Christmas Tree." On other occasions Moon and Haggerty resorted to less sophisticated methods of punishment: roasting convicts against a laundry heater, forcing them to work "almost naked" in the prison yard in the winter, depriving them of food and water for four to six consecutive days.¹⁸

I worked in the hat contract up until six weeks before the expiration of my term. Then I was taken very sick from the bad food and the inhaling of the fur dust of the shop and was admitted to the prison hospital where I remained for three weeks. From there I was put to work chopping wood outdoors until my time expired.

On the day I was discharged, I was taken to the State Shop and given a cheap suit of clothes made out of stuff resembling salt-bagging and dyed black and then taken to the warden's office where

the clerk handed me a ticket to New York and five dollars and I left the prison. The date was January 8th, 1879 and it was snowing very hard and I was very cold as the clothes they gave me was of no use in such weather. In fact, the dye was running down the cloth from the wet of the snow melting while on the train to New York.

On my arrival in New York, I went to the editor of the New York World in company of a reporter and exposed the brutality and graft that was inflicted on unfortunate men and going on in the state prisons, and made particular mention that the prisons should be investigated by a regular live committee formed outside of politicians. The result was [that] the press got after the prison authorities and stopped the paddle and other brutal punishments that has killed and driven many young men insane. I can name unfortunates who were killed and others who were driven insane by brutal keepers in those years of 1874 and 1879.¹⁹

The first week after I left Clinton Prison, I started looking for work in a hat factory. I went to Garden & Company, 82 Greene Street, and applied for a job. He asked me where I worked last. I told him, in state prison. He got up from his chair, looked at me and said: "We have no vacancy. Our mill room is full."

So I left his office knowing that he told a fib as I had got a "tip" that he needed a young man to run his coning machine. From there I called at the Carroll Hat Company, but failed to obtain work of any kind. I then went to Newark, New Jersey, and applied at two different hat factories, but met with no success. As my money was all spent but about forty cents, I returned to New York and went direct into an opium joint at 4 Mott Street, where I knew I could meet some of my former associates and get financial aid from them.²⁰

Opium Dens and Bohemia

==

On entering the place [4 Mott Street], I was surprised to see so many new smokers. In fact, the joint was crowded with young men and girls. Most of them were strangers to me. I was unable to order an opium layout, still having the prison clothes on. I felt out of place and was about to go out, when a young man called out: "Hello, George! Come over here." As I approached, he got up from the bunk. He shook hands with me, and said: "When did you come down from 'above' (Sing Sing Prison)." I told him and showed him the clothes they gave me coming out. He laughed and said: "I'll fix you up in the morning with a front (clothes) so that you can get out and make some coin. So lay down here and roll up some pills for me and have a talk." So I lay down, cooked up the card of opium and we both fell asleep. The next morning he bought me a complete outfit of wearing apparel and loaned me five dollars besides. This man was a crook and his business was a confidence swindler, or better known as a "handshaker." His name was Burt Fitzgerald.

Every night I would go to the opium joint and I soon got acquainted with all the habitués of the place and their line of business. Every one of them with the exception of a few were crooks in every line of graft. As I learned the different systems by which one could earn money easy and with less risk than picking pockets and other rough ways, I started in for myself and was quite successful in making money in "sure thing graft" as it is called by crooks. I had a run of good luck for nearly five months. . . .

Mott Street was being deserted by the good American people on account of the Chinese tenants drifting into the neighborhood rapidly. With the Chinamen came many American opium habitués from the West, most of them from San Francisco, and all crooks in every line of stealing brought on to the East by the Centennial

Exhibition at Philadelphia. They worked their different lines of graft, and then drifted into New York and made the opium joint in the basement of 4 Mott Street their hang-out. This place was the first public opium joint opened for the American habitués and was managed by a Chinaman called "Poppy." The place was crowded day and night by opium habitués from all stations in life, both men and women, some of good social and financial standing. Most of the rest were crooks in every line of dishonest business, from the bank burglar down to the petty thief.²

GEORGE APPO'S EXPERIENCES in Gotham's earliest opium dens marked the emergence of a new kind of criminal—the drug addict. Opium dens represented a unique place of criminal assembly, an underworld collectivity devoted to the pleasures of the pipe. Like the street and prison, the opium den served as a school for Appo, providing the means to learn alternative and safer forms of illicit enterprise. "Sure thing graft"—confidence games or swindling operations with very high rates of success like bunco, flimflam, fake jewelry, and green goods—supplanted pickpocketing. The opium den proffered a new criminal career for Appo.³

Opium was a commonplace drug in the nineteenth-century United States. While its precise use prior to 1920 remains uncertain, contemporaries and later historians acknowledged a dramatic increase after the Civil War. By 1870 opiate use in the United States was not only widespread but virtually unregulated; it was more popular and widespread than tobacco would be a century later. Physicians and pharmacists, for example, prescribed laudanum, morphine, and other addictive opiates as painkillers. Since opium did little damage to the kidneys and liver, some doctors assumed the drug was less detrimental than alcohol. Others falsely believed that opium cured alcoholism. For these and other reasons, the United States never prohibited the use of opium for nonmedical purposes until the twentieth century.⁴

Like his contemporaries Appo attributed the rise of opium smoking to Chinese immigrants. The missionary E. W. Syle reported finding extensive opium smoking among the few Chinese immigrants in New York in 1854. "There is no question that the Chinese imported the opium habit into America," complained one newspaper in 1883. While racial stereotyping—if not outright racism—characterized most analyses, probably a minimum of 20 percent of Chinese immigrants used opium.⁵

The growth of opium smoking, however, was more than a product of Chinese immigration. Indeed, the emergence of opium dens—commonly called "opium joints" or simply "joints"—was stimulated by their popularity within the non-Asian population. During the 1840s and 1850s, the increasing Chinese population generated little, if any, discussion of the drug. Opium smoking, for example, was never mentioned during Quimbo Appo's trials for murder in 1859 and 1860. Only as opium grew popular in underworld, entertainment, and leisure venues after 1865 did contemporaries take notice.⁶

Opium smoking differed from other forms of drug use. In contrast to orally ingesting the narcotic, smoking required a lengthy preparation process and an expensive "layout." Smokers needed a special eighteen-inch pipe, bowl, sponge, chisel, and tray. The "cooking" was usually performed by a resident "chef," who shredded and then boiled raw opium, allowing him to separate the "essence" or "purified" opium. The residue was then kneaded in a pan and fermented into a gooey, thick black paste, which smokers called "dope." Unlike "opium eaters," who usually became addicted because of a medical condition, opium smokers used the drug for pleasure.⁷

Opium smoking attracted increasing attention after the Civil War. In 1871 one writer noted that opium shops were found in cities "where the *hoi polloi*, the 'filth and scum' are prone to live." By 1873 Donovan's Lane, where Appo lived as a child, had at least one reported Chinese "opium saloon," later documented in a lithograph by the artist Winslow Homer. Manhattan pharmacists claimed that numerous poor, "half-stupid" men and women came in and purchased opium to get high. By the early 1880s numerous observers claimed that scores of overcrowded joints operated in Pell, Mott, and Doyers Streets and on the lower Bowery.⁸

Despite the growing visibility of opium smoking, legal authorities were slow to respond for several reasons. First, the practice was considered an "imported vice" identified with Chinese immigrants. In the 1880s, when various officials expressed outrage regarding opium use, their concern focused on non-Chinese users.⁹ Second, opium smoking was hidden and confined to Chinese boardinghouses, groceries, laundries, and gambling dens, some of which secretly supplied opium to select customers. By the 1880s Chinese laundries in different parts of New York functioned as opium dens for American customers, part of an informal network of dens extending throughout the United States. Appo testified that "Poppy" on



Winslow Homer's depiction of a New York opium den.

Mott Street provided friends with addresses and "tickets" to laundries with opium dens in Syracuse, Chicago, Buffalo, and Cleveland. "It's a poor town now a-days that has not a Chinese laundry," wrote one critic in 1883, "and nearly every one has its opium lay-out." Finally opium dens were frequently hidden or overshadowed by other underground enterprises on the same premises. Appo remembered that 4 and 17 Mott Street, for instance, were also gambling dens and houses of prostitution.¹⁰

The den at 4 Mott Street was one of the best known, but not the first opium den in New York City, as Appo believed. More accurately, it was the first well-known opium joint that allowed Euro-American visitors to indulge in opium smoking. In 1882, an *Evening Post* reporter described a visit to 4 Mott Street as "an extraordinary experience." The den was situated in a four-story tenement just off the Bowery, only a few steps from several prominent concert saloons. Inside, smokers reclined on low platforms extending the length of the small, dimly lit room, their heads supported by small wooden stools. The Chinese proprietor, Poppy, weighed and served opium in little seashells. Fumes from the pipes filled the room with such a thick, bluish cloud that one visitor claimed it was impossible to see his hands held at his waist. When the smoke cleared, he observed a dozen small peanut-oil lamps glowing "like the fire flies in a fog," and a room packed with smokers, all of whom were Euro-Americans. Poppy busily moved from patron to patron supplying opium, many crying out, "Poppy, gimme a quarter's worth."¹¹

The proliferation of Chinese-operated opium dens evidenced a more significant phenomenon: the emergence of an American bohemian subculture. An ill-defined intellectual proletariat of penniless and carefree writers, journalists, poets, actors, and artists, bohemians challenged a host of Victorian social norms. For a variety of people, the bohemian milieu of opium smoking was accessible to almost anyone, allowing not only men and women to intermingle but also individuals of different class, ethnic, and racial backgrounds. The opium dens frequented by Appo in Lower Manhattan embodied the popularization of bohemian life in the United States. After visiting one Pell Street den, one reporter wrote that "in five minutes [we] found ourselves in busy Printing-house Square, mingling again with that civilized half of the world which knows not, nor could ever dream, how the other half lives." Another claimed

that by the 1870s, the opium dens in Chinatown competed with the city's most popular concert saloons, attracting patrons from uptown spots like the Bijou and the Haymarket.¹²

Elements of a bohemian subculture with alternative views on sexuality appeared before the Civil War. The most notable was Henry Clapp's group of writers, actors, and intellectuals that gathered at Pfaff's Broadway saloon just north of Bleecker Street. Clapp fostered a reputation as "king of the bohemians," and attracted the patronage of writer Fitz-James O'Brien, poets Walt Whitman and Ada Clare, actress Ada Menken, and journalist and future French prime minister Georges Clemenceau.¹³ Other, less ideological males ascribed to an ethic of pleasure, even hedonism. "Sporting men," "fancy men," dandies, and nabobs challenged "respectable" definitions of urban masculinity and male sexuality. A heterogeneous mix of wealthy and poor, educated and ignorant, fashionable and ragged, sporting male culture valorized a sexual ethic based upon male aggressiveness and licentiousness. Some even attributed the growing popularity of opium smoking to sporting men.¹⁴

American writers like Edgar Allan Poe and Fitz-Hugh Ludlow were the first to describe in detail the world of opium users and abusers. While their examinations emphasized orally ingested opium, Poe introduced some of the earliest opium-addicted characters in American literature, in some quarters becoming "the prophet of organized Bohemianism." Fitz-Hugh Ludlow went one step further: He became addicted to hashish as a teenager. After he published *The Hasheesh Eater* in 1857, Ludlow became a regular at Pfaff's and went on to a writing and editorial career, during which time he remained addicted to the narcotic. He published *The Opium Habit* (1868) before his premature death in 1870.¹⁵

The opium use and bohemianism popularized by Poe, Ludlow, and the Pfaffians was limited to a small, elite group of intellectuals and artists. "Opium eating," in particular, tended to be a solitary activity. This changed by the 1870s. As opium use shifted from eaters to smokers, the drug became more accessible and communal. In fact smoking was a social experience. In places like Poppy's Mott Street den, smokers organized themselves into small groups of two to six persons, all sharing a pipe and smoking equipment. One individual cooked the drug and prepared the pipe, which was then shared and smoked in turn by the others. Opium den patrons told stories, cracked jokes, sang in low voices, and drank beer. In contrast to the raucous and sometimes violent atmosphere

of the saloon, the opium den was a place of relaxation and quiet contemplation. Numerous smokers maintained they enjoyed a kinship with fellow habitués. Opium smoking "loosens the tongue and develops social qualities," observed one writer, "rather than the fighting spirit engendered by whiskey."¹⁶

Opium smokers saw the drug as the raw substance of dreams. Smoking opium put the user in a deep but refreshing sleep, lasting anywhere from fifteen minutes to several hours. Upon waking, the smoker felt no aftereffects like a hangover. Opium induced a subdued tranquillity, "an indescribable sense of complete satisfaction," "dreamy wakefulness," and "paradise," according to various smokers.¹⁷

A new language emerged in this paradise. Habitual opium smokers were labeled "hop fiends" or just "fiends." Novices and infrequent users were simply "pleasure smokers." By the 1890s the drug was called a variety of names: "victor medicine," "Spanish cigarettes," and "dope." As opium dens spread throughout cities in the United States, they became part of an underworld social network with a common argot, shared rules, and peer reinforcement, anticipating the pattern of twentieth-century drug subcultures.¹⁸

The opium den promoted a certain egalitarian ethos. One former addict and otherwise critical observer noted that "the old saying, 'There is honor among thieves,' applies equally well to opium fiends. They never steal from each other while in the joint." He was most impressed by witnessing intoxicated men and women enter opium dens, lie down, and go to sleep with jewelry exposed and money in their pockets. Fighting, he and others noted, rarely occurred. Similarly a reporter was impressed with the loyalty and camaraderie among opium smokers, in which social position accounted for little.

Opium dens also promoted an exotic, "Oriental" ambience of Asian mystery. Typical was one Pell Street den with a narrow room decorated with vases, color prints, mirrors, and Chinese inscriptions. Two broad shelves or divans extended along a wall, the upper about six feet above the floor, the other less than two feet high. Each was covered with bamboo mats and pillows, turning them into "bunks" on which opium smokers reclined. "The mysterious gloom, the flickering opium-lamps, the barbaric colors on the walls, the trance-like appearance of the smokers, and the deathly stillness," wrote one visitor, "contributed to make the scene a weird and impressive one."¹⁹

Although opium smoking induced sleep and lethargy, opium dens were identified with "licentiousness." The physician and opium researcher Henry H. Kane believed that opium smoking produced "satyriasis" in men and nymphomania in women. Opium dens were consequently perceived as sites of seduction. Repeated observations noted that opium dens were filled with scantily clad women who disrobed on entering in order to make themselves comfortable.²⁰ At the very least the atmosphere was erotic.

The presence of prostitutes further sexualized the opium den. By 1887 certain businessmen and property owners complained that prostitutes worked out of most of the buildings along Mott Street and north of Chatham Square. Opium dens on adjoining streets displayed a similar mixture of drug use and commercial sex. When the police raided establishments on Pell and Mott Streets for prostitution violations, they found the inmates "hitting the pipe." By 1890 at least six tenements on Doyers Street were noted for their mixture of prostitution and opium.²¹

The link of opium with prostitution and various illicit activities convinced some that the milieu of the hop was filled with social outcasts. "The people who frequent these places are, with very few exceptions, thieves, sharpers and sporting men, and a few bad actors; the women, without exception, are immoral," wrote one. The writer James L. Ford admitted that "the criminal classes of New York"—gamblers, prostitutes, confidence men, and thieves—took up opium smoking early on.²²

Numerous other commentators, however, noted the diverse clientele of the joints. Entertainers associated with the theater were among the most frequently cited opium smokers. "Together with a few brilliant Bohemians," surmised writer Allen Williams, theatrical people "compose the aristocracy of the joints." Some, like the den under Paddy Martin's Wine Room at 9 Bowery, were known for their patronage by well-known actors. Others, like Bessinger's Fourteenth Street opium joint, attracted so many thespian addicts in the 1880s that the proprietor admitted patrons simply to observe famous stage performers getting high. One police reporter concluded that the "lower order" of theatrical people—variety actors and dancers—represented "the greater part of the white devotees of the pipe in New York."²³

Yet Euro-American opium smokers also came from affluent backgrounds, in part because opium was expensive. One Chinese writer claimed in 1888 that some addicts needed to smoke three dollars' worth

of opium daily in order "to keep straight," a habit costing approximately one thousand dollars a year, roughly the entire annual wage of most American workers. Reports describing dens full of "society women," "richly-dressed ladies," "respectable people," and "the best class of customers" multiplied in the final quarter of the nineteenth century. Opium smoking, concluded one writer, was an indulgence for primarily "the indolent and rich."²⁴

For many opponents of opium use, however, the most controversial element of the den was the random, unregulated intermingling of classes, races, and sexes. The societal markers of the "outside" world broke down under an ethic of individual hedonism and narcotic license. In contrast to opium dens in London, the joints Appo frequented, like 4 Mott Street, were filled with "men and boys of respectable conditions, girls and hardened women, thieves and sporting men, actors and actresses, drunken carousers and Chinamen," according to one reporter. One detective noted that all "castes" were set aside in opium dens. Homeless beggars lay down beside offspring of the wealthy; whites, blacks, and Asians shared the same physical space. A reporter concurred, noting how in certain dens a "Union League Club man will lie with the head of a City Hall Park bunco steerer upon his chest, laughing and joking with him as if they had been 'comrades, comrades, ever since we were boys.'" Periodic police raids, random arrests, and prosecutorial indictments confirmed many such charges.²⁵

These behaviors alarmed critics, but to little avail. New York's Koch Law of 1882 made buying, selling, giving away, or using opium for the purpose of smoking a misdemeanor, but most arrests resulted in little more than suspended or dismissed cases. More often than not law enforcement officials tolerated opium dens. Numerous reporters and observers claimed that police officers stationed in Chinatown routinely brought "slumming parties" of outsiders, curious about the goings-on in opium dens. One addict remembered policemen entering a Pell Street opium den, arresting several suspects, and walking out without bothering the smokers. Reportedly the ward man was a close associate of the proprietors.²⁶

In the final decades of the nineteenth century, the opium dens of Chinatown facilitated and represented an ill-defined, inarticulate bohemian world. While this intercultural milieu fostered little intellectual debate, displayed less middle-class self-consciousness, and attracted fewer females compared with Greenwich Village bohemia after 1900, it never-

theless embodied a liminal space fostering an ethic of mutuality, hedonism, and fantasy.²⁷ The bohemia George Appo confronted in these early opium dens at once conveyed an exotic and erotic "Orientalism" alongside a "rough," male underworld. In Gotham's opium dens pickpockets like Appo met their "genteel" Victorian counterparts. Respectable actors, actresses, artists, and "clubmen" fraternized with sneak thieves, confidence men, and prostitutes. Evoking an ambiance of Asian mystery, this hidden subculture was devoted to the pleasures of the pipe and the body. Opium smoking then gave birth to a distinct American bohemia.

— [In 1880] I started in the express business. I bought a horse and wagon with the aid of Tom Lee, the then "Mayor of Chinatown." I got all the Chinamen's expressage work and worked steadily for about four months. During the course of that time, I built up a good trade with the laundry supply and foolishly took in a Chinaman, Wong I. Gong, as a partner through the advice of Tom Lee. After I introduced Gong to the wholesale dealers in soap, starch, etc., he got the run of the business and followed my advice and instructions. [Then] Tom Lee sold out the business to Gong for \$300.00 and I was told since he had put up the \$300.00 to start the business, he kept the money. I was again soon in need and destitute and naturally drifted back to the "hang-outs" of my former associates, and through dire necessity started on the crooked path once more.²⁸



Tom Lee.

Tom Lee was the organizational force behind Chinatown's early underground economy. By the late 1870s Lee's cigar store at 4 Mott Street, above Poppy's opium den, was the headquarters of both his legitimate and illegitimate operations. In certain respects Lee personified how the legal and illegal worlds of commerce permeated each other. From 1879 into the 1890s, literally the formative years of New York's Chinatown, Lee officially served as a deputy sheriff,

unofficially as "the Mayor of Chinatown." He allegedly owned several restaurants and cigar stores in Chinatown, as well as an insurance company. By 1883 one reporter described him as "the great Mongolian magnate of Mott Street."²⁹

Appo's frequent visits to the opium den at 4 Mott Street probably introduced him to Lee. Some even believed that Lee was Appo's uncle. In his autobiography, however, Appo never mentioned any such relationship, and given the pattern of Quimbo Appo's immigration to New York and his later incarcerations, no evidence supports such a conclusion.

Lee's personal background remains mysterious. Conflicting accounts dated his birth between 1828 and 1842 in Canton. After immigrating to the United States, he reportedly lived in St. Louis (where he was naturalized in 1876) and Philadelphia, married a German American woman, and eventually settled in New York. Like Quimbo Appo a generation earlier, Lee displayed an ability to function within both the Chinese and Euro-American communities. One reporter described him as a "good-looking, smooth-talking Celestial." Like Quimbo Appo, Lee also converted to Christianity and married a European immigrant. Most important, Lee ingratiated himself with the New York political establishment, specifically district leader Tom Foley of Tammany Hall.³⁰

Lee himself embodied the three forms of association which emerged in Chinese neighborhoods across the United States. The Lee family or "clan" (*kung saw* in Chinese) initially served as a governing agency within the Chinese community by providing hostelries, immigrant aid, food, and employment, while establishing a monopoly in certain trades like laundry services. Such societies protected the welfare of extended family members, offered relief in times of distress, and supplied material resources when necessary.

Lee's clan grew so large that at times it more accurately represented a *hui-kuan*—an organization including Chinese immigrants who spoke a common dialect, came from the same district, or belonged to the same regional group. In some respects, the *hui-kuan* mirrored European immigrant aid societies such as the *landsmannschaften* among Jewish immigrants. The *hui-kuan* represented their constituencies in relations with other Chinese and Euro-American officials by adjudicating disputes and conducting arbitration and mediation hearings between individuals and groups.³¹

Finally Lee was one of the founders of what became Chinatown's

leading secret society, or tong. In 1880 Lee and four other Chinese men established the On Leong Tong, self-described as a lodge of Freemasons promoting "friendship, brotherly love and service to the Supreme Being" and offering aid to members in distress. Some identified the organization as the "rebellion party" because of its alleged origin in China during the Taiping Rebellion. From 1883 to 1898 Lee led the four-thousand-member On Leong, New York's dominant tong.³²

Appo's relationship to Lee revealed how the activities of Chinese social organizations like the family, immigrant organizations, and tongs overlapped in confusing or indiscernible ways. Like many Chinese immigrants and their offspring, Appo looked to a prominent Chinese official in seeking employment, a function historically associated with *hui-kuan* leaders who frequently provided jobs to their members and families. In Appo's case, Lee invested or "loaned" Appo three hundred dollars, enough money to purchase a horse and wagon, and then encouraged other merchants to employ Appo whenever they needed to transport goods and supplies.

But *hui-kuans* also attracted merchants as members, like Appo's brief partner Wong I. Gong. Like Lee and more than 90 percent of the Chinese immigrants to the United States, Gong was born in the Guangdong Province, around Canton. In 1873, at age fourteen, he moved to Hong Kong with his father, who ran a quilt factory. Shortly thereafter he immigrated to California. By 1876 he was employed as a railroad construction foreman in the western United States. He apparently exploited both that experience and his familial ties in Asia, because soon after he became a labor contractor. In 1879 he moved to New York City. Later records indicate that he worked as an expressman from 1879 to 1885, precisely the time when George Appo came into contact with him. In 1885, for unknown reasons, Gong moved to Massachusetts and ran a tea store for two years before returning to New York in 1887 to operate a laundry supply business on Doyers Street for the ensuing thirty years.³³

Appo's experience with Lee and Gong also demonstrated how Chinese employment and entrepreneurial opportunity in New York were tightly controlled by small groups of merchants by the 1870s. Quite likely, Gong's previous work as a labor contractor, his family connections in Hong Kong, and his origins from Guangdong ingratiated him with the ever-ambitious Lee. By contrast, Appo enjoyed none of these advantages—he had no family, no business experience, and his father origi-

nated from northern China, not Guangdong. Forces advantageous to Gong were nonexistent for Appo; indeed, they reflected larger divisions within the Chinese community. In the end Lee probably saw greater potential profits with Gong. Appo's entrepreneurial venture proved a short-lived failure.

More significantly, Tom Lee's activities revealed how Chinese social organizations—the family, the *hui-kuan*, the tong—further blurred the lines between the legal business world and Chinatown's informal underground economy. Indeed, 4 Mott Street illustrated the mixture of legitimate and illegitimate enterprise. By the 1880s a restaurant was located at the address. In the rear a small passageway led to a large, windowless but well-lit gambling den, usually filled with Chinese males.³⁴ Elsewhere other members of Lee's family joined him in operating certain illicit enterprises. Ah Lee, for example, was the proprietor of the gambling and opium dens at 13 and 17 Mott Street, the latter being one of the largest such operations in the city. Others charged that it was a house of prostitution. In fact it was all of them. Later in the decade, Ah Lee was arrested for running Tom Lee's gambling and opium den at 41 Bowery, while Charles Lee ran a Pell Street brothel. Ah Toy, one of Lee's rivals, claimed in 1883 that "Lee had many cousins and much money," enabling him to avoid prosecution for his crimes.³⁵

Most important, by boldly organizing Chinatown's opium trade, Lee effectively created and promoted Gotham's first narcotics economy. As deputy sheriff Lee reportedly approached immigrant merchants, showed them his badge of office, and advised them to open a gambling den in return for a weekly payment of five dollars, or an opium den for ten dollars per month. Lee told Chinese storekeepers that he knew American law and enjoyed the right to permit gambling. Many Chinese thus assumed that such activities were sanctioned by the municipality. When proprietors were arrested, Lee provided bail. By 1884 various reports claimed that Lee owned or controlled between sixteen and thirty-seven gambling dens along Mott Street, generating annual profits of twelve to twenty thousand dollars.³⁶

But Lee's heavy-handed methods made him unpopular with many of his fellow Asian immigrants, especially those affiliated with a rival Cantonese group in New York. Their opposition to Lee led to his indictment in 1883 and a neighborhood rebellion that Lee successfully suppressed. Newspaper accounts implied that Lee, with the prominent criminal

attorney Edmund E. Price and a former judge as counsel, employed bribery and physical intimidation, resulting in dismissal of the cases.³⁷ Tom Lee, noted one newspaper, "is very unpopular, but yet his countrymen patronize his places, knowing full well that they have but a poor chance of coming out ahead."³⁸

Other Chinese groups thereafter periodically challenged Lee's control over the Chinatown underground economy. The Chu and Moy families, numbering more than six hundred each, were frequently identified as rivals to Lee's clan of five hundred to three thousand members, especially in controlling the small Chinese theater business. By the 1890s Lee's On Leong Tong competed with the 450-member Hip Sing Tong. When Lee accused the rival tong of blackmailing various Chinatown opium dens and fan-tan gambling shops, tong leaders allegedly placed a five-thousand-dollar bounty on Lee's life. He survived four murder attempts, but others estimated that the conflict between the rival tongs resulted in more than fifty deaths.³⁹

The On Leong and Hip Sing Tongs provided a veil of legitimacy for their members. During the 1890s, for example, Lee convinced many outside observers that he was a reformer interested in encouraging law and order in Chinatown. The journalist Thomas Knox described Lee as "a prosperous merchant" in 1891. The writer Louis Beck believed that the On Leong was a social organization of upper-class Chinese seeking to encourage good order and respect for city laws. Conversely, the Hip Sings formed an alliance with the Reverend Charles Parkhurst of the Society for the Prevention of Crime in their attacks on Lee and the On Leong Tong. Eventually a municipal judge brought the rival factions together and a formal peace agreement was signed in 1906.⁴⁰

George Appo remained largely unaffected by these developments. Like the polyglot world of Baxter Street where he grew up, Appo never labeled himself by a single ethnic category. His brief and unsuccessful entrepreneurial venture as an expressman originated with the support of Tom Lee; yet Appo never identified himself as Chinese. The ethnic bonds he exploited to attract Lee's attention proved short-lived and ineffectual. He remained aloof from the Asian world of Chinatown, as well as from the violent turbulence associated with Lee and the tongs. Instead he sought solace in the opium den and from his fraternity of good fellows.

So one cold winter's night, I drifted into a Mott Street opium joint at No. 17 (basement at the time) where a man named Barney Maguire and his "green goods" employers were smoking opium and drinking wine at Maguire's expense. In the place at the time I noticed a young man lying on the bunk all alone smoking opium. As he was an entire stranger and I had never seen him around before, I sat down on the foot of the bunk near him and without a word between us, he handed me the opium pipe with a pill on it to smoke. I took it and lay down and we soon became acquainted. I asked him where he was from and he said from the West. Every evening I would meet him at the joint and soon learned that he was a traveling house thief and robbed wealthy people's homes at supper or dinner-hours in the fall and winter.

One evening I went out with him to see how he worked, but he made a failure that evening. He then told me he was going West. I told him I would join him and we would work both ways, that is, I would help him at his work and he would help me at mine. He agreed and the next day we both went to Philadelphia, where we stayed three days. He made no money there, but I was successful and we went to Scranton, Pennsylvania.

On arriving there, I said to him: "Should you ever get arrested, what name would you give in?"

He replied: "Fred Crago."

"Is that your right name?" I asked.

"No, my right name is Fred Young."

I told him I would give the name of George Leonard, so we worked Scranton and many other cities until we reached the city of Chicago, where we made a long stay, about 3 months, and all the money he made from New York to Chicago was \$17. I paid railroad fare and all other expenses from the results of my stealing from New York to Chicago.

So one day, just the beginning of winter time, Fred said to me: "We will go to St. Paul, Minnesota. I have a good 'thing' up that way and if I am lucky we will be 'away up in G.'"

"Well, all right, any place suits me." So we went to St. Paul. In two weeks, he made eight dollars. Finally, one afternoon we took a train for Minneapolis, only a short ride from St. Paul. That night

he took me up to a place called the "Five Corners."⁴¹ Above this section all the rich people live. He went to a house, climbed the porch and opened a window and got in while I was on the lookout for him. He soon came out and when a safe distance away we met and he showed me a silver watch and a cheap stickpin. I told him that was very poor graft and too risky and that he had better give it up.

He replied: "You just wait, I'll get there, good and fat."

"I hope so," said I, so we went back to St. Paul to our room. On the next evening at 5:45 p.m., I was at the St. Charles Hotel in Minneapolis by appointment with Fred, who told me to be sure to be there. I waited for him until 10 p.m. at the hotel, but he did not show up himself, so I went back to St. Paul to my room and waited there all night. As he did not appear, I went and got the morning paper and therein was an article about the house being robbed of jewelry and money to the amount of \$37,000 while the family were at dinner. The fact that Fred had tried the night before to rob the house and failed and he disappointed me at the hotel by not showing up to [meet] me, led me to believe that he robbed the house alone and left me out.

I then made up my mind to hunt him up and bring him to account for his mean act, or as the "crook" says—"Putting me in the hole for my share of the coin." I knew that he was deeply attached to a young girl about 17 years of age who was an inmate of a parlor house in St. Louis on Elm Street. In fact, he was all the time talking about her to me, so I got a move on myself, made some money picking pockets that day and then bought a ticket to St. Louis and left St. Paul that night.

On reaching St. Louis, I went direct to the fast house where his girl lived. I saw and talked with her and she said to me: "Fred was here and left about an hour ago for New York. See what nice presents he made me," showing me a pair of diamond earrings, a diamond ring and a sealskin sacque. "Fred is going to send for me and take me to New York in a few days," said she. I commented upon his generosity and bid her goodbye.⁴²

After one day's graft in St. Louis, I left for Louisville, and from there to Cincinnati, and kept on going from town to town until I arrived in New York. Then began a search for Fred in the opium joints. After visiting three of them and not meeting him, I finally

learned that Barney Maguire, the green goods financial backer, had opened a swell opium joint on Crosby Street, opposite Niblo's Garden Theatre. I called there and was informed that Fred had been smoking there and that he had taken a ship and sailed for Paris, France. This information I found to be true, so I gave up the chase and soon forgot about Fred's meanness until one day about five months after he sailed for Europe, I heard from a friend of Fred's, who got a letter from him, stating that he was sentenced to fifteen years imprisonment in Paris, France for burglary. Then I forgot him entirely.⁴³

"Did he stab you? Answer that question, yes or no," demanded the officer. He would not answer. I was then brought to court and held to await the results of his injuries anyway. Collins got better and I was indicted and charged with felonious assault with attempt to kill and the newspapers were calling me all sorts of names and bringing up the father's misfortunes.

Finally, I employed [the] lawyer Edmund E. Price, and he advised me to stand trial. I did so and was surprised to see all the witnesses of good standing take the stand in my behalf. Even the good hospital Doctor Walsh told the judge that Collins was the meanest foul mouthed loafer that ever came under his medical care and how he would insult the good Sisters of Mercy¹ who nursed him back to life. Even the unfortunate girl off whom he lived told the judge and jury of his mean brutality he inflicted upon her if she failed to bring him money. The judge, in charging the jury, told them "That he considered a glass in the hands of an enraged man as deadly a weapon as a knife." The result was the jury went out and returned in a few minutes with the verdict "Not Guilty."²

Tombs Justice

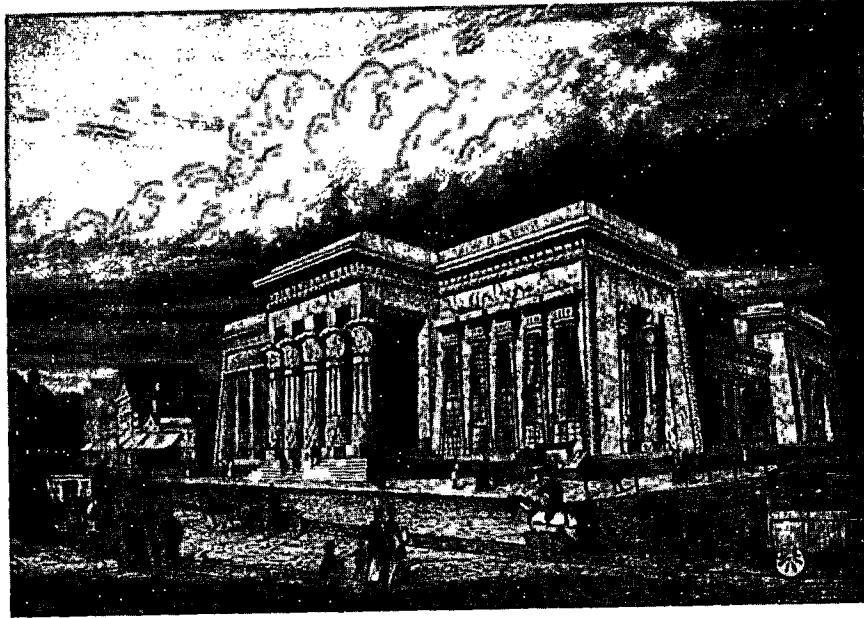
GEORGE APPO'S INCARCERATION and indictment for his fracas with Jack Collins took place in New York's Halls of Justice, better known as "the Tombs." Here, under one roof in the heart of New York City, was the physical representation of criminal justice in New York. Inside was the entire corpus of criminal law: judges, juries, magistrates, attorneys, courtrooms, and jail cells. Considered by many to be the most famous prison on the continent, the Tombs was "America's greatest criminal barracks." Appo would be incarcerated there on at least eight occasions.¹

Gotham's jail was commonly described as a terrifying place. "Vast, lofty and forbidding," according to one writer, "an echoless quarry of cold, unpitied stone." The writer George Foster referred to the Tombs as a "grim mausoleum," a "foul lazar-house of polluted and festering humanity." The very name of the Tombs was suggestive of death. The Tombs appropriately served as the final setting for the demise and death of the main characters in Herman Melville's "Bartleby the Scrivener" and *Pierre*.²

New York's Halls of Justice faced Centre Street and occupied the entire block bounded by Elm, Leonard, and Franklin Streets. Designed by the architect John Haviland and constructed between 1835 and 1838, the structure was long considered the finest example of Egyptian revival style in the United States. Almost immediately nicknamed "the Tombs," the building remained the nation's largest jail until its destruction in 1897.³

The original Tombs housed 173 individual cells and two police court cells for males and females, each capable of holding up to two hundred prisoners. In addition the Courts of General and Special Sessions, the First District Police Court, the House of Detention, and the offices of the district attorney, sheriff, and clerk were located in the Tombs. Most of these courts and officials' offices later moved to the new courthouse building (better known as the "Tweed Courthouse" because of its con-

A Pickpocket's Tale



The Tombs (1850), W. Heine.

struction during the political reign of William M. Tweed) in 1872. And by 1880 the constant overcrowding of inmates led to the construction of two more buildings in the courtyard, increasing the number of cells to 303.⁴

Inside, the main hall was divided into four tiers of cells, connected by narrow stairways and heated by two large stoves. Cells were eight feet long, six feet wide, and eleven feet in height. Each contained a single bed thirty inches wide and a twelve- by three-inch window. Tiers were allegedly divided by class of criminal. The bottom tier was reserved for lunatics, delirium tremens cases, and convicted felons prior to their removal to state prison, Blackwell's Island, or the gallows—hence the name “Murderer's Row.” The second tier was occupied by those charged with murder, robbery, and other serious crimes, while “lower grade” criminals such as burglars and larcenists were relegated to the third tier. The uppermost level was filled with misdemeanants and petty criminals.⁵

Almost upon opening the Tombs suffered from physical decay. The edifice was constructed on the sinking, marshy landfill of the old Collect

Pond, so dampness pervaded the entire structure. The unstable foundation quickly produced four-inch cracks in some walls. Sewage regularly backed up through the drains into lower-level cells, while cesspools and piped water underneath the police court sometimes overflowed into the courtroom. By the 1880s sewer gas permeated the Tombs ventilation system and individual cells, nearly suffocating the men confined there. One reporter compared living conditions in the Tombs to steerage on a ship. “The difference,” he wrote, “is that there is more fresh air in steerage quarters.”⁶

Overcrowding made these physical circumstances worse. City officials admitted as early as 1850 that doubling and tripling up was a necessity. By 1860, with fewer than three hundred cells, the Tombs regularly incarcerated between four hundred and six hundred persons. Consequently nearly every cell contained two prisoners, sometimes three. “Doubled-up” inmates usually slept on the same narrow berth, each one sharing his pillow with the other's feet. In August 1895, when Appo was incarcerated in the Tombs, 428 prisoners were held in 298 cells—that was an improvement: In January 1894, only 280 cells were available for the 581 inmates. In periods of severe overcrowding, Tombs officials sometimes strung up hammocks for a third or even fourth prisoner per cell.⁷

Some never even had the floor. Five- to ten-day prisoners—vagrants, drunks, and minor offenders—were confined to large, converted office rooms. Nicknamed the “bummers' cell,” “bummer's hall,” or the “ten-day house,” the cell was as small as twelve by thirty feet and held up to two hundred individuals. Inmates were forced to stand or sit until they were moved. These conditions were magnified in the summer, when the criminal justice system literally shut down as judges, court officials, and staff avoided the stifling, unbearably hot conditions by going on monthlong vacations.⁸

Yet the Tombs was more than just an unsanitary, overcrowded jail; it was Gotham writ small, a gathering place of nineteenth-century urban society. While sensationalized accounts focused on murder, passion, and deviance, most Tombs prisoners were not convicts. More often those incarcerated were individuals awaiting trial and too poor to afford bail.⁹ The overwhelming majority (95 percent by 1895) of Tombs and other police court defendants were arrested summarily and “without process”; that is, without a warrant. By the mid-1870s New York's police courts annually disposed of more than eighty-four thousand cases, equivalent to

one of every nine male residents. Indeed, during the last quarter of the nineteenth century, the total number of men arrested every five years roughly equaled New York City's entire adult male population. Tombs justice was a commonly shared experience not only for the law breaker but for the transient working-class male.¹⁰

PRISON CASES

Appo, like the overwhelming majority of Tombs inmates, was a "prison case." Defendants unable to procure or afford bail languished in the Tombs for weeks, if not months. At some point private attorneys urged them to plead guilty and accept a sentence. A state assembly report in 1875 described the injustice of such practices as "too apparent to need comment." Others noted the fundamental hypocrisy involving prison cases. "The offender with money goes unmolested," complained the *World*, "while his poorer fellow-criminal goes to trial."¹¹

For prison case defendants, incarceration in the Tombs was a bewildering experience. Once inside a Tombs cell, prisoners encountered a corrupt and confusing array of "runners," "steerers," "drummers," "shyster lawyers," and "straw bondsmen"—"Tombs vermin" in the words of Congressman Mike Walsh. Criminal attorneys routinely hired Tombs guards and other court officers as "runners" who were always searching for a "prize," namely an arrested individual with money. In return for being "touted," some lawyers paid keepers for the referral (usually half the fee), thereby doubling their salaries. Other keepers allowed outside agents working on behalf of certain criminal attorneys to interview various prisoners, determine who had money or friends, and then intimidate them into choosing their lawyer for legal representation. Defense attorneys complained that representing clients in criminal cases was impossible without bribing the keepers, who acted like "petty tyrants" and "absolute monarchs." One German visitor concluded that the jailers were such a shoddy-looking bunch that they "looked as if they ought to have been among the prisoners."¹²

While awaiting trial Tombs prison cases were treated according to their social and economic status, not the prescriptions of law. Up for sale were extended visiting hours, longer periods of exercise, free movement within the prison, better food, and clean sheets. For a price inmates were

allowed to walk from their cells to court without handcuffs. Some visited friends and saloons on the way. Since a single cell was among the most desirable privilege, keepers routinely reserved six to ten cells located over the main entrance for wealthy criminals. Bribed guards even sold sexual favors. If a prisoner was rich or had political influence, the *Tribune* alleged, he lived "like a gentleman, surrounded with every comfort."¹³

Such "fancy prisoners" or "stars," as they were called, attracted attention because of their special status. When Alderman Henry J. Jaehne was incarcerated for bribery, the *World* reported that despite being confined to a ten- by six-foot cell, Jaehne lived in comfort, ate in the warden's kitchen, and was fully supplied with cigars. Charles Sutton, a former Tombs warden, admitted that the wealthy inmate Edward S. Stokes retained a personal servant who waited on him and brought food from a nearby restaurant. To avoid sitting with other prisoners in the Black Maria, he paid for his own carriage to transport him to court every day. At times guards even allowed him to leave the prison for short intervals.¹⁴

Such disparities in treatment were nominally "legal." Tombs keepers were among a host of municipal officeholders who derived considerable legitimate income from fees. In 1890 a grand jury concluded that it was impossible to indict participants engaged in such corruption. Thus jailers, clerks, deputies, and others legally accepted fees—later called bribes—with impunity on behalf of prisoners. "Here money governs everything," summarized one attorney.¹⁵

Tombs inmates also enjoyed a level of internal freedom unknown by their twentieth-century counterparts. Daily visitors numbered more than three hundred and frequently came and went with little supervision. Entering on a side street, callers met two guards, one standing by a desk and the other by a narrow gateway. The guards recorded the name of each one, whom he or she wished to see, and then issued an admittance ticket. Once inside, guests witnessed a scene of confusion, with people constantly moving about. One reporter noted that the balconies of each tier were "alive with visitors" meeting prisoners in their cells or on the tiers, at least until the famous escape by William J. Sharkey in 1873. But even thereafter unsupervised prisoners were found walking, talking, and smoking cigars throughout the Tombs. Others met privately with their wives in the counsel room at night.¹⁶

Tombs administrators had little choice but to allow unusual levels of internal movement. Feeding large numbers of prisoners in the Tombs, for



The crowded tiers of the Tombs.

example, was simply impossible. With a small, inadequate kitchen and no dining room, prisoners had to eat in their cells. Food—consisting of meat (or fish on Fridays), vegetables, and potatoes—was served as a stew, eliminating the need for knives and forks. For the wretched fare, inmates were charged between twelve and twenty-five dollars per week.¹⁷

The inadequate kitchen facilities compelled Tombs officials to permit family members and friends to bring in food for inmates. In time an infor-

mal, privatized system of feeding emerged whereby prisoners purchased their meals from neighboring restaurants. Eventually outside vendors selling food, cigars, and other items moved freely from tier to tier, bellowing out what was for sale. Visitors smuggled in food, supplies, and other contraband for their incarcerated friends. Keepers reported finding whole chickens concealing flasks of whiskey. One murder suspect was reportedly so drunk at his trial that he was unable even to respond to his name.¹⁸

This free flow of contraband enabled Appo and others to support their addictions while in the Tombs. After his arrest in April 1882, for example, Appo maintained his opium habit for a short time with opium pills. When the pills ran out Appo reportedly “howled until he had all the officers and inmates of the Tombs nearly as crazy as himself.” Shortly thereafter a vial of opium was smuggled into his cell. Such stories induced Warden Thomas P. “Fatty” Walsh briefly to suspend the private supply of meals in 1888. Some charged that Walsh’s action smacked of hypocrisy, since he reportedly earned a handsome profit by confiscating contraband from visitors and then selling it to prisoners.¹⁹

The free flow of contraband and people in and about the Tombs made for easy escapes, which some commentators described as quite common. For example, while roaming the halls, pickpockets often heisted visitors’ pass tickets, and then used them to walk out of the Tombs; they were long gone before anyone noticed. Sloppy record keeping, however, made it impossible to know with any certainty the frequency of such breakouts.²⁰

Lax disciplinary procedures in the Tombs gave some the impression that the inmates ran the asylum. In some respects they did. “Ten-day prisoners”—convicts with comparatively light offenses and numbering between twenty-five and thirty—did most of the cleaning, repair, and kitchen work. Such inmates expressed little desire to run away because their terms were short and the penalty for a failed escape severe. In extreme cases some became “voluntary inmates,” residing in the Tombs for decades, performing unpleasant tasks like cleaning drains and sewers.²¹

The combination of overcrowding, lax security, and inmate maintenance allowed for considerable interaction among the incarcerated. Unlike the enforced isolation at Eastern State Penitentiary or hard labor

and the lockstep at Sing Sing, Tombs inmates constantly socialized with one another, much to the chagrin of many observers and prison reformers. Life in the Tombs was more reminiscent of older, preindustrial forms of punishment—the absence of penal routine and labor; the lack of special diets or separate cells; and access to family, friends, games, and recreation.²²

This intermingling facilitated and reinforced various male underworld subcultures. Several former inmates claimed that their initial Tombs incarcerations introduced them to other criminals—"de mob," in the words of one. Others learned new methods of crime, such as how to "bang a super"—steal a watch by detaching it from the chain with a thumb and forefinger. They were not alone: More than twenty-five hundred youths aged fifteen to twenty served time each year in Gotham's jails during the 1860s, while more than eighteen hundred males under fifteen years passed through them. The creation of a special boys' prison, established in the Tombs during the 1880s, did little to remedy the problem. So many disorderly or truant youths sent to the Tombs departed as thieves or burglars that numerous critics described the jail as little more than a school of crime.²³

Teenage boys like Appo gloried in their Tombs experience. Youths became heroes in the wake of their new associations with older, experienced criminals. The young thief who "has 'done his bit' [served a sentence for some crime], is regarded with a reverence almost amounting to awe by his companions," complained one observer. The Tombs, admitted one teenage pickpocket, was "the turning point of my life."²⁴

Such tales of carceral laxity and criminal association may strike contemporary readers as sensational exaggerations. But nineteenth-century law never specified how to structure jails; no guidelines existed for the management of such institutions. Instead jails were dependent on "common sense" and the "enlightenment" of a constantly changing board of supervisors, most of whom never saw another penal institution, or knew little about running a prison. Wardens and keepers alike were selected not for merit or qualifications, but because of their relationships to local politicians.²⁵

POLICE COURT

For some the Tombs was pure drama. In 1881 the *Times* summarized:

There is a theatre in this City that is not usually included in the list of places of entertainment, though it is one of the most entertaining places in the City. It has no bill-boards, no advertisements, no ticket agencies in the hotels. It is too far downtown to be fashionable; indeed, it is not only unfashionable, but decidedly unpopular, yet it is well patronized. Its seats are never empty; its boxes always have occupants, and its manager, unlike most theatrical managers, is sure of making a successful season. In this theatre, unfashionable as it is, some of the most realistic tragedies are produced. And as tragedy long-continued palls upon the appetite, the programme is varied with dramas, farces, and comic operas. This theatre has a large, substantial building, well designed for the purpose, and well suited to its patrons. It is . . . called the Tombs.²⁶

In nineteenth-century criminal law, stage presence and theatrical talent determined courtroom success. Police and other criminal courts required defendants to present evidence, organize testimony, and influence a judge or jury in the space of a courtroom of spectators. Those with superior oral and performance skills enjoyed distinct advantages. More often than not the successful courtroom attorney was one who dramatized the majesty, impartiality, and mercy of criminal law; that is, he "played to the gallery." Judicial critics and reformers like Frank Moss admitted that a major requirement for a successful prosecutor was "the ability to manufacture a convicting atmosphere." Justice was thus transformed into theater.²⁷

Prison cases like Appo's, however, rarely enjoyed such days in court. Defendants charged with misdemeanors and other minor crimes were brought to the police court and placed before the judge. The magistrate sat on "the bridge," a raised platform where he examined prisoners, received complaints, issued warrants, took bail, and discharged the business of the day. To one side stood the complainant, usually a police officer; on the other, clerks collected fines and recorded complaints.

Below the bridge and separated from it by a railing was the defendant, surrounded by a noisy scene often characterized as bedlam. Cases were



The Tombs police court.

heard quickly with little deliberation or orderly presentation of evidence. Attorneys screamed epithets at one another and at witnesses, who often responded in kind. Magistrates pounded the podium futilely, trying to preserve order. Prisoners barely understood what was happening. One observer described the proceedings as a "hearing only in name."²⁸

Police court justices generally assumed that defendants—especially ones like Appo—were guilty until proved innocent. One critic claimed that judges fired "sharp and decisive justice at the prisoners, as out of a Gatling gun." Some did little to camouflage their prejudice and bias. Justice Joseph Dowling, for example, was described as "the terror of the criminals," so much so that they considered an arraignment before him equivalent to a conviction. Justice P. G. Duffy was openly hostile to defendants unable to speak English. Magistrate Henry Brann bluntly told one robbery suspect: "Men of your stamp should not have a trial. You ought to be taken out and shot."²⁹

Police court judges retained enormous power because their courts required no prosecuting officer and lacked a chief magistrate. In theory cases involving doubt, argument, or proof were remanded to the Court of

General Sessions for a jury trial, a right all convicted police court defendants enjoyed. Few, however, were advised of such rights. By the 1890s, 79 percent of all police court cases went without appeal. Since police court judges enjoyed summary jurisdiction over all disorderly conduct and other minor offenses, magistrates not only acted as both judge and jury, but as prosecuting attorneys and counsel for the prisoners. These powers convinced Mayor Abram Hewitt that police courts were "the great clearing house of crime, 'the Poor Man's Court of Appeals.'"³⁰

Elected to uphold the law, police court judges repeatedly broke it. Some, like Maurice J. Power, openly refused to prosecute certain gambling offenses. "I am not opposed to gambling houses," he argued, "if they are conducted honestly." Numerous magistrates never bothered to learn the rules of criminal or courtroom procedures. Rare was the judge who privately met defendants with counsel to discuss the circumstances of the case, as required by law. Instead most encouraged defendants to waive the examination, which in itself was a violation.³¹

BAIL CASES

Bail was the great divide in the distribution of justice in the Tombs. Defendants charged with misdemeanors and certain felonies were routinely granted bail if they pledged money or property to guarantee their future appearance in court. In theory the process assumed that defendants were innocent and ensured that they showed up for trial. Most defendants, however, could not afford bail; their resort was a private bail bondsman who held their capital or property as bond while charging the defendant a fee (usually 10 percent of the bond).³²

By the mid-nineteenth century, bail in New York was an unregulated commercial enterprise riddled with abuse. Prisoners with little or no property employed "professional," "bogus," or "straw" bondsmen, sometimes for as little as five or ten dollars. Such bondsmen routinely offered real estate for bail, and shortly thereafter secretly transferred title to that property to another individual. If the defendant failed to appear for trial and forfeited the bail, there was no property or collateral to confiscate. One reporter described the straw bondsman as an "individual who can own real estate at a moment's notice." Bondsmen, like shyster lawyers, were "touted" and notified by court officers and jail attendants in return

for sharing their profits. By the 1860s critics derided New York's bail system as a sham and a mockery.³³

More significant, securing bail was tantamount to acquittal. An 1876 state investigation concluded that bailed defendants were effectively released from further prosecution. Numerous elected officials concurred. The district attorney's office was so badly managed that important criminals were discharged with no good reason and without the knowledge of the chief prosecutor. Not only was the trial of a bail case a rare occurrence, complained the *World*, but "almost any criminal who has money and influence can escape punishment."³⁴

In some instances even conviction did not mean punishment. In 1867 police court justices Richard Kelly and Joseph Dowling admitted that convicted parties were often discharged on bail, allegedly to allow for review of their cases. In no instance, however, was the writ served on either the justices or the clerk. At least thirty-seven individuals, some of whom were described as "the worst of their class," escaped punishment altogether by employing such tactics. Even for those convicted and sentenced to prison, lawyers often successfully appealed their cases, obtained a writ of habeas corpus, and posted bail. "'Out on bail' nowadays is practically out for good," concluded one critic in 1887.³⁵

Those with the right political connections secured more than just bail. Indictments were often "pigeon-holed"—literally put in pigeonhole-shaped filing cases and never removed, and thus never prosecuted by the city. In 1875 District Attorney Benjamin Phelps defended the practice, insisting that disorderly house, gambling, and excise indictments were simply too numerous to bring to trial. Excise violations—"dive cases," in the vernacular of the period—enjoyed a two-year statute of limitations, encouraging bailed defendants to seek court delays and additional appeals. Even when convicted, most simply paid the fine and reopened under a new name. In 1887 former police superintendent George Walling claimed that the district attorney routinely failed to prosecute thousands of cases, which accumulated in the pigeonholes for years.³⁶

The most astute criminal lawyers understood that prosecution was more a process of negotiation than justice. By midcentury a distinct criminal attorney subculture had emerged—"shyster lawyers," in the language of their critics. Such counselors were described with a variety of slurs that identified them as little more than moneygrubbing entrepreneurs on the margins of the legal profession. Tombs warden Thomas Walsh

remembered one attorney who asked to consult with a client. "Before I had got through asking him for credentials a second one came to see the same prisoner," claimed Walsh, "then a third and presently a fourth put in an appearance—all claiming that they were engaged, or would be, as the felon's counsel." For the newspaper editor George Wilkes, such attorneys were simply "bloodsucking lawyers."³⁷

Some shyster attorneys, however, were highly effective. The good ones sued for writs of habeas corpus, claiming that their clients were illegally deprived of their liberty. This often took the case out of the control of the police courts. Most were successful, as procuring a writ was easy if the proper complaint was filed, and refusal to grant such a writ was a misdemeanor for a State Supreme Court justice. When a case came before a New York court, insufficient evidence usually led to the prisoner's discharge. Although procuring a writ cost only twenty-five cents, lawyers charged fees between ten and twenty-five dollars, which defendants viewed as preferable to three months on Blackwell's Island.³⁸

Some criminals were so familiar with this system—pickpockets and burglars, in particular—that they left sums of "fall money" with friends, lawyers, or bondsmen in the event of an arrest. The money was then used as collateral for bail, bribery, and attorney fees. The renowned "fence" Fredericka Mandelbaum allegedly did this so often that cynics described her as "the head of the District-Attorney's office in this city."³⁹

The precise number of pigeonholed indictments remains impossible to guess. Former police superintendent George Walling claimed that twenty thousand existed by 1887. Later estimates were much more cautious. In 1892 the *Telegram* counted six thousand such indictments in the district attorney's office, thirty-two of which were for murder. In 1895 the *Sunday Advertiser* reported that fifteen hundred forgotten indictments were discovered, covering the years 1863 to 1883. The indicted included dive keeper Theodore Allen, State Senator Michael Norton, theater owner Jacob Aberle, and several prominent gamblers. By the early twentieth century, prosecutor Arthur Train estimated that 75 percent of all cases were disposed of by court recommendation because of the difficulty of obtaining convictions.⁴⁰

Even when prosecutors intended to bring a case to trial, bailed defendants successfully intimidated or bribed witnesses and eliminated the chance of conviction. As early as 1845 the politician Mike Walsh complained that criminal trials were farcical and that defendants and wit-

nesses routinely lied in court. The result was not just convictions of innocent men but the acquittal of "the most lawless and besotted knaves." Thirty years later police court judges concurred. Perjury was a pervasive daily experience in Gotham's criminal courts, concluded one state investigation in 1876. Well into the twentieth century, prosecutors estimated that between 25 and 75 percent of defense testimony was perjured.⁴¹

To counteract such practices prosecutors frequently held witnesses in the House of Detention. Court officials lamented that such individuals were sometimes treated more severely than indicted defendants. Overcrowding even forced Tombs officials to mix previously convicted felons with detained witnesses, a practice city officials described as "cruel and unjust." Here was the ultimate paradox of Gotham's criminal justice: Rich criminals were released on bail while less affluent witnesses against them were held for months in the Tombs.⁴²

This system of "Tombs justice"—straw bondsmen, phony bail, unprosecuted indictments, perjured testimony—flourished for multiple reasons. First, city courts were poorly administered and suffered from systematic political malfeasance. Examples abound of defective and falsified record keeping: Sheriffs and other officials failed to keep jail registers; county clerks neglected filing monthly records with the secretary of state, as required by law; police court clerks "forgot" to document the fines collected, simply depositing such proceeds in their personal bank accounts. In other cases clerks willingly altered, mutilated, or destroyed public documents in return for bribes. The absence of any index made identification of repeat offenders impossible. When bonds were issued by different police court judges, they were mixed indiscriminately before being sent to the Court of Special Sessions in the Tombs. Others were simply wrapped in a bundle and marked by month; locating a specific bond thereafter was nearly impossible. Bondsmen thus knew that failure to repay would not result in their prosecution. Prisoners were released on bonds for good behavior, later arrested on another charge, and released again on a similar bond. "A policeman takes a disorderly character to court, and hears him put under bonds," wrote one observer. "When he returns to his post his late prisoner is there before him, with his finger at his nose."⁴³

Furthermore, a veil of secrecy covered the criminal justice process. The docket of cases was closed to the public, making it impossible to learn the schedule and disposition of individual cases. Bondsmen were

never regulated or adequately monitored, allowing defendants and bondsmen alike to play fast and loose with their obligations. On other occasions the district attorney's office simply failed to verify the collateral of bondsmen. Finally courts were hindered by an overload of cases, so expeditious judges routinely lumped disparate cases together—especially those of prostitutes—even if they occurred at different times and places.⁴⁴

Ultimately the bail business was driven by politics. Many observers charged that defendants with political influence or money readily procured bail. Typical examples were Tammany Hall members William R. "Bob" Nelson, Max Hochstim, and Gustave Blumenthal. Nelson owned an interracial black-and-tan saloon on Seventh Avenue and regularly posted bail for numerous prostitutes (sometimes as many as twenty to twenty-five per night), pickpockets, and other patrons of his saloon. He usually charged five dollars per bond for his services, thereby earning fifty to one hundred dollars nightly for his services. Similarly, Hochstim in the Essex Market Court and Blumenthal in the Jefferson Market Court posted bond for arrested prostitutes (usually ten dollars) for a fee they then reportedly split with police officials. One newspaper editorialized in 1885 that if judges prosecuted bondsmen when prisoners reappeared, the result would be "a panic among the politicians and professional bondsmen."⁴⁵

SAINT AUGUSTINE of Hippo once wrote: "When there is no justice, what is the state but a robber band enlarged?" For inmates like Appo, the Tombs represented such a robber band. A host of judicial practices and actors did little to instill faith in New York City's criminal courts. Shyster lawyers, pigeonholed indictments, ignorant judges, shoddy record keeping, perjured testimony, corrupt clerks, phony bail, bribed guards, fancy prisoners, bogus bondsmen, and chaotic courtrooms convinced defendants that Gotham's system of justice was anything but. In his examination of urban police courts, the nineteenth-century sociologist A. G. Warner concluded that local and lower-level representatives of the state—policemen, police justices, sheriffs, jail keepers—were little better than the criminals themselves. Warner echoed Augustine more than a millennium later, concluding that "the classes that tend to criminality cannot but infer that the state is fundamentally as criminal as themselves."⁴⁶ George Appo would have agreed.

"The next morning, I watched the side entrance of the North River Hotel barroom on West and Barclay Streets. One of Ryan's steerers came along with a guy and entered the sitting room. He sat the guy at a table and told him that he was going to tell the Old Gentleman of his arrival. The steerer left the place and walked down towards Liberty Street to tell Ryan to get the turning joint ready for business.

"In the meantime, I entered the sitting room, walked to the guy at the table and said to him, "The regular messenger won't be back and the Old Gentleman is waiting patiently for you with the goods, so follow me."

The guy got up and I took him on a fast walk to Gus. He made a \$300 deal, and I then took him to Grand Central Station, saw him safe aboard his train and then returned to Gus and received my share of the deal—\$150.

I then went down to Mike Ryan to see how he took the loss of his intended victim. I said to Ryan: "You are the only one now doing business in the city. Everybody is closed up tight. I tried to get a steer from one of the writers but none of them are putting out mail just now. I suppose there's no chance for me down here?"

Ryan said: "You say no one is doing business but me! Don't fool yourself. Why, someone pinched a guy from my steerer this morning, and if I lay hands on him, whoever he is, I'll fix him so he won't do it again."

I told him that I was sorry for his loss, and again asked him if there was any chance for me. He said no, so I left him abruptly and stole two more guys from him at two different times and brought them to Gus who made successful deals with each one separately at \$500 apiece. My share was 50 percent of both deals.

I would have continued to steal Ryan's guys every chance that came my way, but one morning an unexpected event happened to me as I left the house where I lived.²

The Lexow Committee

=

On reaching the sidewalk, I was approached by two men, Arthur Dennett and [Thomas] Carney, who represented themselves as officers of the Lexow Committee.

After I demanded their authority, Mr. Dennett handed me a subpoena, saying, "This will explain matters."

I read the paper and as I had no idea what the Lexow Committee was or meant, I became suspicious and refused to accompany them.

Then Carney said: "We are sent up here to take you dead or alive."

"Well," said I, "if that's the case, I'll go down with you, but I assure you there is no information of any importance that I can give that would be of any interest or value to you or the Committee. So you are only wasting time bothering with me."

"Well, we will see about that," said Mr. Dennett. "All that is wanted of you is to tell how you come to get shot up at Poughkeepsie."

When we arrived at Judge [John] Goff's office, I was interviewed by him and then taken before the Lexow Committee and put upon the witness stand. For three hours I was questioned by the counselors, Mr. Frank Moss and Hon. Judge Goff. When they got through with me, there was nothing else I could say about the systematic grafting of the then police. The press then began to write me up in all kinds of characters, representing me to the police and the underworld associates in anything but a favorable light to them. They began to look on me as a dangerous fellow to them.¹

GEORGE APPO'S LIFE changed forever on 14 June 1894. Testifying before a special state senate committee investigating the New York City Police Department, Appo discussed various elements of the green goods game. The city's newspapers depicted Appo's testimony as revelatory, a

virtual eye peering into a heretofore hidden underworld universe. While Appo was a known figure among law enforcement officials, his testimony transformed him into a small-time celebrity in New York. It was a metamorphosis he lived to regret.

The special senate committee was empowered to investigate corruption in New York City's Police Department, an outgrowth of the antivice and anti-Tammany Hall campaign initiated in 1892 by the Reverend Charles Parkhurst of the Madison Square Presbyterian Church. As Parkhurst compiled more and more evidence of municipal malfeasance, state officials felt ever-increasing pressure to respond. At the end of 1893 the state senate authorized an investigation into Gotham's police department. Democrats immediately charged that the committee was a Republican plot, and Gov. Roswell Flower vetoed the appropriation. New York City's Chamber of Commerce, however, intervened and agreed to subsidize the investigation. Composed of seven state senators, the body was chaired by Republican Clarence Lexow and thus christened the "Lexow Committee."

From inception, the Lexow Committee reflected the hand of Parkhurst. The committee accepted his recommendations for counsel: John W. Goff (who became the commanding figure of the investigation), Frank Moss of the Society for the Prevention of Crime, and the future district attorney of New York City William Travers Jerome. From March to December 1894, the committee called 678 witnesses and produced more than 5,700 pages of testimony and documentary evidence relating to electoral fraud, blackmail, and extortion. The depth of political and police malfeasance extended beyond simple toleration of saloons, brothels, and gambling dens; police officials extorted payments from steamboat operators, produce merchants, sailmakers, bootblacks, pushcart peddlers, and numerous other small merchants. By 1896 even police officials admitted that the police department was "honeycombed with corruption."²

Although only ten witnesses discussed the green goods game, they offered some of the most publicized and damaging testimony.³ The first to take the stand was Appo. He briefly summarized his criminal career, an account that was generally accurate but filled with errors in detail. Then, over the next three hours, Appo presented a virtual lecture on the argot and behavior of the confidence man, describing the purposes of circulars, backers, steerers, writers, ringers, turners, tailers, turning joints, and guys. He explained what circulars contained, how steerers met guys

in New Jersey and Hudson River towns, the cooperative role of telegraph operators, the amounts of money stolen. Appo admitted that although police officials often knew his purposes, he "could walk along with impunity."⁴

Appo offered some details about his employers. He identified Walter Haines and James McNally as backers, with the latter being the leading operator in New York. He claimed that McNally had worked with green goods since 1886, possessed more than one hundred thousand dollars in capital, and made as much as eight thousand dollars in a day. Appo himself bragged he once made six hundred dollars in a day. He even offered details regarding McNally's ascent in the underworld: his work as a pimp, his support from ex-alderman Patrick Farley, the location of his headquarters near the Haymarket, and the different addresses from which he operated.⁵

Appo's testimony became an immediate sensation. He was "a half-breed Chinaman," wrote one newspaper, a small, clean-shaven, wiry man with a dark complexion and pompadour-style hair. Most commented on his glass eye and facial scars, all reflecting his many bloody encounters. The *Tribune* described him as "one of the worst criminals in the city." With virtual unanimity Appo's testimony was portrayed as pathbreaking, "a revelation to the entire country," in the words of the writer Louis Beck.⁶

In fact Appo disclosed very little. By the time he sat down in the witness chair, most of what Appo "revealed" was part of the public record. Law enforcement officials were already familiar with McNally and his operatives, like Harry Hilton, whom they arrested in 1891 and 1892. At that time Anthony Comstock was involved in a well-publicized campaign against McNally, detailing how he operated out of Hoboken. In 1893, when Comstock arrested McNally's printer Eugene A. Marvin, he charged that McNally earned nearly \$1 million annually. These details were not only known to federal and local law enforcement authorities, they received extensive coverage in the New York media.⁷

More telling was Appo's unwillingness to name names. At various points in his testimony, he refused to admit that Bill Vosburg was employed as "the old gentleman." He feigned ignorance regarding McNally's operatives in the post office. He refused to acknowledge that his one-time associate Michael Ryan or Capt. Richard O'Connor were in the green goods business. In many cases Appo simply repeated others' testimony or public rumors. He conceded that Western Union messen-

gers and postal employees cooperated with green goods operatives, but pleaded ignorance regarding specific individuals. He denied knowing if Eddie Parmeley gave gifts to Capt. William Meakim, adding that Parmeley was retired from the business. He refused to identify *who* paid off the police. In Appo's words he was willing to "give the snap away" but refused to "incriminate a friend."⁸

Appo even lied. He pleaded ignorance regarding the "third degree." He claimed that green goods operatives had no police protection outside New York, despite his glass eye, which was a visible reminder that Poughkeepsie police officer Michael Morgan was in McNally's employ. Appo even said that McNally had never been arrested.⁹ Appo's testimony offered few, if any, new details.

Appo was not the only operative to testify against his green goods employer. Three months later, on 10 September 1894, William Applegate, a twenty-two-year-old steerer for McNally, not only disclosed the exact saloons and locations where the gang worked, but identified specific green goods operatives. He named more than a dozen individuals in McNally's employ—writers, police detectives, police captains, police officers, even policemen and detectives in Bridgeport and Jersey City. He gave exact amounts of how much McNally paid them, details on their operations, and even dates when they were in business. He claimed that Capt. William Meakim protected McNally, and that when Meakim was transferred to Harlem, McNally moved his operation uptown. Applegate even described how McNally conspired, one day after Appo's testimony, to avoid testifying before the Lexow Committee. In 1897, when the British writer and reformer William T. Stead published an exposé of Gotham's municipal corruption, he relied on Applegate's revelations, not Appo's.¹⁰

What was controversial about Appo's testimony was his revelations of police complicity. Appo reminded listeners that he was well known to police. Yet when he passed police with a potential victim, according to Appo, "they [would] bow and look" away. Police critics long suspected that certain police officers tolerated green goods operatives, but Appo offered firsthand confirmation. "This is a new form of protected crime," claimed the *Press*.¹¹

At the time the sensational media attention was so focused on municipal corruption that few recognized how the Lexow Committee challenged traditional crime-fighting methods in New York. For half a

century, since the creation of the New York City police in 1845, city officials had battled crime through an informal and often corrupt system of negotiation. Justice was not ultimately determined by statute and law but rather by an inconsistent and personalized series of informal settlements among police, judges, and criminals themselves. The police, wrote Lincoln Steffens, were "a dark, mysterious layer of the life of a great city" that resisted penetration.¹² The Lexow Committee not only infiltrated this labyrinth, it generated a national debate regarding law enforcement in American cities.

From their inception urban police departments in the United States were decentralized. Station houses served as command centers, often independent of central headquarters. Unlike Europe, where police departments were frequently attached to a local judiciary, American police were political-patronage instruments of local elected officials. Police officials like George Walling even claimed that local precinct captains were more powerful than upper-level superintendents. The captain, complained Walling, "was an autocrat."¹³

At the lowest level, police officers on the street routinely tolerated certain amounts of crime such as pickpocketing, as long as they received a percentage of the loot, hence the label "percentage copper." On Broadway, streetcars and omnibuses were reportedly "parceled off" among certain pickpockets who enjoyed "privileges" on certain blocks. When well-known pickpockets arrived in New York, claimed one former felon, percentage coppers approached them and demanded money. This system of sidewalk blackmail extended to other illegal activities, particularly prostitution, gambling, and excise violations. Police officers, complained critics, were little more than "criminals in uniform."¹⁴

Detectives represented another layer of corruption. As early as 1859, one newspaper declared that finding honest detectives in New York was an "impossibility." A state assembly investigation in 1875 concluded that precinct detectives literally managed financial relationships between captains and the "criminal classes" in their precinct. Police captain Max F. Schmittberger admitted that the key to successful detective work was developing close relationships with certain criminals. In effect the detective was a reverse confidence man, someone who employed illegal methods in the name of the law, turning crime fighting into a system of blackmail. Lincoln Steffens dubbed them "crooked crooks."¹⁵

This system flourished, in part, because it was lucrative. A year prior

to Appo's testimony, one newspaper estimated that the police received \$7 million to \$15 million annually in protection fees from prostitutes, brothel- and saloonkeepers, gambling dens, and green goods swindlers. The police department was "the most perfect machine ever invented in this city," concluded Frank Moss in the Lexow Committee's final report. "It knows every prostitute, it knows every house, and no prostitute, no gambler, can live for a moment in any place in the city without being known." Lincoln Steffens believed that Gotham's police were organized "not to prevent, detect, or arrest crime, but to protect, share with, and direct the criminals." These and other observations simply confirmed Charles Parkhurst's earlier assertions that municipal policing in New York was less interested in fighting crime and more concerned with entrepreneurial opportunity. The police department, argued Parkhurst, not only protected and fostered crime but made "capital out of it."¹⁶

Such castigation was not simply hyperbolic paranoia by evangelical reformers. Equally harsh criticism of New York's police emanated from labor leaders in New York. George K. Lloyd of the Building Trades Section of the Central Labor Union, for example, considered Gotham's police to be both a menace and a disgrace. Lloyd argued that the problems of policing in New York were not confined to simply a few corrupt officers or captains. Rather, the body of the force was dishonest, violent, and criminal. The police transformed blackmail into a science, charged Lloyd, and thus "maintained a system of terrorism over certain helpless classes of the community."¹⁷

But numerous citizens at least tolerated, if not preferred, this policing strategy. Victims of crime frequently made the recovery of property their first and sometimes only priority. Consequently thieves of every stripe were invited to return purloined property in return for a reward, no questions asked. Two decades later, when detective Thomas Byrnes revealed that he became rich by obtaining secret information in the stock market, the *Times* objected to calls for his resignation. Such questionable behavior was simply "too ethereal" to condemn.¹⁸

Gotham's system of negotiated policing transformed the relationship between criminal activity and the law into an informal network of secret, personal relationships. Police officials acted as de facto regulators over New York's underworld economy. Collecting "fees" from proprietors of brothels, gambling dens, dives, and unlicensed saloons, "registering" pickpockets and fences, or "protecting" confidence games like green

goods recast the police officer into an arbitrator over various criminal economies. These selective, informal, and negotiated practices transformed law enforcement into "a system of compromise and privilege for crooks and detectives," according to Lincoln Steffens.¹⁹ In this inverted fashion, the agents of criminal justice permitted certain forms of crime to flourish and expand, developing an intertwined, symbiotic relationship with the political economy of the underworld.

Police officer Thomas J. Byrnes personified this system of negotiated policing. Born in Ireland, Byrnes immigrated to New York as an infant and grew up in the Fifth Ward along the Hudson River. Like many teenage males, Byrnes was associated with the local volunteer fire company. After briefly serving in the Civil War, he returned to New York and joined the police force in 1863. He quickly rose through the ranks, becoming chief of detectives in 1880 and superintendent of police in 1892. Known for his charisma and strong personality, Byrnes, wrote one defender, embodied the evolution of the police from an untrained group of watchmen to a disciplined military-like organization.²⁰

Upon his elevation to chief detective in 1880, Byrnes selectively addressed certain high-profile criminal activities without undermining the informal relationships detectives enjoyed with certain underworld elements. For example, Byrnes opened detective offices on both Wall Street and in the New York Stock Exchange Building, hoping to eliminate the thieves and pickpockets in the Wall Street business district, many of whom snatched money from bank messenger boys, depositors, and others cashing checks. By connecting his Stock Exchange office with others in the vicinity, Byrnes's detectives responded to calls for help in less than two minutes. Byrnes then established the "dead line"—any known thief



Thomas Byrnes.

or pickpocket found south of Fulton or Liberty Streets was "dead," and the police could arrest him on sight. Aggressive enforcement of the dead line transformed street life in Lower Manhattan, forcing out not only pickpockets but homeless and itinerant workers who slept in the Battery. By 1886 Byrnes bragged that robbery in the business district was "almost extinct," making him a hero among New York businessmen. Byrnes's reputation even persuaded President-elect Grover Cleveland to place him in charge of presidential security during the 1885 inauguration ceremonies in Washington, D.C.²¹

Byrnes built on this success. He created "a system of espionage" in which he infiltrated and monitored Tenderloin haunts on Broadway and Sixth Avenue noted for harboring leading criminals. To assist detectives in identifying suspects, Byrnes expanded and enlarged the rogues' gallery throughout the 1880s. He required professional criminals upon entering the city to come before him at the back door of the Gilsey House, and promise not to engage in any criminal activity while in New York. During the Constitutional Centennial celebration in 1889, Byrnes forced potential suspects to appear at his office daily. On other occasions he did not even bother to wait for the suspects. Before major parades Byrnes's detectives waited in railroad depots and ferry stations in Jersey City, Hoboken, and New York and detained any suspected criminal. Concerns about civil liberties mattered little to Byrnes. He insisted that police officials were entitled to arrest any known thieves whenever they acted suspiciously. To his defenders Byrnes transformed New York's detective force into an unparalleled crime-fighting organization, surpassing Scotland Yard to become the world's best.²²

Such praise, however, ignored how Byrnes and his detectives tolerated certain criminal activities. Pickpockets banned from Lower Manhattan or required to register on entering the city simply worked in other parts of the city with the compliance of local detectives. Publicized mass detentions of pickpockets masked police toleration of more lucrative criminal activities. In 1884, for example, when District Attorney Peter B. Olney concluded that city detectives protected leading fences, he secretly employed Pinkerton agents to investigate and arrest New York's leading trafficker in stolen goods, Fredericka Mandelbaum. Byrnes later denied any such complicity and accused Assistant District Attorney Henry C. Allen and Pinkerton's detectives of being "enemies of the public good." Furthermore Byrnes indirectly admitted that criminal activities

like the green goods game continued as long as such thieves were kept on the East or West Sides of Manhattan, outside the area protected by the dead line.²³

Byrnes's methods attracted attention in part because he was an astute master of self-promotion. After Allan Pinkerton, Byrnes was the most influential crime writer in the nineteenth-century United States. In 1886 he published *Professional Criminals in America*, a compendium of the leading underworld figures at the time, replete with rogues' gallery images. In 1891 he joined Helen Campbell and Thomas W. Knox in writing *Darkness and Daylight: Or, Lights and Shadows of New York Life*. Byrnes even became the subject of short stories and melodramas, best exemplified by Julian Hawthorne's five novels allegedly "from the diary of Inspector Byrnes." By 1890 some described Byrnes not only as a detective genius but as "the most celebrated man in the United States."²⁴

The dead line illustrated Byrnes's promotional abilities. Summary arrests in a specific area of the city, in retrospect, were more of a public relations ploy than a new law enforcement innovation. American police officers from their creation enjoyed broad personal discretion—considerably more than their counterparts in London. In 1846 New York police regulations explicitly empowered patrolmen "to arrest any person who, from his acts, conduct, situation and character," was "about to commit a felony." Numerous commentators after 1860 remarked on how Gotham's police dispensed summary justice on the street, especially against pickpockets on holidays and before parades. By the 1870s police officers annually arrested more than one thousand suspect persons; by the 1890s, more than two thousand.²⁵

Similarly Byrnes's long, harsh interrogation procedure, dubbed "the third degree," was hardly new. As early as the 1850s, the so-called police ring did the same. Police captain John Jourdan of the Eighth Precinct, Police Court justice Joseph Dowling, and members of the district attorney's office reportedly arrested suspects, locked them in the dark cells of the Franklin Street station house, and starved them for weeks, forcing them to confess their crimes and give up their plunder. Some described the method as little more than "a reign of terror."²⁶

Violent interrogation methods were routine police procedure. Former police officers admitted that they were trained to beat criminal suspects upon arrest; Cornelius Willemse remembered that policemen were respected and feared because "they dispensed the law with the night-

stick." When they arrested suspects, interrogators employed a variety of tactics to generate favorable testimony: punching in the face, hitting with a billy, whipping with a rubber hose, kicking in the abdomen, strangulating with a necktie, and squeezing the testicles. Some methods were designed to leave no visible marks. Appo remembered being locked up in police headquarters for thirty-six hours without food after one arrest. One New York newspaper editor contrasted policing in London and New York: London residents "are generally protected by their police," while "we are generally in need of protection from ours."²⁷

Byrnes ached to expand these summary powers. He complained that the law gave professional thieves the same rights as law-abiding citizens. Since police could not legally arrest suspects unless they were caught in a criminal activity, all the advantage was on the side of the criminal. To remedy this Byrnes recommended the Summary Arrest Act. Better known as the "Professional Criminal" Act, and introduced in the state legislature in 1889, the proposed statute empowered police officials to arrest former and suspected criminals on sight when police believed they were congregating in order to commit a crime. The police would then hold them until certain public events were concluded. The legislation passed the senate and received a third reading in the house before Democratic assemblyman Timothy "Dry Dollar" Sullivan successfully tabled the proposal.²⁸

Byrnes defended summary arrests and expanding such power with a pessimistic view of human nature. Criminals were never contrite, Byrnes believed. "I do not know of a single case of genuine reformation among professional criminals," he bluntly concluded in 1890. Byrnes claimed that former convicts came to him on their release, acting penitent. He always listened to them and offered assistance but to little avail. "Most of them get back to their old business very soon."²⁹

Byrnes, however, never operated with impunity. Summary arrests and arbitrary prosecutions were a source of contention throughout the final decades of the nineteenth century. In 1875, both Mayor William Wickham and a state assembly committee investigating the causes of crime in New York concluded that much of the police force was corrupt. In 1884 an assembly committee chaired by a young Theodore Roosevelt confirmed that police officials promoted certain forms of gambling and prostitution. The Fassett Committee in the state legislature in 1890 documented numerous and specific examples of police corruption, espe-

cially in relation to brothels, gambling dens, and illegal saloons. In general, elements in the police force used their power "not to enforce the laws," argued critics, "but to wring from lawbreakers a share of their booty."³⁰

These condemnations of policing policy, however, were sporadic, unsustainable, and ultimately ineffective. That changed after 1892. On appointment as police superintendent, Byrnes came under attack from the Reverend Charles Parkhurst and various reform groups. Byrnes responded by transferring precinct captains, instituting formal charges of corruption against certain inspectors and captains, and raiding brothels and gambling dens. But these actions did little to placate Parkhurst. By the end of 1892 the minister charged Byrnes with criminal neglect of duty. Over the ensuing two years, Parkhurst and his Society for the Prevention of Crime collected evidence and waged a media campaign against Byrnes and the police.³¹

By the time Byrnes testified before the Lexow Committee in December 1894, he was politically weakened and directly implicated in a wide range of police abuses. By then Byrnes conceded that the police department suffered from corruption, even describing how he personally profited from his position. Relying on the assistance of Jay Gould and Cornelius Vanderbilt, Byrnes admitted turning his twelve-thousand-dollar savings into three hundred thousand dollars. The *Mercury* complained that Byrnes was guilty of "prostituting his public office to the service of individual plutocrats." A few months later he resigned.³²

The immediate result of the Lexow inquiry was the indictments of more than thirty police officials and the ouster of Tammany Hall from political control in New York. In November 1894 William Strong was elected mayor, John Goff recorder, and William Travers Jerome was appointed justice of the Court of Special Sessions, and went on to serve as district attorney. When Strong was sworn in to the mayor's office, he named the Republican reformer Theodore Roosevelt as president of the Board of Police Commissioners. These changes, however, proved short-lived. Tammany Hall rejuvenated itself, continued to maintain control of the police department, and did little to address corruption.³³

The Lexow Committee hearings proved more influential in challenging old methods of policing. Crime fighting in nineteenth-century New York was organized around the minimal oversight and autonomy of the police captain. The selective, informal, and negotiated methods of law

enforcement transformed police detectives and captains into semi-autonomous arbitrators and regulators over certain criminal activities.

The Lexow Committee undermined this strategy of arbitrary compromise and privilege. Beginning with Roosevelt in 1895, the patrolman and detective came under increasing scrutiny. In the ensuing decades, citizens' defense leagues, legal reformers, and police superintendents challenged the intimate relationships police officers enjoyed with criminal elements. A formal, centralized, bureaucratic system replaced the symbiotic, personalized mechanisms of nineteenth-century crime control.³⁴ The Lexow Committee's revelations represented more than just a new approach to law enforcement: They transformed the relationship between police officials and various underworld economies.

THESE DEVELOPMENTS sent reverberations through George Appo's underworld. On the afternoon of 28 September 1894 Appo was drinking with Michael J. Riordan in the North Park Hotel. Riordan was a onetime candidate for alderman and a former saloon owner. He had recently fallen on hard times and was working as bartender in Sam Pettit's waterfront saloon. More important, Appo knew that Riordan was involved in the green goods business and an ally of the local police captain Richard O'Connor.³⁵

Suddenly their conversation grew loud and belligerent. According to witnesses, Appo began to rave "like a madman," allegedly screaming, "I am a liar and a thief, and my life isn't worth two dollars." At that point, he pulled out a penknife, opened the blade, and cried, "I'll cut my throat from ear to ear." Before Riordan could react, Appo stuck the knife in his throat.³⁶

Appo, however, had a different version of these events.

³⁵ One morning [28 September 1894] on leaving the office of Judge Goff, I was met on Broadway and Barclay Street by Mike Riordan, who was then the confidential man for police captain Richard O'Connor and Mike Ryan. Riordan stopped me and said: "How are you? Mike Ryan would like to see and have a little talk with you. He is down at the North River Hotel. Come on down with me."

I replied: "All right, what does he want to see me about?"

"I don't know just what it is. But I guess it is about the captain," said he.

So I walked down with him to the North River Hotel, entered the barroom where Riordan met and spoke to the proprietor who went upstairs and returned in a few minutes and said: "Come back here," and led the way to a private sitting room.

"Mike will be here shortly. What will you have to drink?" said he. I ordered a cigar and Riordan said: "Bring me a whiskey. Why don't you drink something, George?"

"No, thank you. I'm just after eating." Instead of the proprietor going to the bar to serve the order, Riordan went out and brought me a cigar and a glass of whiskey for himself. Just then in Ryan [entered,] and we all sat down at a table.

I said: "I will take a little whiskey," knowing that Riordan would drink the same from the same bottle, and the proprietor and Ryan ordered a small bottle of wine. Riordan then went out for the drinks and said to me: "George, I am surprised at you going before that Committee and saying what you did. Did the Committee ask or say anything about Captain O'Connor?"³⁷

"No, not that I know of, but they were very much interested about you from the way they questioned me while on the stand. In fact, they know more about your business and yourself than I do. Anything you read in the papers about me and what I said on the stand you must not believe or pay any attention to it. It is all lies and exaggeration. I believe you have some fellow now associated with you, or someone working for you, who is giving information to some reporter who is publishing all that stuff about your doings and making it look as though I was responsible for it," said I.

Just then, Mike Riordan came in with the drinks on a tray. He set the bottle of wine and the wine glasses on the table. I noticed that he was very careful in selecting one of the two glasses containing the whiskey, setting it down in front of me and saying: "Well, drink up George." I took the glass and as I raised it, I noticed an almost imperceptible whitish color floating on the top of the whiskey, but said nothing. I began to talk to Ryan so as to delay drinking it. When Riordan said, "Why don't you drink up?"

I raised the glass and tasted the whiskey. Sure enough, I tasted the drug or the poison that Riordan had put in the whiskey to do me

harm. I got up from the table as though to finish the drink, and as I noticed that both doors of the room were closed, I let the glass of whiskey fall from my hand as though by accident. Riordan jumped at me and struck me on the head with a blackjack, but I grasped the wine bottle and smashed him on the nose with it and upset the table so as to give me time to get at the door leading to the bar room. I made a punch at the proprietor with the broken bottle, who was in my way and reached the bar room, when I received another blow on the head, making a bad scalp wound. Before I became unconscious, I smashed the glass on the street door to attract attention. That was all unnecessary because an officer, named O'Connor, who was a relation to the Captain O'Connor, was and had been waiting about the entrance all the time I was in the sitting room with Ryan and the other two.

I was then taken to the Chambers Street Hospital. When I came to, I found myself in bed and my head all bandaged up and Captain O'Connor's relative sitting at my bedside in a uniform. I asked him what hospital I was in. "Shut your mouth up, d--- you!" was his reply to me. I saw the doctor in the ward and called him, and told him I was well enough to get up.

That same afternoon, I was taken to the private room of Captain O'Connor at the Church Street Police Station, who said to me: "What was all the trouble about?" I explained everything just as it happened and my grounds for suspecting their bad intentions to injure me.

"I don't think so, but I'll look into the matter," said the Captain. "By the way, what had you to say about me before that Committee?" asked he.

I replied: "Nothing. I don't remember your name even being mentioned by any person I know of connected with the investigating committee."

He got up from his chair and said to policeman O'Connor: "All right, take him to Court." I was then brought to the Centre Street Court, where Mr. [William] Travers Jerome pleaded my case as counselor and I was released.

About two weeks after this affair, I met a man named Mahoney who was a frequenter of Sam Pettit's saloon on West Street, just south of Liberty Street, where Mike Ryan and his green goods men

used as a meeting place. Mahoney said to me: "You were very lucky. Ryan and Riordan meant to 'croak' (kill) you and put your body in a bag. Johns the expressman was to drop it into the river."

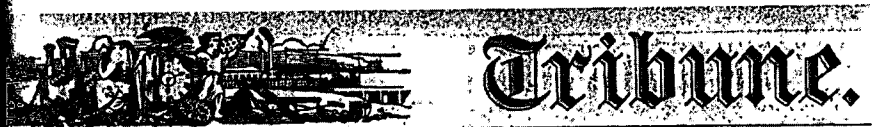
"How do you know that?" I asked.

"I overheard it in Sam Pettit's. I advise you to keep away from around West Street."

I told him, "I have no fear of Ryan or anyone else connected with him, and you can tell him so when you see him." I had no more trouble from Ryan.³⁸

Appo's appearance before the Lexow Committee made him persona non grata in Gotham's underworld. Within weeks of his testimony, he was denied entrance to various opium resorts in the city. Other reports claimed that Appo was cooperating with Goff to procure evidence against certain green goods operators, especially police captain Richard O'Connor.³⁹ The validity of these reports was never corroborated, but some of Appo's criminal associates feared the possibility of his cooperation with the committee.

Then on 28 September 1894 Appo reportedly cut his throat in the North River Hotel. The knife was quickly wrestled away from him, and police officials arrived on the scene. Appo, wailing in what some described as "alcoholic mania," was first taken to the nearby police precinct. A surgeon determined that the wound was not serious, sewed up the one-inch cut just above the jugular, and removed Appo to the Chambers Street Hospital. He continued to scream uncontrollably, forcing police officers to put him in a straitjacket. During the night policeman



FRIDAY, SEPTEMBER 29, 1894.—FOURTEEN PAGES. PRICE 1

BLUE FLAMES.	GEORGE APPO'S THROAT CUT.	ercent employe. Six years ago he started a place for himself at Carlton and Greenwich sts. He was proprietor of that place when he sought to be Alderman. After his failure attempt to defeat Flynn he lost his place and returned to work for Pettit.	CHINA IN
BURNED TO DEATH AT HOME.	THE LEXOW WITNESS FOUND RAVING WITH A GASH IN HIS NECK.		THREATENED WELL.
HANDLED PEACHES IN THE PAN CONTAINED ON THE STOVE.	SUSPICION THAT AN ATTEMPT TO MURDER HIM WAS MADE BY SOME OF THE "GREEN-GOODS" SWINDLERS WHOM HE EXPOSED—HOUNDED BY THEM EVER.	BEAT HER OWN RECORD.	
Fifty years old, the young-		FIFTY MINUTES NEARER THE FIVE-DAY TRIP ACROSS THE ATLANTIC.	

Michael Riordan's attack on George Appo made the headlines of the New York Tribune.

Thomas Coleman was placed on guard and reported that Appo attempted suicide, for which police officials immediately indicted him.⁴⁰

Lexow Committee investigators quickly determined that this version of the events was fabricated. For the first time committee officials acknowledged that Appo was helping to procure evidence. "He has proven himself truthful, accurate, prompt, and faithful," reported John Goff. The counsel then admitted that this was not the first attempt on Appo's life. Only two nights earlier, after leaving Goff's office, Appo was assaulted outside the General Post Office at Broadway and Park Row. With blood flowing down his face, Appo desperately pursued his assailant. On finding him at an elevated train stop, he asked police officers standing nearby for help. They simply looked at him and smiled.⁴¹

Investigators quickly pieced together the chain of events. The attending physician testified that Appo's wound was not self-inflicted. Lexow Committee investigators rejected assertions that Appo was drunk at the time, speculating instead that he was drugged as part of a plot to kill him. Appo insisted that he was attacked during the night at the hospital. A male orderly, at the behest of a guarding police officer, punched Appo in the jaw and temple, twisted cords around his left wrist, and attempted to gouge out his remaining eye. In court Appo displayed his left arm, bruised and swollen from hand to elbow, another bruise on his temple, and a swollen jaw. Appo's charges were later bolstered when Thomas Coleman, the policeman assigned to guard Appo, gave an incoherent account of the events in the hospital.⁴² Despite the evidence, however, the charges against Riordan were dismissed while Appo's case was postponed, a portent of what lay ahead for him.

In November 1894 Appo came upon Ned Lyons in front of the Brower House, a West Twenty-eighth Street hotel just off Fifth Avenue. Lyons was one of America's most famous criminals. A tough character, he stood five feet eight inches in height and weighed a burly 180 pounds. Lyons was without the top half of his left ear, a "gift" from Jimmy Haggerty, who chewed it off in a Philadelphia street fight in 1869. At least four bullet holes disfigured his body, one of which had left a visible scar on his jaw. Lyons was involved in some of the most lucrative bank robberies in nineteenth-century America, including the \$1 million heist of the Ocean Bank in New York City in 1869. In 1872, he successfully escaped from Sing Sing. By 1886, he had abandoned bank robbery for the green goods.

But on 9 October 1894 Lyons's green goods operation in Perth Amboy,

New Jersey, was exposed on the front page of the *New York Sun*. The article claimed that Lyons was having a difficult time, earning only forty dollars weekly. Although the article was full of details only an insider could have provided, no evidence indicated that Appo was a source of information. That, however, mattered little to Lyons; Appo presented a convenient scapegoat. As they passed each other in front of the Brower House, Lyons belted Appo across the face, knocking him into the street.⁴³

Perhaps Ned Lyons was jealous. George Appo was about to become a celebrity.



Ned Lyons.

18

In the Tenderloin

=

One day [in September 1894] I was standing on Centre Street near Leonard. Suddenly I was tapped on the shoulder and greeted with: "Hello! You are just the fellow I want to see. What are you doing now?" asked the lawyer Edmund E. Price.

"Nothing, can you get me something to do?" I replied.

"Yes, come with me to my office." I went with him and on entering his office, he said, "Now, George, take a seat." I sat by a centre table and the lawyer said to me: "I have written a play and am about to have it staged. The name of the play will be In the Tenderloin and will be under the management of George W. Lederer. Now I would like to have you take a principal part in the green goods scene where Tom Davis gets shot dead by the Texans Holland and Hill, who came on to steal the bank roll from Davis. You remember, George, I had their case in court and had them discharged," said Price.

"Yes, I remember both the shooting and the trial of the Texans who shot Davis dead."

"Well, George, I want you to take the part of the steerer and be in the turning joint scene when the shooting comes off, and the minor parts in the play. If you are satisfied to do this, I will arrange with Mr. Lederer to pay you \$50 per week and expenses while on the road."

"All right, I will accept your offer at once," said I. . . .

The next morning at 9 a.m., I arrived at the Bijou Theatre and met [the theatrical manager] Dunlevy and all the actors who were to take a part in the play. I was handed my part in writing and we then began to rehearse each [of] our parts. At the end of the rehearsal I was told that I did fine and to always continue to do the same and make no change in my talk or actions in the future. We rehearsed morning and night for one week.

The play was produced at the People's Theatre on the Bowery for the first time after much advertising in the daily papers and my picture plastered on the bills of the dead walls of the city. On this first night of my appearance as an actor, I stood behind the scenes with an actor beside me who was told to prompt me so that I would make no mistake. When my turn came to go on the stage, he kept saying, "Watch your cue." All of a sudden he gave me a push between the two other actors, saying: "Introduce Holland & Hill." Now that was all unnecessary for him to do that and he came near causing me to slide in on the stage. Anyway, I controlled myself and as I appeared on the stage with the two Texans (Holland & Hill) I was given a great encore by the audience and the house was packed.

After the play was over, Mr. Lederer said to me: "George, you did splendid. I am satisfied." We played at the People's Theatre for one week and then went over to Broadway for another week's stand and played to a full house each night, and at the end of the week the show started on the road.¹

THE LEXOW COMMITTEE was not the only institution offering Appo an alternative to his criminal career. The day after Appo's throat was slashed in the North River Hotel, the entertainment impresario George Lederer



With his performance in In the Tenderloin, Appo's name was plastered on billboards all over the city.

announced that Appo would appear in the opening of *In the Tenderloin*.² Appo's theatrical wizardry in the green goods game was about to move to the stage.

In the Tenderloin was a five-part melodrama. Beginning in front of the Hoffman House off Union Square, the production centers on the thief Jack Forsett, played by the well-known actor Frederic Bryton. Relying on slick manners and handsome looks, Forsett infiltrates genteel social circles under the alias Major Primrose and kidnaps the beautiful child of a wealthy businessman. Ensuing scenes depict various Tenderloin locales: John Daly's gambling house, the Thirtieth Street Police Station, and Tom Gould's Sans Souci. One act concludes inside a stage reproduction of Tom Davis's green goods joint, in which Appo appears twice to deliver five or six lines.

In the final act Forsett fails to seduce the country maiden Blanch. As he returns to his garret to kill the child, a fire breaks out, whereupon Carrots "the newsboy" runs in, grabs the child, and leaps out the window to safety on the stage below. The mother appears, presses the child to her breast, and the curtain falls.³



The green goods scene in *In the Tenderloin*.

Nineteenth-century melodrama generally avoided moral ambiguity, reducing social and political concerns to simple juxtapositions of good and evil. Invoking hyperbolic language, excessive emotions, and moral polarization, relationships were colored in black-and-white rather than shades of gray. Social problems were reduced to character flaws and stereotypical visions of complete goodness and extreme weak-

ness. Virtue and superiority were equated, and love destroyed all barriers of rank. The hero saved the chaste, refined heroine from the evil villain who sought her seduction.⁴

In the Tenderloin superficially adhered to such a formula. Characters like the thief Jack Forsett and Carrots the newsboy embody total evil and complete goodness, respectively. When Forsett tries unsuccessfully to

seduce Blanch, she spurns him in true melodramatic fashion: "I know you now, not only as a villain and a thief, but a destroyer of womanly virtue!" Like many melodramas *In the Tenderloin* treated common people seriously, wrestling with conflicts between good and evil while reflecting the hopes and fears of the time. Even critical reviewers like *Life's* James Seymour Metcalfe described *In the Tenderloin* as "artistic" because "it was largely true" and vice was made "repulsive."⁵

But *In the Tenderloin* digressed from the melodramatic formula in a significant way, marking a controversial departure in New York theatrical history. George Appo, Edmund Price, and George Washington Lederer captured onstage the informal and overlapping relationships shared among the underworld, criminal law, and popular entertainment. *In the Tenderloin* introduced a level of authentic representation never before witnessed on the stage—real live convicts. The *World* described the production as "the finest collection of thugs, crooks and blacklegs ever corralled outside a State prison."⁶ For the first time convicted felons were deliberately and openly showcased on stage. The moral nuance found in *In the Tenderloin* fused urban reality with sensational melodrama.⁷

George Washington Lederer was a well-known and controversial figure in 1894. By then he and his partner Thomas Canary managed the Casino, a beautiful twelve-year-old Moorish structure with a popular roof garden, and the Bijou Theater on Broadway. Historians generally identify Lederer as both a theatrical actor and manager, but he is best remembered as Lillian Russell's producer. During his lifetime he was hailed as the originator of the entertainment revue and the father of musical comedy. Like a number of other theatrical promoters, Lederer claimed (falsely) that he invented the word "vaudeville" for variety performances.⁸

Lederer's reputation was also marred by financial scandal. In 1887 while managing a traveling opera company, he secretly withdrew funds from a company account and left the Canadian city where they were playing. When the bank called in the debt, Lederer's partner was jailed. A year later, as the traveling manager for the Rentz-Santley Burlesque Company, Lederer overdrew another account, resulting in the arrest of the company's treasurer. Lederer allegedly "fixed" both cases and was never arrested. In 1893 a theatrical printing firm won a court judgment against Lederer for a \$185 debt, which remained outstanding a year later.⁹

More controversial was Lederer's sexual philandering. In fact Lederer and Edmund Price first met in 1889 when Lederer was charged with

bigamy and hired Price as his legal counsel. Price managed to have Lederer exonerated, but over the course of the ensuing two decades, Lederer married and divorced at least five different women. His many and varied marital problems and infidelities provided frequent copy for the theatrical press.¹⁰

Edmund E. Price was the product of a different brand of theater. Born in London in 1832, Price immigrated to the United States and enjoyed a prominent career as a boxer. At his peak the pugilist stood five feet ten inches and weighed between 150 and 165 pounds. On 1 May 1856 Price defeated Joe Coburn in what contemporaries believed was the longest fight up to that point—160 rounds and 200 minutes. After settling in Boston in the 1850s, he developed a reputation for modesty. The fighter made “no pretence whatever for any egotistical display,” wrote one admirer. “He is simply ‘Ed Price, all the way from London.’”¹¹

Sometime after retiring from the ring, Price moved to New York City and became a noted criminal attorney. Working in the police courts during the 1870s, he became identified with an underworld clientele. In addition to representing George Appo in several court cases, Price defended a variety of Bowery saloonkeepers, brothel madams, opium-den proprietors, and concert hall owners; his clients included Billy McGlory and Tom Lee. Some considered Price to be one of the leading criminal attorneys in New York.¹²

While Price's defense of James Holland in 1885 was his most famous case, the attorney liked to portray himself as a defender of the underdog. In 1886 he complained about the injustices associated with the fee system in New York's criminal courts, charging that “unprincipled lawyers made a practice of feeing keepers for exercising their influence in their favor.” Yet Price was probably guilty of the same. Several times he was accused of being a “shyster lawyer,” and during the 1890s he was allegedly hired by leading brothel madams like Matilda Hermann to act as a go-between with police and Tammany Hall officials in the payments of bribes and protection money.¹³

But Price possessed artistic aspirations beyond the drama of Gotham's police courts. Described as “a good scholar, a facile linguist, and a complete master of the principal modern languages,” Price published *The Science of Self Defence: A Treatise on Sparring and Wrestling* in 1867. Then, beginning in 1883, while working as a variety actor, he started writing plays. Over the ensuing decade he authored two comedies and at

least five melodramas, two of which showcased the heavyweight boxing champion John L. Sullivan.¹⁴

With boxers and other celebrities attracting a growing theater patronage and the seating capacity of theaters doubling in the 1890s, presenting convicted felons on stage made economic sense to producers like Price and Lederer. Appo's lack of theatrical experience was hardly a deterrent. The success of Sullivan and other pugilists convinced Price and Lederer that fame (or infamy) was more important than theatrical talent. Appo was hardly Hamlet or Lear, they acknowledged, but his looks and language made him “the incarnation of the green-goods art.”¹⁵

So on Thanksgiving Day 1894, *In the Tenderloin* opened at the Grand Opera House in New Haven. The production “seems to be the sort of play the Yale boys like,” satirized the *Herald*. With “a thrill in every scene and murders at judicious intervals,” he added that the collegians “went wild with delight.” The other controversial performer, Tom Gould, received an enthusiastic greeting from the audience, including a floral horseshoe that was passed over the footlights to him. Appo received less applause, but the *Herald* concluded that “his name appears in the programme in just as black letters as Gould's, and that may be fame enough.”¹⁶

After a two-week run at the Star Theater in Brooklyn, *In the Tenderloin* debuted in New York at Henry C. Miner's People's Theatre on the Bowery. Not only was People's one of the three largest theaters in New York, the playhouse attracted leading writers and actors. At first *In the Tenderloin* generated favorable reviews. One paper proclaimed it “a success, and it has come to stay.” Even the amateurs onstage garnered compliments. “Gould did not have much to do, but what he did he did well, and the same may be said of Appo,” wrote one critic.¹⁷

Tepid acceptance, however, quickly gave way to critical outrage. A variety of reviewers described the production as “useless,” “a disgrace to the stage,” and the “deepest depth of the degradation of drama.” The presence of convicted felons onstage generated the most heated criticism. “If genuine dive-keepers, burglars, ‘green goods’ men and bruisers are to be exhibited on the stage, why not genuine bawds and murderers?” satirized one critic. “Why not have a man killed, say at every hundredth performance, instead of giving away souvenir spoons?” Even though Appo and Gould played themselves on stage, he pronounced them poor actors.¹⁸

Critics worried that *In the Tenderloin* reflected a new pattern in American popular culture. Several surmised that Lederer and Price were motivated by the need for large audiences and greater profits—to keep “the money-bags jingling,” wrote one. Complaints about popular taste in Bowery theaters were commonplace throughout the nineteenth century, but the growing number of theatrical venues and the appearance of new immigrant-based forms of theater after 1890 evoked renewed concern. Not only did audiences vocalize their appreciation, but the cast of characters— anarchists, union organizers, Talmudic scholars, flamboyant actors, pious women with shawls, overworked shopkeepers, garment workers— bore little resemblance to middle-class America. Theatrical promoters increasingly mixed elements of melodrama, variety, and sensationalism. *In the Tenderloin* embodied such a production.¹⁹

Most important, *In the Tenderloin* represented a new entertainment genre, “freak drama” according to one critic. Like the border dramas and Wild West shows of Buffalo Bill, Texas Jack, and Pawnee Pete, which introduced authentic cowboys and Indians to the stage, theater producers resorted to a new form of profit-driven, sensational realism. Prominent bandits, train robbers, swindlers, and confidence men made stage appearances after 1890. The famed bank robbers Frank James and Cole Younger even sponsored their own traveling show. In 1899 Fayne Moore, an indicted opium-den proprietor, was released on bail from the Tombs in order to star in *King of the Opium Ring*. All this “marked a new era in stage realism,” lamented the *World*.²⁰

Freak dramas like *In the Tenderloin* transformed and redefined the meaning of “the criminal.” Although Price portrayed the production as a melodrama, both the public and critics recognized that it was something different. Few paid any attention to the leading actor, Frederic Bryton. Instead critics and audiences directed their gaze to Appo and Gould. While each assumed the constructed roles of criminals on stage (and in real life, for that matter), they were not treated as melodramatic examples of evil. Now they were ambiguous characters. The sharp boundaries that divided the criminal from the noncriminal, the illegitimate from the legitimate, faded. Audiences now cheered for the villain. No longer a marginalized deviant, the convicted felon represented urbanity and modernity, city life in its paradoxical complexity. The criminal was now a celebrity.

The presence of Appo and Gould onstage introduced a level of moral relativism absent in conventional melodrama. Like twentieth-century portrayals of organized crime figures, the criminal was less a villain and more a hero. As convicts recast as theatrical luminaries, Appo and Gould participated in a new social construction of the criminal. Wittingly or not, they acted as agents in the fabrication of their own images.

In the Tenderloin appeared at a moment when interest in Gotham's criminal underworld was attracting increasing theatrical attention. During the 1880s and early 1890s productions like *Shadows of a Great City*, *The Dark Side of the Great City*, and *Sin and Its Shadows* were among the first New York stage performances explicitly to highlight underworld themes. In 1891 *A Trip to Chinatown* at Charles H. Hoyt's Madison Square Theater depicted various stereotypes of New York's Chinese underworld while including popular songs like “On the Bowery” and “Push Dem Clouds Away.” The production played for more than three hundred performances, then the longest run in New York theatrical history. By offering a detailed, factual tour of Gotham's underworld milieu, *In the Tenderloin* went one step further. The trend continued into the next century as a variety of “Tenderloin” musical compositions and theatrical productions depicted a New York populated by prostitutes, pimps, gamblers, and other underworld characters.²¹

Price and Lederer recognized that such freak dramas enjoyed an appeal beyond New York. When *In the Tenderloin* traveled to Syracuse, Youngstown, Cincinnati, and Indianapolis, “hinterland” reviewers proved far more tolerant and less condescending than their New York counterparts. Indeed, the objects of outrage from Gotham's critics—the “low” audience of “floaters,” the sensationalized realism of urban life, Price's criminal associations, the frank treatment of “vice”—were cited favorably. In Cincinnati newspapers reported that the performers played before standing-room-only crowds. Syracuse audiences gave the performers—especially Appo and Gould—boisterous receptions, allegedly because of the realism depicted onstage.²²

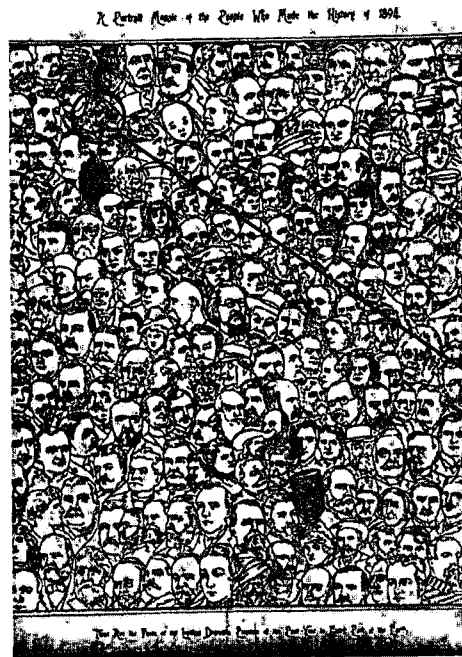
Hyperbolic praise proved more common. “Nowhere in the history of modern melodrama has such an instantaneous success been achieved as that which greeted Mr. Edmund E. Price's latest realistic success,” wrote the reviewer for the *Cincinnati Tribune*. The production's strengths were the reproduction of actual events, presented in genuine locations where

they took place, "a facsimile of occurrences in the heart of New York." The characters played by Appo and Gould embodied an element of everyday life in New York. Rather than exalt moral turpitude, *In the Tenderloin* conveyed moral lessons and deserved the public's attention.²³

The favorable reviews and approving audiences must have pleased Appo. Indeed, now he was famous. By the end of the year Appo was identified among the "People Who Made the History of 1894" in the *World*. He was even the subject of verse:

George Appo, always getting thumped because he made his squeal;
Depew, who on the Bowery stumped along with Ollie Teall.²⁴

But managers Price and Lederer proved less impressed with Appo's bravura performance.



The *World's* "A Portrait Mosaic of the People Who Made the History of 1894" included George Appo in the upper left corner.



☞ The two first weeks I played at the London and Brooklyn Theatres, I was paid my salary of \$50 per week. But when we started on the road, I never got one cent of my salary for three weeks, nor did any of the others of the company get paid. Yet, we were drawing full houses wherever we played and Lederer was making good sums of money. When we disbanded at Indianapolis, and after much anxiety and waiting, our hotel bill and railroad fare was paid and we were told that our three weeks salary (\$150) would be paid when we arrived in New York City. . . .

When I arrived in New York, I went direct to the Bijou Theatre to get my money and found two of the actors of the company there ahead of me, waiting to see the treasurer for their money. I asked them if they had been paid yet. "No! Nor do we expect to be paid a cent. It seems to me that Lederer intends to do us all," said one of the actors to me.

"Well," said I, "you as a professional actor can make him pay you what he owes you for your labor by bringing him into court."

They both began to laugh at me and said: "Let me tell you something. There is not an actor in the business who has nerve enough to make a complaint when he gets beat out of his salary. Every one of us gets the worse end of it quite often and we dare not complain. If we did, we would find attached beside our names in the books of the dramatic agency a big 'K' which denotes 'Kicker.' When a company is being formed, the manager looking for actors to fill parts in the play, and sees the big 'K' beside the name, that actor will never get a date."

While he was telling me this, in walks the treasurer, bowing and smiling, and said: "Well, gentlemen, what can I do for you?"

I said: "I was sent here by the manager, Mr. Dunlevy of the play *In the Tenderloin* to be paid three weeks salary now due me (\$150.00)."

"Oh, yes, you are George Appo. Well, Mr. Lederer is in the city today and you come here tomorrow and I will let you have five dollars to see you through until then." He handed me five dollars and a receipt for the same for me to sign. I signed it and went away.

As I got to the street, I met another actor of the company who asked me if the treasurer was inside. I said: "Yes, and he paid me five dollars."

"Did you sign a receipt for the five dollars?"

"Yes, of course," said I.

"You were foolish to do so. Now you won't get another cent out of Lederer and no matter how hard you kick. He has the best of you for six years on that receipt," said the actor to me . . .

Such was my experience on the stage in my efforts to earn an honest living. I found that the system of cheating the actors out of their hard earned money was a common practice with such men as George W. Lederer who financially back the shows they take on the road. The poor actor dare not complain for fear of the loss of a future date with some other show. In fact, I tried time and again to see Lederer and obtain at least a portion of the money owed by him, but failed. I even consulted the lawyer, Edmund E. Price, who got me to sign the contract and take the part needed in the play. The only encouragement he gave me was: "I can't do nothing in the matter. Wait until you see Mr. Lederer and I guess he will settle up with you alright then."

So I got tired and disgusted in my efforts to connect with Lederer, and as I was completely without means of support and without a cent, I began to search high and low, so to speak, for employment of some kind, but failed.²⁵

A Marked Man



☞ The daily papers kept continually writing articles about me exposing the evil doings of the police and many other exaggerated lies about crooks being allowed by them to ply their crooked business with impunity by paying the police protection money. The consequences of all this newspaper talk made many bad and dangerous enemies for me, especially among my former associates and friendly acquaintances among the political ward heelers in the different parts of the city. The reporters would write and publish articles about me criticizing the high police officials and their administration and a lot of other things I never mentioned, that were lies from beginning to end. In fact, these same reporters I had never seen or met or talked with any person on the articles that were published. I mention this to show why I was assaulted so frequently by the police and others and forced to defend myself after the Ryan affair and the publications of the press.¹

One day [9 April 1895], soon after the first article published about the police with my name signed to it, I was on the northeast corner of Sixth Avenue and 28th Street to meet an actor named Theodore Babcock.² When he appeared, I invited him to have a drink, and on entering the saloon, I noticed a young fellow whom I knew as a Haymarket "cadet" (pimp) standing in front of the side door of the saloon talking with an officer in uniform. I saw him nudge the policeman and point at me. As Babcock and me had our drinks placed before us, this young cadet came and stood beside Babcock and gave him a push, saying, "What's the matter, do you want the whole bar to yourself?" Of course, Babcock became surprised and indignant and the cadet struck him a violent blow in the face.

I immediately smashed the cadet and he clinched me. In a

moment, the policeman (Rein by name) rushed in from the side door and struck me a violent blow on the head, splitting the scalp open about three inches. I held on to the cadet and grabbed a glass from the counter and struck him with it, and took all the fight out of him. In the meantime, the officer kept hitting me on the back and sides with his club. I managed to get my penknife out and opened. In order to protect myself from the club, I rushed in on the policeman and give him all he deserved. He laid on the sidewalk after he sneaked out of the saloon.

I remained there and two other policemen came and locked me up after the doctor sewed up the wound on my head. My sides were bruised and painful from the beating I received. The next morning I was brought to court and charged with felonious assault and held for the grand jury under \$500 bail. When my case was called to plead to my indictment, I was forced to plead guilty in self-defense before Judge [Rufus B.] Cowing who presided at the General Sessions Court. I was sentenced to a term of six months in the Penitentiary, Blackwell's Island.³

GEORGE APPO SAT in the Jefferson Market Courthouse on 9 April 1895, waiting for his hearing in the assault of police officer Michael J. Rein. In walked James McNally. For the first time since Appo began cooperating with the Lexow Committee, the former green goods associates stood face-to-face. McNally had just returned from Europe the previous day. "There you are, you ——," sneered McNally. "I [knew] that's where you would end up, you —— squaler you."

McNally's sudden appearance stunned Appo. But he quickly realized what was happening. "I know who's at the bottom of this," he bellowed. "You have put up this job for me, but I'll show this conspiracy up." Moments later an indolent Appo testified in court that the charges were fabricated, part of a nefarious plot by McNally and the police "to get me out of the way." McNally, Appo swore, intended to kill him.⁴

George Appo was hardly the only cooperative witness before the Lexow Committee. Police captain Timothy Creeden acknowledged that he paid fifteen thousand dollars for his promotion to captain, the money originating from "backers" later reimbursed by extorting various businesses in the precinct. Police captain Max Schmittberger confessed to the widespread use of bribery and extortion of brothel keepers and oth-

ers in the underground economy. Concert saloon impresario Harry Hill described how Capt. Michael Murphy demanded an initiation fee of eight hundred dollars and monthly payments of fifty dollars during the 1880s. In 1890, when Murphy upped the ante to one thousand dollars, Hill refused and was forced to close.⁵

Nor was Appo alone in suffering police harassment. Charles Krumm, the proprietor of Krumm's Concert Hall on Christie Street, complained that the police hounded him after he testified. "They have given no rest to me for telling the truth," complained Krumm. That was in 1899, five years after his testimony.⁶

None, however, was punished like Appo. The madam Mathilda Hermann was intimidated and briefly arrested for allegedly breaking a brothel door in May 1895. Charles Priem, the first brothel owner to testify, was found dead in a furnished room in April 1895, but his passing was never directly connected to his Lexow testimony. Even Schmittberger remained on the police force and was later promoted to chief inspector.⁷

Appo's confrontation with Rein was but one of at least six such assaults on Appo in the ten months following his Lexow testimony. "I was hounded by some of the old-time detectives under Chief Byrnes and [Police Chief] Devery's administration," he charged, "who feared I knew too much about their crooked dealings with the 'sure thing grafters.'" Appo became "a veritable Ishmaelite [*sic*]," according to the writer Louis Beck, hated by the green goods fraternity and viewed with suspicion by law-abiding citizens. Two days after his testimony, Appo learned from McNally's chief assistant that McNally and Ryan had hired two men to kill him.⁸

Appo appeared to be an easy target. Less than five feet four inches in height, the former convict weighed under 120 pounds, hardly a physically intimidating opponent. When Appo spoke, his soft, high voice was barely louder than a whisper. He was deaf in the left ear, and the hearing in his right was badly impaired. Appo's body displayed visible reminders of his many confrontations. In addition to the loss of his right eye, a bad wound was visible over his right eye. Michael Riordan's attempt to slit Appo's throat left a long scar on his throat and the left side of his neck. Reportedly sixteen other scars marked his body.⁹

Appo's alienation from McNally and his decision to cooperate with the Lexow Committee were motivated in part by revenge. Appo believed that on his recovery from his injuries in Poughkeepsie, his green goods

employer blacklisted him from working in the green goods business. "McNally would do me all the injury he could to stop me from getting and living," charged Appo.¹⁰

A second motivation was Appo's belief that McNally abandoned him. After his successful appeal and release from prison in 1894, Appo wanted help. He called on McNally, believing that after four to five years of loyal service—during which time McNally earned five hundred thousand dollars—he deserved some financial support. Appo met McNally's chief assistant in Bridgeport, Connecticut, and was informed that McNally was out of town. After waiting five days, Appo discovered McNally was hiding. Appo finally cornered McNally, who immediately promised to help him. "I will see you to-morrow in New York at 12 p.m. sharp at Roach's Corner, 38th Street and 7th Avenue, and fix you up alright," promised McNally. He never appeared.¹¹

Appo even suspected that McNally set him up. Before the Lexow Committee Appo suggested that Cassel and Hogshead were "dummy come-ons," part of a "put-up job" designed to kill Appo because of an earlier argument with McNally. Remembering that James Holland had been acquitted for a similar crime against green goods dealer Tom Davis in 1885, Appo surmised that McNally thought he had little to lose.¹²

But Appo's resentment was more than just personal. By 1894 he openly disdained green goods backers. Such individuals, he charged, were "not willing to take a chance such as are taken by pickpockets or a burglar." Men like McNally were little more than pimps "who live off the shame of women." Worse, they worked in conjunction with the police, serving as "stool pigeons for the Central Office."¹³ Such "capitalists" in Appo's mind failed to adhere to the unwritten code of the good fellow; they, not he, were traitors to their class.

Appo, however, paid a price for his anger—his life was now in danger. The indictment hearing revealed that individuals were actively conspiring to kill Appo. Police officer Michael Rein charged Appo with stabbing him while placing him under arrest for creating a disturbance. Under cross-examination, however, Appo's counsel, Frank Moss, challenged the veracity of Rein's story and the media's coverage of the event. The officer testified that after the confrontation with Appo, he returned to the precinct house, undressed, and slept in the station that evening. Only the next day, he admitted, did he bother to notice the stab wound.¹⁴

Appo was indeed cooperating with the Lexow Committee. Not only

was he represented by Frank Moss, but his five-hundred-dollar bond was furnished by Mary F. Sallade, a prominent figure in moral reform circles in New York and sometimes called "the female Parkhurst." Such encouragement bolstered Appo. He insisted that "no matter what the police tried they could not again drive him into the ranks of crooks." Psychologically and emotionally liberated, Appo defended his Lexow testimony. "I was no longer ashamed to walk the streets and no longer afraid of the police. . . . Beat me, starve me, do as they like, I'm going to be honest." In Appo's words, he felt like "a new man."¹⁵

Not completely. A week later Appo failed to appear for his trial, thus forfeiting Sallade's bond. Appo later defended his flight as self-defense. On the day of his release, Appo was assaulted by two unknown men on West Seventeenth Street, just off Seventh Avenue. "I was struck in the head and cut with some weapon, but through fear of my life, I did not complain," he later explained. Instead Appo fled to Albany and then Buffalo. Parkhurst believed that Appo was singled out because his testimony was "too truthful to be palatable."¹⁶

In Buffalo, Appo ran into a green goods operator. Fearing for his life, he absconded to Toronto. Working under the alias George Waring, Appo must have resorted to his connections from his brief acting career, joining a theatrical company called "The Derby Mascot." In Montreal, to Appo's chagrin, the company disbanded. "I was left without a dollar," he later reported. Appo telegraphed Sallade, begging her for money to purchase a train ticket and promising to return to New York. When she refused, Appo somehow made his way to Buffalo, where he met a New York Central Railroad detective from whom he obtained a pass to New York.¹⁷

On 30 September 1895 Appo appeared before Judge Rufus Cowing and pleaded guilty. Cowing was probably the most sympathetic magistrate Appo could have faced. The fifty-five-year-old Harvard Law graduate was the sole Republican serving on the state bench in New York City and possessed a well-known independent streak. In national and state elections, Cowing had maintained his Republican Party affiliation but remained bipartisan in city politics; from 1879 to 1906 he was a judicial candidate on both the Republican and Democratic tickets. Cowing was also respected by judicial reformers. During the 1890s he repeatedly tried to eliminate pigeonholed indictments by requiring the district attorney to deposit all indictments with the clerk of the Court of General Sessions and opening them to the public.¹⁸

Standing before Cowing, Appo affirmed his innocence. "I'm here simply because I was a witness before the Lexow Committee and not because I assaulted Policeman Rein," he charged. Two years earlier when green goods operators James McNally and Mike Ryan were in business, "No policeman would have dared to lay a finger on me," insisted Appo. Cowing must have believed him; he sentenced Appo to only six months in the penitentiary.¹⁹



Judge Rufus Cowing.

My time expired [5 April 1896] and I was roaming about the city in search for some honest employment.²⁰ I accidentally met the policeman Rein on Sixth Avenue and 29th Street in citizen's clothes. He greeted me with: "Hello there! When did you come out?"

I replied, "About 8 days ago."

Then said he: "Do you know, I felt d—— sorry after you got 'settled' (sentenced). If I knew as much then as I do now, that trouble between us never would have happened."

I replied: "Well, it's all over now, but you were to blame and you ought not to have paid any attention to that pimp from the Haymarket who pointed me out to you in order to

curry favor of you, for himself and his girl."

"Let us have a drink. I want to have a talk with you," said he.

"No thank you, I'm not drinking anything. I am on some business now and will see you again. Good bye," said I, and walked away and never saw him again.

In the meantime, I tried to get some work to do and after about six weeks search, I gave it up and through necessity, I began to drift back to my former crooked life and to associate with some of my former acquaintances, who nevertheless were seemingly afraid to be seen in my company for fear of being put down as a squealer by the police.

One morning [10 July 1896], about three months after my release from the Penitentiary, I was on the corner of Mott Street to meet a friend by appointment. Not seeing him around, I entered the saloon on the corner of Mott Street and Chatham Square, thinking he

might be there, but he was not in. After buying a drink and a cigar, I said to the bartender: "Eddie, did you see Frank Tuttle around this morning?" This bartender, Eddie Erwin by name, gave me an ugly, sneering look and with a filthy remark, told me to take a sneak out of the place.

I was surprised at his ugly disposition as we were always on friendly terms. I said: "Why, Eddie! What is the matter? Are you mad at me? Explain why?"

He snatched up a bottle from the back counter and said to me: "If you don't get out, I'll knock your brains out with this."

I laughed at him and said, "You better not try it." I left the saloon by the side door and took a seat on the iron railing just outside to the left of the side entrance of the saloon. I had just seated myself and [was] about to read the paper when the side door opened and Erwin rushed at me and struck me a violent blow on top of my head with a blackjack. I jumped for him as he ran into [the] side entrance, but was stopped and grabbed by the throat by a ward heeler, named [John] Atwood. I took a tight hold of him and got my penknife out and cut him badly in self-defense, but before he let go [of] my throat and fell, I was struck on the head by a policeman named Stephen Loughman.

My scalp was sewed up, [and] I was pushed violently into a cell by the policeman Loughman, who said to me after closing the cell door: "Your hash will be cooked up well this time, d—— you." I remained in the cell without food all that day and night and [was] then taken to police court and held to await the results of Atwood's injury. I was informed that the bartender Erwin had three manufactured witnesses beside himself to swear falsely that I was drunk and cut Atwood for no provocation whatsoever. When my case was called for trial, there was the five men sitting together on the front bench in the courtroom ready to take the witness stand to commit perjury. These men were all friends and associates of Erwin's and were not even in the neighborhood at the time of the assault on me. I was personally acquainted with two of these witnesses, their names were Mike Walsh and [?] Hartigan. Both of them were bartenders by occupation.

At the time I was brought into court, I was still suffering from the two blows I received on the head by Erwin and the policeman

Loughman. As I stood before the court-bar to plead to the indictment, I was very weak. As the charge was read to me, I was surprised to see a lawyer named O'Reilly, a brother of Dan O'Reilly, step up beside me and say to the judge, "Your honor, I will take this case."

Suddenly, Ambrose Purdy jumped up, and in an indignant tone of voice said: "Your Honor, please, this is my client. My client is insane and devoid of reason and I demand Your Honor to form a commission and investigate his mental condition." His Honor agreed with Purdy and I was taken back to the Tombs Jail Hospital.

Soon after Purdy had me brought out to the counselor's room and said to me, "Who employed or assigned counselor O'Reilly for you?"
"I do not know."

"Well, no matter, I'm glad I was there to stop him. You are in a bad fix and they are bound to put you away for a long term. They have four witnesses besides the complainant Atwood, so the only best way I can see out of it is to have you sent to the hospital for a short while and then everything will come out all right in the end. You understand me, don't you?"

"Yes, but counselor, this is all a frame up job. I am the victim in the case."

"I know it, but what can we do? Everything is against you and I can't see anyway out of it but the hospital. In the meantime, I will do all I possibly can for you."²¹

Appo was being framed. On 11 July 1896, the day after Appo's confrontation with Eddie Erwin, New York newspapers provided a drastically different version of the event. Reportedly Martin Madden was sitting in front of John Kaiser's saloon when an intoxicated Appo approached. "I've been drinking cocktails, and I don't care who knows it," Appo announced. When Madden ordered Appo to leave, he smashed Madden in the face. Bystander John Atwood quickly intervened, only to be stabbed in the leg by Appo. Madden then delivered a blow to Appo's head, opening a bloody gash. Police officer Stephen Loughman arrived shortly after, arrested Appo, and hauled him away to the Tombs. "As usual, the former convict was the aggressor," claimed one reporter.²²

At least six different newspapers printed this police version of the event. Several inconsistencies, however, were quickly apparent. Allegedly the street was crowded, with the event attracting "a hundred persons to

the spot," by one account. Yet the police produced only one eyewitness. Elsewhere the *Times* claimed that Atwood came out of the saloon to aid Madden, while the *Sun* and others believed that Atwood was walking down the street. Some described Atwood as a newspaper reporter, while others labeled him "homeless," possibly a tactic to prevent Appo's attorney from tracing his perjury. None mentioned Erwin, Walsh, or Hartigan.²³

Despite the contradictory evidence, Appo's supporters now abandoned him. Former Lexow Committee officials publicly doubted the veracity of Appo's charges of underworld harassment. John W. Goff, the newly elected New York City recorder, was reportedly "disgusted" by Appo's repeated brawls and rejected any assistance.²⁴

Appo's attorney, Ambrose Purdy, quickly recognized that his client was being framed. Like many "shyster lawyers," Daniel O'Reilly had tried to steal Appo's case for his own purposes. Purdy reasoned that a prison sentence might even result in Appo's death at the hands of a vengeful inmate. Purdy knew that drastic if not creative measures were necessary. He petitioned the court to send Appo to Bellevue Hospital for psychiatric observation.²⁵

Purdy was known to engage in unconventional legal tactics. Unlike Edmund Price, William F. Howe, or Abraham Hummel—criminal defense lawyers who emerged out of Gotham's sporting and leisure underworld—Purdy enjoyed a privileged background. A graduate of Hobart College and friend of *Herald* editor James Gordon Bennett, Purdy served in the state assembly during the 1870s and then in the United States attorney's and district attorney's offices during the 1880s. In 1886 he helped prosecute Danny Driscoll. While some criticized Purdy as "blood-thirsty" and overzealous, others considered him to one of the city's most effective prosecutors.²⁶

Purdy abandoned public service for more lucrative criminal defense work. At various times he represented Billy McGlory, the "boodle" alderman, the well-known sporting man Biff Ellison, and a variety of green



Attorney Ambrose Purdy.

goods operatives. Purdy recognized that success as a defense attorney necessitated frequent and sensational publicity. On one occasion a client was accused of drugging and robbing an acquaintance. When the prosecution charged that the vials in question contained chloral hydrate—"knock-out drops" in common parlance—Purdy jumped up. "Nonsense," he thundered. "Please give me that bottle. It wouldn't kill a child." Purdy promptly swallowed the contents. His audacity, however, got the better of him; Purdy fell unconscious in seconds. He remained bedridden for a week after physicians pumped the drug out of him.²⁷

Purdy viewed himself as a reformer, allying himself with Charles Parkhurst and the City Vigilance League in 1894. Most likely, he met Appo through this relationship; in 1895 Purdy briefly served as Appo's counsel when he was arrested for assaulting policeman Rein. When Appo was accused of stabbing Atwood in 1896, Purdy again came to his defense.²⁸

Purdy's goal was simple—to have the court declare Appo insane. By the 1890s judicial reformers were increasingly critical of the absence of careful mental and physical examinations of convicted felons prior to sentencing. At the same time theories of "hereditary transmission" of insanity and "congenital" criminal behavior were gaining popularity in the medical community. In certain respects Appo fit such psychiatric models: the offspring of interracial marriage, juvenile delinquency, adult criminal conduct, opium addiction, a drunken and dissipated lifestyle, and a life of "moral degradation." Purdy exploited these stereotypes.²⁹

Appo presented his version of the events before the Commissioners of Charities and Correction on 6 October 1896. He traced the origins of the assault to his release from the Blackwell's Island Penitentiary in April 1896. At that point Appo approached John Goff, Rufus Cowing, and other Lexow Committee reformers, begging them to help him find employment. They ignored his pleas. At the same time Appo's former underworld associates not only considered him an informer but wanted him dead. Appo, in his words, was "a marked man."³⁰

Furthermore, two days prior to the controversial events, on 8 July 1896, two detectives noticed him standing at Bayard and the Bowery. One said, "There's that Appo, the son of a bitch." They crossed the street, entered a saloon, and continued their surveillance of him. A short time later an acquaintance approached Appo, warning that the two detectives "are going to do you." He immediately fled. Appo then recounted a series of

meetings, including one with a friend who urged him to avoid Erwin's saloon.

The veracity of Appo's testimony, however, was undermined by his own counsel. As Appo provided a detailed day-by-day account of the events culminating in the assault, Purdy interrupted: "That is all. I am through," he pronounced. "You see, doctor, he is wandering."³¹ Appo, Purdy insisted, was insane, and should be transferred to a hospital.

But was George Appo insane? Some of his earlier behavior confirmed such suspicions. In 1877, for example, Appo reportedly attempted suicide during his transfer from Sing Sing to Clinton. Five years later, after being sentenced to three and a half years in Sing Sing, Appo made two more attempts on his life. While being escorted out of the Tombs courtroom, he suddenly pulled a vial of opium from his pocket and emptied the contents into his mouth. When that failed Appo was ushered outside, where he tried to throw himself under the wheels of a passing truck. After reaching his cell, he was strapped into a straitjacket and forced to take an emetic to counter the effects of the opium. The pills soon ran out, and Appo "howled until he had all the officers and inmates of the Tombs nearly as crazy as himself," claimed one reporter.³²

A decade later, after his conviction in Poughkeepsie, Appo displayed similar suicidal tendencies. Before being sent off to Clinton, he kissed his wife good-bye, urged her to return to New York with their child, and promised that "my body will follow right away. . . . I am determined to kill myself." Other reports charged that he made four unsuccessful suicide attempts after his Poughkeepsie conviction.³³

Intermittent reports of Appo's insanity appeared after his release. When his throat was slashed by Michael Riordan in 1894, initial press accounts portrayed the event as an attempted suicide. Even when that version was refuted, newspapers described Appo as "raving like a madman." He acknowledged on several occasions that the pressure and fear of assault were unbearable. "This persistent hounding [by police and criminals] has driven me nearly crazy and I have frequently been tempted to do something desperate," he told one reporter. "Life is worth nothing to me." Appo believed that he was without friends or assistance. As his case for assaulting Michael Rein came up, Appo lamented, "I wish to God I had died when I was shot in Poughkeepsie."³⁴

Even supporters suspected Appo's psychological health. The superintendent of the Society for the Prevention of Crime speculated that Appo

was mentally impaired. "You are probably aware that he has been shot in the head, and the bullet still remains in his brain," he wrote to Judge Cowing in 1895. "In consequence of this I do not think he is quite right in his head."³⁵

Numerous law enforcement officials reached similar conclusions. Tombs keepers reported that Appo displayed more characteristics of mental deterioration than during his previous incarcerations. Bellevue physicians and others concurred, concluding that Appo was suffering from multiple ailments: tuberculosis, inflammation of the brain, tubercular meningitis, tubercular enteritis, and consumption of the intestines. The latter disease, one predicted, would be mortal. George Appo, reported the *Sun*, "is dying."³⁶

Appo's own words gave these observations, however ill informed, legitimacy. "Look at me," he later testified. "I have twenty scars on me from police clubs for nothing at all. Give me a knife, doctor and I will prove it, just because I exposed these scoundrels who live off the shame of women. I don't care for life and to prove it I am willing to lay right down here and let you cut that bullet out of my head."³⁷

Insanity pleas served multiple purposes in late-nineteenth-century New York. For some criminal attorneys they were a last-ditch resort to keep a client out of state prison. In 1890 a former Ward's Island Insane Asylum keeper testified that numerous inmates under his watch were sane. They were declared insane by error or as a punishment by prison authorities at other institutions. On the other hand, state officials acknowledged that insanity pleas were sometimes an effective form of punishment. When Sing Sing inmate Edward Meredith threatened to reveal the corruption among prison officials in 1888, prison physician Hiram Barber declared the inmate insane and had him transferred to Auburn and then Matteawan. In 1893 attorney Linwood Pratt alleged that anyone knowledgeable about prison management practices was likely to be sent to an insane asylum. In 1895 Appo's green goods accomplice William Vosburg tried to be declared insane to avoid a long sentence, a ploy rejected by the judge.³⁸

Such abuses were commonplace because no state licensing of psychiatrists existed in New York before 1930. During murder and other high-profile trials, so-called experts testified to advance their theories and "fanciful conclusions," complained one observer. "The public is confused, the juries are misled, and courts become disgusted with the spec-

tacle," concluded one state investigation. Others described such expert testimony as little more than "a burlesque."³⁹

Dr. Joseph F. Terriberly, an expert on nervous diseases at the Manhattan Eye and Ear Hospital, provided scientific support that Appo was insane. The physician described Appo as emaciated and concluded that his version of the assault was unsubstantiated. Terriberly doubted that the bullet in Appo's head or his opium addiction was the cause of any mental illness. Rather, Appo's weakened mental state was hereditary, "a form of mental derangement known as Monomania [*sic*] of the type called persecutive." Terriberly even questioned Appo's testimony that Riordan tried to poison him because Appo provided no physical evidence. Appo was delusional, concluded Terriberly: "He imagines persecutions which do not exist."⁴⁰

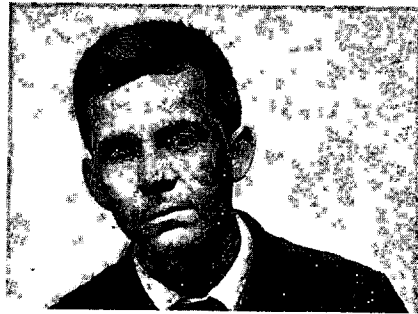
But Terriberly's prognosis also revealed the subjectivity of psychological evaluations in the 1890s. Terriberly provided a list of factors he believed confirmed the defendant's mental illness: Appo's willingness to defend picking pockets, his refusal to worship in church, his lack of any formal education, his misunderstanding that the court stenographer was a newspaper reporter, his many years in prison. When asked if he was insane, Appo replied only "when somebody hits me or abuses me." Terriberly concluded that all this proved that Appo was insane.⁴¹

In reality, Appo was depressed and terrified. His earlier suicide attempts reflected the fear and anxiety associated with incarceration, not mental illness. At one point, Appo regretted his decision to confront his former criminal employers. After being warned to abandon New York, he said, "If I had taken this warning, left the city and gone to some other place under another name, I could have been happy with my wife."⁴² Instead she had left him, in part because the many physical assaults posed a threat to her personal safety. The succession of violent encounters following Appo's Lexow testimony more than just humbled and humiliated him; they destroyed his life.

Furthermore the forces that determined a felon's sanity were subject to the corruption and bribery that characterized other parts of New York's criminal justice system. Most likely Ambrose Purdy bribed the Bellevue officials, who were known to engage in questionable practices. Prior to 1901, for example, city examiners at Bellevue charged private fees for evaluating those held for examination. Supreme Court judges customarily signed commitments without any inquiry about the recommendation

of two qualified examiners in lunacy. Under such conditions, admitted one public charities commissioner, sane persons were "railroaded" through Bellevue to insane asylums. Even after examination, clinical histories of patients were rarely, if ever, kept. Indeed, no record of Appo's mental health examinations exists today.⁴³

In Appo's case the pseudoscience of late-nineteenth-century psychology won the argument. On 23 December 1896 Judge Martin T. McMahon declared Appo legally insane, one of only two arrests in New York City to earn such a distinction that year. Appo thus became one of the first individuals subjected to the principles of Progressive Era criminology, namely a psychological examination before sentencing. The very month of the Atwood incident (July 1896), New York penal institutions were, for the first time, required to have convicts examined by two legally qualified "examiners of lunacy" unaffiliated with a state penal institution.



George Appo after 1894.

If the individual was "certifiably insane," judges were empowered to send the indicted but unconvicted individual to the Matteawan State Hospital for the Criminally Insane.⁴⁴

George Appo entered Matteawan on Christmas Eve of 1896. Abandoned by both friend and foe, he now sought sanctuary in an insane asylum. Within a short time one observer claimed that he was "a hopeless wreck."⁴⁵

Buried Alive

=

On my arrival at this institution [Matteawan State Hospital for the Criminally Insane], I was brought into the private office of Superintendent Dr. Henry E. Allison, who began to examine me and try to find out what my insane delusions were. Whatever his conclusions were about my mental condition, I do not know.

I was then taken to what is known as the Court Patients Ward. My good clothes were taken from me, [I was] given a bath and then a regulation hospital suit of clothes was handed to me by one of the attendants who stood and watched me very closely as I put them on. He then said: "Now go in the ward and sit down and rest yourself." I then stepped from the bathroom into the ward and took the first vacant chair I saw and sat down. I began to watch the actions of the poor, unfortunate, insane men who were walking up and down the floor, some of them singing hymns and others talking loudly to themselves and gesticulating to imaginary foes.

When I had been seated about 20 minutes, one of the patients came and took a seat beside me and said: "I guess you don't remember me, George. I used to work in the stove foundry when you were runner for Paddy Mackin, the 'screw' (keeper) at Sing Sing. That is many years ago. My name is Jimmie Reilly. You know me, don't you?"

"Oh, yes, I remember you well. You had a ten year bit (sentence). How long have you been here in this place?" I asked.

"About seven years or more, and I guess I'll never get out of this rat hole."

"Why, you look well and all right mentally. If your time has expired, I don't see why the doctors hold you here."

He suddenly jumped from the seat and began to shout out his insane delusions about the doctors and judges conspiring against

Fifty-fourth Street, see Rev. J. F. Richmond, *New York and Its Institutions, 1609-1871* (New York, 1871), 367-70.

4. FACTORIES FOR TURNING OUT CRIMINALS

1. Appo, 25-26. Appo's first term in Sing Sing extended from 15 Apr. 1874 to 2 Apr. 1876. He erroneously believed he was sixteen years old at this time. In fact he was nearly eighteen. Appo also confused two different arrests in this part of his autobiography. This description of Hackett occurs later and out of sequence in the manuscript autobiography. Appo attempted to pickpocket John Bannon on 20 Mar. 1874, an arrest he discussed earlier in the autobiography (6). Giving the alias of "George Dixon," this was Appo's second known arrest and first sentence to Sing Sing. His arrest and prison records can be found in entry for 20 Mar. 1874, pp. 475-76, First District, PCDB (age sixteen); entry for "George Dixon," 15 Apr. 1874, 396, vol. 11, SSAR; entry for 13 Apr. 1874, vol. 3, Sing Sing admissions, 1842-1874 (n.p.), Executive Register of Commitments to Prisons, NYSArc.
2. In an earlier version Appo claimed that this experience occurred during his second sentence in Sing Sing in 1878. See Frank Moss, *The American Metropolis* (New York, 1897), III:126-28.
3. Appo, 6-8.
4. *Ibid.*, 9.
5. Lewis E. Lawes, *Twenty Thousand Years in Sing Sing* (New York, 1932), 68-69 (Sint Sinks and Ossine Ossine); Charles Sutton, *The New York Tombs* (New York, 1874), 583, 587; *Leslie's*, 16 Feb. 1878 (32 miles north); NPG, 30 Aug. 1879 (Grace Church); NYSPC, *Investigation of the State Prisons and Report Thereon, 1876* (Albany, 1877) (hereafter *Investigation 1876*), 18 (lime); Amos O. Squire, *Sing Sing Doctor* (Garden City, N.Y., 1937), 5-7. The literature on nineteenth-century prisons is extensive and diverse in emphases, but most of it focuses on administrative goals and penal ideology. For brief summaries of this literature, see Timothy J. Gilfoyle, "New Perspectives on Crime and Punishment in the American City," *Journal of Urban History* 29 (2003), esp. note 6; and Larry Goldsmith, "History from the Inside Out: Prison Life in Nineteenth-Century Massachusetts," *Journal of Social History* 31 (1997), 121-22.
6. Lewis E. Lawes, *Life and Death in Sing Sing* (Garden City, N.Y., 1928), 29; *Leslie's*, 16 Feb. 1878 (grim); Sutton, *Tombs*, 585; NPG, 29 Dec. 1866, 30 Aug. 1870, 30 Aug. 1879; *Sun* clipping, 26 Nov. 1886, vol. 28, DAS; NYSPC, *Thirteenth AR for the Year 1907* (Albany, 1908), 30-31.
7. See note 6 above; *Times*, 2 Nov. 1874; unmarked clipping, 1 July 1885, vol. 22 (slop buckets), DAS.
8. Appo, 31; PANY, *Thirty-fifth AR for 1879*, SD 34 (Albany, 1880), 14-15 (no bathing); NYSPC, *Investigation 1876*, 634 (pond); NYSA, *Report of the Committee on State Prisons Upon the Charges of the New York Star Against the Management of the Prisons of this State*, AD 121 (Albany, 1883), 4 (no baths); NYSA, *Testimony Taken Before the Assembly Committee on State Prisons in the Investigation of Sing Sing Prison*, AD 131 (Albany, 1882) (hereafter *Investigation 1881*), 39-40 (no baths), 50 (shop basins), 113; *ibid.*, *Report of the Superintendent of State Prisons in Response to the Resolution of January 11, 1883*, AD 29 (Albany, 1883), 15 (no toilets).

9. Appendix 1; NYSCP, *Thirteenth AR*, 31 (refrigerator); NYSPC, *Investigation 1876*, 93 (dampness of lower tiers), 142 (bedbugs), 241 (stench), 301 (stench), 397-98, 654 (brick up); New York Superintendent of State Prisons, *AR for 1887* (Albany, 1888), 54 (unwholesome), 106 (buckets); *Press* clipping, 28 June 1891, vol. 87, DAS (fatal illnesses); PANY, *Thirty-fifth AR*, 13 (offensive); *Times*, 3 July 1865 (bedbugs); NYSA, *Report Upon the Charges of the Star*, 3 (cells with vermin, unfit to breathe); NYSS, *Twenty-fifth AR of the Inspectors of State Prisons [for 1872]*, SD 30 (Albany, 1873), 6 (1,191 cells); Sutton, *Tombs*, 583, 589 (unfit); Lawes, *Life and Death*, 57-58, 193 (unfit).
10. *Leslie's*, 16 Feb. 1878 (emporium); Frederick Howard Wines, *Punishment and Reformation: A Study of the Penitentiary System* (New York, 1895 and 1919), 199 (manuf. establishment); ESP Inspectors, *51st AR for the Year 1880* (Philadelphia, 1881), 38-39 (large manufacturing establishment). On Sing Sing's industrial shops comprising the largest factory in the world, see Glen A. Gildemeister, *Prison Labor and Convict Competition with Free Workers in Industrializing America, 1840-1890* (New York, 1987), 182; Roger Panetta, "Up the River: A History of Sing Sing Prison in the Nineteenth Century" (Ph.D. thesis, City University of New York, 1999), 293.
11. *Leslie's*, 16 Mar. 1878 (160 in laundry; 1,500 boots; 200 stoves daily); NYSS, *Twenty-second AR of the Inspectors of State Prisons [for 1869]*, SD 71 (Albany, 1870), map; *Times*, 16 Mar. 1882, 31 May 1885 (130 in laundry); NYSA, *Testimony Taken Before the Assembly Committee*, 13 (laundry severest), 22; *Sun* clipping, 7 Feb. 1887 (laundry unattractive), vol. 30, DAS. By 1878 the various shops were consolidated into five: foundry, laundry, clothes depot, hat factory, and shoe factory.
12. NYSS, *Twenty-second AR of the Inspectors of State Prisons*, map; NYSS, *Twenty-third AR of the Inspectors of State Prisons [for 1870]*, SD 21 (Albany, 1871), 10 (inexhaustible, 225 convicts); NYSA, *Sixteenth AR of the Inspectors of State Prisons [for 1863]*, AD 11 (Albany, 1864), 18; NYSPC, *Investigation of the State Prisons and Report Thereon, 1876* (Albany, 1877) (hereafter *Investigation 1876*), 139 (hogs), 238-39.
13. Nationally, 756 cotton establishments employed 172,544 workers; in New York State, 36 factories employed 9,227. In iron and steel 140,978 workers were employed in 1,005 establishments. Nationwide, thirty-six Bessemer mills employed 10,835 workers. See U.S. Census Office, *Report on the Manufactures of the United States at the Tenth Census, 1880* (Washington, D.C., 1883), II:10-11 (cotton mills), II:738 (iron and steel), II:756. Employee totals in 1880 for Cambria Iron Co. (4,200), Lackawanna Iron and Steel (3,000), Bethlehem Iron Co. (2,900), Pennsylvania Steel (1,600), and Carnegie's Edgar Thompson works (1,500) sometimes included more than one plant and other employees such as miners. See Daniel Nelson, *Managers and Workers: Origins of the New Factory System in the United States, 1880-1920* (Madison, Wis., 1975), 4-6.
14. Appo, 92 (factories); Peter Kolchin, *American Slavery, 1619-1877* (New York, 1993), 101; Roger L. Ransom and Richard Sutch, *One Kind of Freedom: The Economic Consequences of Emancipation* (New York, 1977), 73-78 (50 slaves); Robert William Fogel, *Without Consent or Contract: The Rise and Fall of American Slavery* (New York, 1989), 50-52 (50 slaves); Robert William Fogel and Stanley Engerman, *Time on the Cross: The Economics of American Negro Slavery* (New York, 1974), 22 (Caribbean), 200 (over 200 in Mississippi). On Sing Sing's population over time, see appendix 1.
15. NYSPC, *Investigation 1876*, 2, 636. On the highways and railroad, see NYSS, *Twenty-second AR of the Inspectors of State Prisons*, Sing Sing illustration (77 acres); NYSS,

- Proceedings Before the Special Committee of the NYSS* (Albany, 1876), 1093-94; NYSS, *Twenty-sixth AR of the Inspectors of State Prisons* [for 1873], SD 5 (Albany, 1874), 22; *Times*, 3 July 1874; *World*, 25 Apr. 1874.
16. NYSA, *Sixteenth AR of the Inspectors of State Prisons*, 18 (wholly unprotected); NYSS, *Twenty-second AR of the Inspectors of State Prisons*, Sing Sing illustration; NYSS, *Twenty-sixth AR of the Inspectors of State Prisons*, 22 (no wall); *Times*, 2 Nov. 1874 (Tappan Zee), 3 July 1874, 10 June 1876 (Tousey); PANY, *Thirty-fifth AR*, 15; NYSPC, *Investigation 1876*, 269 (escapes); NYSS, *Proceedings Before the Special Committee of the NYSS*, 1093-94 (Tousey); NYSA, *Report of the Committee on State Prisons, of Their Investigations into the Causes of the Late Outbreaks in the Sing Sing Prison*, AD 187 (Albany, 1869), 4-5.
17. NYSPC, *Investigation 1876*, 2, 81, 111 (lewd women), 110 (contraband), 113 (peddlers), 191 (disreputable women), 265 (grocers), 626 (gunpowder), 635-36 (wharves, grocers).
18. *Leslie's*, 16 Feb. 1878 (hopeless); *Times*, 23 Feb. 1877, 15 Sept. 1877; *World*, 16 May 1920 (wall); *Tribune*, 14 Jan. 1880 (iron fence); NYSPC, *Investigation 1876*, 25; NYSA, *First AR of the Superintendent of State Prisons* [for 1877], AD 10 (Albany, 1878), 7; NYSA, *Second AR of the Superintendent of State Prisons* [for 1878], AD 10 (Albany, 1879), 6, 18; NYSA, [Third] *AR of the Superintendent of State Prisons* [for 1879], AD 21 (Albany, 1880), 5; Lawes, *Twenty Thousand Years*, 77-78, 89.
19. *Tribune*, 13 Apr. 1875 (self-supporting); *Leslie's*, 16 Mar. 1878; NYSA, *Second AR of the Superintendent of State Prisons*, 6 (idleness).
20. Wines, *Punishment and Reformation*, 166, 199; NYS, *Report of the State Commission on Prison Labor* (Albany, 1871), xii (spread of contract labor); PANY, *Twenty-fourth AR for 1868*, SD 10 (Albany, 1869), 515; David W. Lewis, *From Newgate to Dannemora: The Rise of the Penitentiary in New York, 1796-1848* (Ithaca, N.Y., 1965), 179-200; Brian Greenberg, *Worker and Community: Response to Industrialization in a Nineteenth-Century American City, Albany, New York, 1850-1884* (Albany, N.Y., 1985), 146-47; Jonathan Grossman, "The Molders' Struggle Against Contract Prison Labor," *New York History* 23 (1942), 449-57.
21. Appendix 2; *World*, 26 May 1874; NYSS, *Twenty-fifth AR of the Inspectors of State Prisons*, 10; NYSAA, *Supplementary Report of the Majority of the Prison Committee*, AD 86 (Albany, 1876). On the unprofitability of contract labor before 1877, see NYSS, *Twenty-fourth AR of the Inspectors of State Prisons* [for 1871], SD 22 (Albany, 1872), 9 (machinery); NYSS, *Twenty-fifth AR of the Inspectors of State Prisons*, 10 (3 factors); NYS, *Report on Prison Labor*, xiii. On expenditures over time, see appendix 2.
22. PANY, *Twenty-fourth AR*, 517 (favoritism), 521, 522; *Tribune*, 3 Oct. 1876 (loosely conducted); NYSPC, *Investigation 1876*, 19-20 (swindled); NYS, *Report on Prison Labor*, xxi (75 percent). Between 1847 and 1874 Sing Sing operated with an annual deficit. See appendix 2; table 9 in NYSA, *Twenty-seventh AR of the Inspectors of State Prisons* [for 1874], AD 18 (Albany, 1875), 28-29. On Alfred Walker, see NYSS, *Twenty-sixth AR of the Inspectors of State Prisons*, 27; NYSA, *Twenty-seventh AR*, 31, 116; NYSA, *Twenty-eighth AR of the Inspectors of State Prisons* [for 1875], AD 11 (Albany, 1876), 10; PANY, *Twenty-fourth AR*, 522-24; PANY, *Twenty-fifth AR for 1869*, SD 21 (Albany, 1870), 38; NYSPC, *Investigation 1876*, 47, 85, 118, 426, 488-508; *Sun*, 17 Jan. 1877.
23. PANY, *Twenty-fourth AR*, 532; PANY, *Twenty-sixth AR*, 119 (Hubbell), 155-56; NYS, *Report on Prison Labor*, xxvi, xxxii (eliminate politics); *Times*, 23 Apr. 1871; *Tribune*, 13

- Apr. 1875; NYSA, *Report of Thomas Kirkpatrick, Inspector of State Prisons*, AD 93 (Albany, 1875), 1-13.
24. Augustine E. Costello, *Our Police Protectors: History of the New York Police* (New York, 1885), 139 (Amos Pilsbury); Matthew Hale Smith, *Sunshine and Shadow in New York* (Hartford, Conn., 1868), 177-79; *Leslie's*, 27 Aug. 1859; *Times*, 11 Apr. 1860, 3, 5 Mar. 1860; *Herald*, 12 Dec. 1859.
25. Appo, 9-10.
26. *Ibid.*; NYSA, *First AR of the Superintendent of State Prisons*, 6-7, 13; NYSPC, *Investigation 1876*, 11-12, 24-25; *Leslie's*, 16, 23 Feb. 1878; Lawes, *Life and Death*, 62; Lawes, *Twenty Thousand Years*, 15; PANY, *Twenty-fourth AR*, 61-64; Lewis, *From Newgate to Dannemora*, 52-80.
27. *Leslie's*, 16, 23 Feb. 1878 (quotes); *Herald* clipping, 2 Mar. 1887, vol. 32, DAS; Eddie Guerin, *I Was a Bandit* (New York, 1929), 21; NYSPC, *Investigation 1876* (Albany, 1877). On the abolition of the lockstep, see "Stripes and the Lockstep," *Charities Review* 10 (Mar. 1900), 15; "Abolishment of the Lockstep," *Charities Review* 10 (Aug. 1900), 281.
28. Appo, 9-10; NYSS, *Twenty-fifth AR of the Inspectors of State Prisons*, 10; NYSA, *First AR of the Superintendent of State Prisons*, 6-7, 13; NYSA, [Third] *AR of the Superintendent of State Prisons*, 11; *Times*, 12 Jan. 1881. At the end of 1877, 1,409 of the 1,616 convicts (87 percent) in Sing Sing were employed in contract work. See *Tribune*, 31 May 1878 (earnings), 16 May 1878 (self-supporting); NYSA, *Twenty-ninth AR of the Inspectors of State Prisons*, 6-7; *Times*, 2, 5 Feb. 1876, 11 June 1876, 15 Aug. 1876. Also see *Tribune*, 30 Dec. 1876, 17 Feb. 1877, 26 Mar. 1877, 16, 31 May 1878, 26 Mar. 1877, 31 Dec. 1877; *Times*, 26 Mar. 1880; Greenberg, *Worker and Community*, 106, 148-49, 195, 205-6.
29. Sutton, *Tombs*, 591 (wound up); *Leslie's*, 2 Mar. 1878 ("as the machinery"); ESP Inspectors, *51st AR*, 38-39 (leading principle).
30. PANY, *Twenty-fourth AR*, 526 (placed in shops); Lawes, *Twenty Thousand Years*, 97, 161 (health); NYS, *Report on Prison Labor*, 6-8 (jealousy); NYSPC, *Investigation 1876*, 317 (terrorism), 321; *Sun* clipping, 26 Nov. 1886 (cell assignments), vol. 28, DAS; ESP Inspectors, *51st AR*, 7, 38-39; NYSA, *Report Upon the Charges of the Star*, 8-9; *Times*, 29 Jan. 1880 (overwork).
31. NYS, *Report on Prison Labor*, xviii (contrary), 6-8 (alcohol), 96-101; PANY, *Twenty-fourth AR*, 521-22 (favors), 525 (contraband articles); *Times*, 1 Jan. 1880 (citizen employees). For examples of bribery and corruption relating to overwork see *Tribune*, 26 June 1878 (hatmaking contract); NYSPC, *Investigation 1876*, 11 (overwork), 22 (wood contract), 109 (barter), 136 (newspapers), 345 (whiskey), 700 (barter).
32. *Times*, 15 Sept. 1877 (honest work), 9 Apr. 1871; *Tribune*, 1 June 1875 (senseless notion); ESP Inspectors, *59th AR for the Year 1888* (Philadelphia, 1889), 115-16; NYSA, [Third] *AR of the Superintendent of State Prisons*, 11 (thorough discipline).
33. Lawes, *Twenty Thousand Years*, 36 (last words); Lawes, *Life and Death*, 99-100 (third-degree), 101 (no weapons), 103-4 (hard-boiled); NYSPC, *Investigation 1876*, 574 (guards and revolvers).
34. NYSA, *Twenty-fourth AR*, 74 (crucifix), 540-41 (the buck; shower bath), 657; Enoch Cobb Wines and Theodore W. Dwight, *Report on the Prisons and Reformatories of the United States and Canada* (Albany, 1867), 165 (shower bath, ball and chain, iron cap, buck, yoke, or crucifix); *Times*, 3 July 1865 (yoke); *World*, 16 May 1920 (crucifixion). A

- slightly different version of the yoke was employed at Auburn. See NYSPC, *Investigation 1876*, 804. Also see NPG, 30 Aug. 1879; *Leslie's*, 16 Feb. 1878, 16 Mar. 1878. On the severity of punishment before 1860, see Panetta, "Up the River," 171-82, 229-34. On the elimination of whipping in 1847, see Lewis, *From Newgate to Dannemora*, 146-56, 254-55. On the shower bath, see NPG, 5 Jan. 1867, 30 Aug. 1879 (high tide); Lewis, *Newgate to Dannemora*, 269-72 (160 times); *Times*, 3 July 1865; *Harper's Weekly*, 17 Apr. 1869. The "cap" or "bishop's mitre" was an open iron frame, hinged on the back and fastened on the front with a padlock. Once it was placed over an inmate's head, he wore the eight- to ten-pound device day and night. See NYSPC, *Investigation 1876*, 110 (8-10 lbs.); NPG, 5 Jan. 1867, 30 Aug. 1879; *Leslie's*, 16 Feb. 1878, 16 Mar. 1878.
35. NYSS, *Twenty-third AR of the Inspectors of State Prisons [for 1870]*, SD 21 (Albany, 1871), 10; NYSA, *Investigation 1881*, 111, 118, 126, 148, 191; *Tribune*, 17 Jan. 1877; NYSPC, *Investigation 1876*, 9, 66, 69, 90; PANY, *Thirty-fifth AR*, 13; *Times*, 3 July 1865. On the "dark cell" remaining in effect until 1913, see *World*, 16 May 1920.
36. PANY, *Twenty-fifth Annual Report for 1869* (Albany, 1870), 74-75 (ban on corporal punishment), 223-24; *Times*, 6 Jan. 1870 (ban on corporal punishment), 9 Sept. 1880, 16 Mar. 1882, 2 Apr. 1882, 27 Jan. 1883 (administered by p.k., deputy warden, guards); Lawes, *Twenty Thousand Years*, 36 (last words); Lawes, *Life and Death*, 99-100, 103-4; NPG, 30 Aug. 1879, 1 Apr. 1882; NYSA, *Investigation 1881*, 105 (150-60 blows), 102 (300 blows); *Times*, 27 Jan. 1883. Numerous reports of the shower bath, crucifix, yoke, lash, cat-o-nine-tails, and other "cruel punishments" continuing beyond 1870 and until at least 1888 appear in: Sutton, *Tombs*, 592-93; NPG, 30 Aug. 1879; *Press* clipping, 10 July 1892, vol. 100; unmarked clipping, 27 Oct. 1892, 3 Nov. 1892; *Recorder* clippings, 28, 29 Oct. 1892, vol. 103, all in DAS. On the use of the cap and paddle, see *Leslie's*, 16 Feb. 1878, 16 Mar. 1878; *Tribune*, 26 July 1879, 23 Feb. 1883; *Times*, 2 Apr. 1882. On the prevalence of paddling, spanking, whipping, and hanging by the wrists in other state prisons in the 1890s, see New York State Board of Charities, *Report and Recommendations on the Investigation of the Elmira State Reformatory* (Albany, 1894), later reprinted by the *World*, copy in Prisons Box, WC; *Times*, 11 Dec. 1892; NYSPC, *Investigation 1876*, 107, 675; *World*, 5 Oct. 1894.
37. NYSA, *Investigation 1881*, 85-86 (Catholics), 88 (suicide), 101 (suicide), 105 (raw liver), 186-92 (Killoran); Appo, 32-33 (inmates unable to stand). On punishments referred to as "torture," and the various implements as "instruments of torture," see *Times*, 1 May 1868, 3 Apr. 1869.
38. NYSPC, *Investigation 1876*, 66-68, 91, 94, 97, 116, 131, 133, 137-38 (haste), 144, 230 (verbal orders), 673 (no rule); *Press* clipping, 10 July 1892, vol. 100; unmarked clippings, 27 Oct. 1892, 3 Nov. 1892; *Recorder* clippings, 28, 29 Oct. 1892, vol. 103, all in DAS. On guards allowed to hit inmates, see NYS, *Investigation of the State Prisons and Report* (Albany, 1876), 94.
39. Sing Sing reports inconsistently reported punishment rates before 1877, when reportage ceased.

YEAR	TOTAL	CAPPED	DARK CELL	PULLIED
1863	1,213			
1864	1,403			
1870	372	72	92	208
1871		NA		

YEAR	TOTAL	CAPPED	DARK CELL	PULLIED
1872		NA		
1873	364	94	198	72
1874	682	292	390	
1875	1,353	303	1,050	
1876	1,433	391	1,042	

- See Lawes, *Twenty Thousand Years*, 86 (1863 and 1864 statistics), 89 (claims corporal punishment banned in 1870); NYSS, *Twenty-third AR of the Inspectors of State Prisons [for 1870]*, SD 21 (Albany, 1871), 72, 168, 213; NYSS, *Twenty-fourth AR of the Inspectors of State Prisons*, 9, 259 (insubordinate); NYSS, *Twenty-sixth AR of the Inspectors of State Prisons*, 86; NYSA, *Twenty-seventh AR*, 127; NYSA, *Twenty-eighth AR*, 144; NYSA, *Twenty-ninth AR of the Inspectors of State Prisons*, 106; NYC, *Manual of the Corporation of the City of New York* (New York, 1869), 452 (limits punishment to warden).
40. NYS, *Investigation of the State Prisons and Report*, 94 (private contractors), 217; NYSA, *Investigation 1881*, 191 (butchered); *World* clipping, 9 Oct. 1886, vol. 26, DAS; NYS, *Report on Prison Labor*, xi-xii (50 percent); NYSS, *[Fifth] AR of the Superintendent of State Prisons [for 1881]*, SD 15 (Albany, 1882), 5 (without cruel punishments); *Harper's Weekly*, 17 Apr. 1869, p. 254 (verge of death); *Tribune*, *Times*, 28 Mar. 1882; *Tribune*, 23 Feb. 1883 (60 percent), 17 July 1886 (Ward); PANY, *Thirty-fifth AR*, 13 (saddles). For charges of inmates being overworked and punished for failing to meet work quotas, and denials by prison officials, see NYSA, *Investigation 1881*, 110-40, 203-22; NYSA, *Report Upon the Charges of the Star*, 2-4; *Times*, 25 Feb. 1882, 11, 12 Mar. 1882.
41. Lawes, *Life and Death*, 76-77; NYSPC, *Investigation 1876*, 3 (far from secure); *Tribune* clipping, 11 Jan. 1886 (frequent), vol. 17; *Sun* clipping, 12 June 1887 (taking to the river), vol. 36, all in DAS; *World*, 3 Oct. 1869 (hiding in the bucket shop). Official reports show an average of 7.7 escapes annually between 1870 and 1879. Between 1870 and 1876 the average was 10.4 escapes.
42. NYSS, *Report of Inspectors of State Prisons Relative to Escapes of Convicts*, SD 91 (Albany, 1874); *Times*, 4, 7 Apr. 1874; *World*, 4 Apr. 1874.
43. *Times*, 22 Oct. 1876 (Lyons); *Times* (?) and unmarked clippings, 4 Dec. 1886, vol. 28; *Morning Journal* clipping, 25 Oct. 1889, vol. 66, all in DAS; undated clipping for John Quigley, entry for 20 Mar. 1884, 462, vol. 21, SSAR; Allan Pinkerton, *Criminal Reminiscences and Detective Sketches* (New York, 1878), 208-10.
44. *Times*, 12 Apr. 1874 (Black Jim); *Tribune*, 21, 22, 23 Feb. 1883. For a rare example of a failed prison revolt on 18 Mar. 1869 that resulted in the death of one keeper, see *Harper's Weekly*, 3 Apr. 1869.
45. PANY, *Twenty-fourth AR*, 151 (minors, demoralized); Sutton, *Tombs*, 658.
46. These statistics are based on my tabulation of entries between 15 Apr. 1874 and 2 Apr. 1876 (dates of Appo's first Sing Sing incarceration), vols. 11 (15 Apr. 1874-29 Oct. 1874), 12 (30 Oct. 1874-19 July 1875), 13 (20 July 1875-2 Apr. 1876), SSAR.
47. Byrnes, *Professional Criminals*, 182-83, 211-13, 233, 236-37, 260, 264-65, 274-75.
48. Appo, 9-10 (brutes). On prisoners being allowed visitors once every two months, see *Leslie's*, 16 Feb. 1878; *Times*, 31 May 1885. On prisoners being legal "slaves of the state," see *Ruffin v. Commonwealth*, 62 Va. (21 Gratt.) 790 (1871), quoted in Friedman, *Crime and Punishment*, 529.

49. On the rise of gangs and "supergangs" in prisons after 1960, see James B. Jacobs, *Stateville: The Penitentiary in Mass Society* (Chicago, 1977), 138-74, esp. 152-53; and David M. Oshinsky, "Worse Than Slavery": *Parchman Farm and the Ordeal of Jim Crow Justice* (New York, 1996), 249-51.
50. Appo, 8.

5. THE "GUNS" OF GOTHAM

1. Appo, 8-9.
2. Allan Pinkerton, *Thirty Years a Detective* (Chicago, 1884), 36; Hutchins Hapgood, ed., *The Autobiography of a Thief* (New York, 1903), 13-49 (pervasive pickpocketing), 35 (halcyon days); Josiah Flynt, *Notes of an Itinerant Policeman* (Boston, 1900), 67-68; Flynt, *The World of Graft* (New York, 1901), 2-15; Lawrence M. Friedman, *Crime and Punishment in American History* (New York, 1993), 108-10. Nearly half (48 percent) of all crime in 1866-67 was some type of larceny, and never dropped below 36 percent until after 1887. In 1927 robbery (25 percent) surpassed larceny (24 percent) for the first time. See NYSS, *Proceedings Before the Special Committee of the New York State Senate* (Albany, 1876), 1192a (statistics before 1876); and table no. 1 in NYSCC, *Report to the Commission of the Sub-Commission on Penal Institutions—1928* (Albany, 1928), 33. "Gun" was reportedly an abbreviated form of the Yiddish word for "thief," or *gonnif*. See Edwin H. Sutherland, *The Professional Thief: By a Professional Thief* (Chicago, 1932), 44.
3. George F. Fletcher, *Rethinking Criminal Law* (Boston, 1978), 3-5 (primordial), 30-42, 90, 100-12.
4. Appo, 29.
5. Appo, 81, 84, 94-96; James D. McCabe, Jr., *The Secrets of the Great City* (Philadelphia, 1868), 359-60; Allan Pinkerton, *Professional Thieves and the Detective* (New York, 1880), 69; NPG, 29 Apr. 1882 (artist).
6. Hapgood, *Autobiography*, 51-53 (special part); Pinkerton, *Thirty Years*, 33-39, 48-50; Herman Melville, *Pierre, or The Ambiguities* (New York, 1852; reprint, 1984), 281; McCabe, *Secrets*, 358 ("foreign tongue"), 359 ("bugger"), 369 ("beats"); A. E. Costello, *Our Police Protectors: History of the New York Police* (New York, 1885), 417; *Tribune*, 2 July 1883, 25 Dec. 1887. For lists of underworld slang, see Timothy J. Gilfoyle, "Street-Rats and Gutter-Snipes: Child Pickpockets and Street Culture in New York City, 1850-1900," *Journal of Social History* 37 (2004), note 28. For examples of street gang or group organization of pickpockets, see *People v. Charles Cassel*, 9 July 1869; *People v. Witt and Malloy*, 8 Aug. 1876, both in DAP; unmarked clipping, 8 July 1889, vol. 62, DAS; Thomas Byrnes, *Professional Criminals of America* (New York, 1886), 36-37; Phil Farley, *Criminals of America* (New York, 1876), 202-3. For examples of married and heterosexual couples working as pickpockets, see *People v. John Williams and Bella Williams*, 16 Sept. 1864; *People v. Bridget McGuire*, 19 Dec. 1859; *People v. Ellen Wilson*, 5 Sept. 1872, all in DAP; *World* clipping, 2 Aug. 1885, vol. 13, DAS.
7. Flynt, *Graft*, 40; Pinkerton, *Thirty Years*, 33-39; *Sun*, 4 Mar. 1861; Jonathan Slick, *Snares of New York; or, Tricks and Traps of the Great Metropolis* (New York, 1879), 37-38; Byrnes, *Professional Criminals*, 36-37; *Star* clipping, 8 Oct. 1883, DAS; *Tribune*, 2 July 1883, 25 Dec. 1887.

8. Hapgood, *Autobiography*, 53 (jumps out), 78-82; Munro, *New York Tombs*, 172; Flynt, *Graft*, 39 (jump out); Pinkerton, *Thirty Years*, 31-37; Benjamin P. Eldridge and William B. Watts, *Our Rival, the Rascal* (Boston, 1897), 16; McCabe, *Secrets*, 366-70; NPG, 27 May 1882; *Tribune*, 25 Dec. 1887. On preventive arrests, see *Tribune*, 7 Aug. 1885; *World*, 8 Aug. 1885; unmarked clipping, 22 Apr. 1889, vol. 60, DAS; Byrnes, *Professional Criminals*, 34-35; Helen Campbell, Thomas W. Knox, and Thomas Byrnes, *Darkness and Daylight: or, Lights and Shadows of New York Life* (Hartford, Conn., 1891), 704 (rovers). On preventive arrests of Appo, see *World*, 6, 7 Aug. 1885; *Brooklyn Eagle*, 2 May 1889.
9. Hapgood, *Autobiography*, 51; *People v. Charles Cassell*, 8 July 1869; *People v. John Riley*, 21 Nov. 1864; *People v. John Brown*, 13 Dec. 1864. For pickpockets in churches, see *People v. Maria Anderson*, 2 June 1874; *People v. Henry Maler*, 8 June 1876; *People v. John Danaker*, 17 Feb. 1869; *People v. James Watson*, 8 Apr. 1869; *People v. Maria Brown*, 19 Apr. 1869, all in DAP. Arrest and prosecution statistics in this chapter are based on the sampling of 1,176 individuals arrested for pickpocketing from 1859 to 1876 and described in chapter 2, note 20; and Gilfoyle, "Street-Rats and Gutter-Snipes," notes 19 and 20. Of 1,176 individuals prosecuted, trial and other testimony revealed that at least 279 (24 percent) worked with one or more accomplices, 51 percent worked on the street, 14 percent in a concert saloon or restaurant, and 13 percent on a street-car or other form of public transit.
10. *People v. Henry Gibson*, 6 Dec. 1871; *People v. John McClane*, 9 July 1872; *People v. James Carson*, 5 Dec. 1876, all in DAP; *Harper's Weekly*, 20 May 1871 (in league); *Increase of Crime*, 24 (hustle passengers); McCabe, *Secrets*, 367 (Beware); Sutherland, *Professional Thief*, 44 (warning signs). On crowded streetcars, see *Herald*, editorial, 2 Oct. 1864; *Tribune*, editorial, 2 Feb. 1866.
11. *Star* clipping, 8 Oct. 1883 (delicately); unmarked clipping, 8 Aug. 1895, vol. 144; *Times* clipping, 7 July 1890 (knockdown pickpockets), vol. 75, all in DAS; Hapgood, *Autobiography*, 39-40; George W. Walling, *Recollections of a New York Chief of Police* (New York, 1887), 330; NPG, 27 May 1882; Byrnes, *Professional Criminals*, 34; *Tribune*, 25 Dec. 1887; Farley, *Criminals of America*, 202. Only 11 percent (114 in number) of those arrested in the sample were "knockdown pickpockets."
12. Of 1,176 individuals prosecuted for pickpocketing, 940 were male (80 percent) and 236 female (20 percent). The breakdown by age was:

AGES	TOTAL	PERCENTAGE OF TOTAL	PERCENTAGE OF ADULTS
10-14	57	5	—
15-17	109	9	—
18-19	179	15	18
20-24	372	32	37
25-29	203	17	20
30-34	110	9	11
35-39	57	5	6
40-44	22	2	2
45-49	11	1	1
50 AND ABOVE	5	.4	.5
UNKNOWN	51	4	5

For examples of pickpockets identifying themselves as "gentlemen" and "entrepreneurs," see *People v. Charles Gibbons*, 7 Apr. 1876; *People v. James O'Brien*, 17 Jan. 1876, both in DAP. To categorize the occupations given by prosecuted pickpockets, I relied on the classification scheme devised by Michael B. Katz in *The People of Hamilton, Canada West: Family and Class in a Mid-Nineteenth-Century City* (Cambridge, Mass., 1975), 343-48; and "Occupational Classification in History," *Journal of Interdisciplinary History* 3 (1972), 63-88. With roman numeral I identifying occupations with high socioeconomic ranking to roman numeral V for those with low socioeconomic ranking, pickpockets fell into the following categories:

TOTAL IN CATEGORY	I	II	III	IV	V	VI	UNKNOWN
1,176	14 (13M/1F)	90 (85M/5F)	406 (390M/16F)	249 (228M/21F)	265 (142M/123F)	69 (13M/56F)	69
TOTAL % (OF 1,107)	1.3	7.6	37	23	24	6	1
MALE % (OF 871)	1.5	9.7	49	26	16	1.5	
FEMALE % (OF 222)	—	2.3	7	9	55	25	

Roman numeral VI includes "unclassified occupations." Newsboys and bootblacks were not included in Katz's classification, and I recategorized servants and laundresses from "unclassifiable occupations" to category V.

13. Campbell, *Darkness*, 705-6 (Byrnes); Pinkerton, *Thirty Years*, 37 (female thieves); Byrnes, *Professional Criminals*, 35-36; Farley, *Criminals of America*, 206-7. On female mobs, see *People v. Ellen Daley and Mary Ann Williams*, 5 Aug. 1859, DAP; unmarked clipping, 30 June 1885, vol. 13; unmarked clipping, 11 Aug. 1895, vol. 144, both in DAS. Among the 241 females prosecuted for larceny or grand larceny, 43 percent were arrested in a panel house (a house of prostitution where male clients were systematically robbed), brothel, saloon, or concert saloon. Another 22 percent were arrested in the street.
14. *People v. Catharine Smith*, 25 Nov. 1864; *People v. Catherine Columbus*, 16 Nov. 1864; *People v. Josephine Thompson*, 9 Mar. 1869, all in DAP.
15. *Star* clipping, 8 Oct. 1883 (big city), DAS; *Tribune*, 12 Aug. 1876; Slick, *Snares of New York*, 39; *Tribune*, 12 Aug. 1876.
16. R. I. Davis, *Men's Garments, 1830-1900: A Guide to Pattern Cutting* (London, 1989), 54, 60 (decline of frocks); H. Matheson, *H. Matheson's Scientific and Practical Guide for the Tailor's Cutting Department* (New York, 1871), 14 (popular garment); Frederick T. Croonberg, *The Blue Book of Men's Tailoring* (1907; reprint, New York, 1977), 14-15 (Every man; plenty of pockets); R. L. Shep, "Introduction" in Louis Devere, *The Handbook of Practical Cutting on the Centre Point System* (London, 1866, 1868; reprint, Lopez Island, Wash., 1986).
17. *World* clipping, 14 Oct. 1885, vol. 14, DAS; Pinkerton, *Thirty Years*, 42-44; Appo, 25. On the lack of attention to men's pockets, see Matheson, *Scientific and Practical Guide*, 16, 46-48, 50; Augustus Koch, *The Cutters' Centennial Guide; A New System in the Art and Science of Garment Cutting* (Poughkeepsie, N.Y., 1876), 21-23.
18. Hapgood, *Autobiography*, 34; *Sun*, 4 Mar. 1861; Munro, *New York Tombs*, 41.
19. Steffens, *Autobiography*, 222-26, 288.
20. Hapgood, *Autobiography*, 77-78, 225.

21. Flynt, *Graft*, 39, 46-47, 56; *Brother Jonathan*, 28 Jan., 24 Mar. 1860 (police familiarity); *Lexow Committee*, II:1801-2 (Vosburg and Noble); unmarked clipping, 11 Nov. 1886, vol. 27; unmarked clipping, 22 Apr. 1889, vol. 60, both in DAS; NYSCC, *Report—1929* (New York, 1929), 107 (habeas corpus).
22. Hapgood, *Autobiography*, 35; *World* clipping, 14 Oct. 1885 (careless), vol. 14, DAS; Allan Pinkerton, *Criminal Reminiscences and Detective Sketches* (New York, 1878), 96-97 (judge); Walling, *Recollections*, 497-500, 531-32 (messenger; Higgins); *Times*, 31 Dec. 1894 (Wall Street), 14 Apr. 1892.
23. Appo, 29 (\$600), 18, 20 (\$600-800). The total number of victims was smaller in number than the pickpocket total because nearly one-quarter of all victims were victimized by more than one pickpocket. Of 1,010 victims 740 (73 percent) were male, 264 (26 percent) were female, and 6 (0.6 percent) were of unknown gender. In 1,010 incidents the breakdown of objects stolen was:

538	(53 percent)	money or pocketbook with money
408	(40 percent)	watch and/or chain
32	(3 percent)	watch and money
25	(2 percent)	jewelry
7	(0.7 percent)	unknown

- For individual cases, see *People v. Charles King and Charles May*, 5 Feb. 1864; *People v. Patrick Riley*, 21 May 1869 (McKenna); *People v. Frank Linton*, 10 July 1871; *People v. Peter McGee*, 18 June 1872 (Nevins); *People v. William Devlin*, 9 Mar. 1874 (Boyden); *People v. Charles Gibbons*, 7 Apr. 1876, all in DAP. On pickpockets earning \$1,500 per week, see Andrew Bruce and John Landesco, "The Criminal Underworld of Chicago in the '80's and '90's: How the Life of Eddie Jackson, the Immune Pickpocket, Was Secured," *Journal of Criminal Law and Criminology* 25 (Sept. 1934), 345.
24. *Star* clipping, 8 Oct. 1883, DAS; NPG, 27 Dec. 1845, 3 Jan. 1846, 10 Jan. 1846, 4 Apr. 1846; George Thompson, *Adventures of a Pickpocket; or Life at a Fashionable Watering Place* (New York, 1849); George G. Foster, *New York by Gas-Light* (New York, 1850), 85; Campbell, *Darkness*, 704.
 25. *Times* clipping, 7 July 1890 (worst criminals), vol. 75; *Truth*, 4 June 1883 (no mercy); *World* clipping, 30 Mar. 1890 (Byrnes), vol. 72, all in DAS.
 26. On the sample from the DAP and related methodology, see note 9 above; *People v. Joseph Brunner*, 17 Nov. 1876; *People v. John McGrath*, 17 Nov. 1876; *People v. Hoy*, 17 June 1879; *People v. Ellen Wilson*, 5 Sept. 1872, all in DAP. For cases involving unemployed men pleading for mercy, see *People v. James Delany*, 6 July 1876 (2.5 years); *People v. Joseph Carroll*, 29 June 1876 (4.5 years), both in DAP. On judges issuing severe penalties against "knockdown pickpockets" to deter others, see *Times* clipping, 7 July 1890, vol. 75, DAS.
 27. *People v. Henry Ducketts* (14 years old), 24 June 1879; *People v. John Kelly* (19 years old), 16 Mar. 1871; *People v. John Golden* (17 years old), 14 Jan. 1874; *People v. Alfred Johnson* (19 years old), 3 June 1874; *People v. Lawrence Dixon* (19 years old), 6 Feb. 1874, all in DAP. For an earlier charge against Ducketts when he was nine, see *People v. Henry Ducketts*, 21 Apr. 1874, DAP.

28. For statutes defining pickpocketing and various forms of larceny, see Laws of 1860, chapter 508, sections 33, 34; revised in Laws of 1862, chapter 374, sections 2, 3 (assault with intent to steal); revised in Laws of 1882, chapter 410, sections 3 (attempted larceny), 63 (grand larceny), 531 (larceny in the second degree), 686 (punishment for unsuccessful attempt), 447. Grand larceny was the felonious taking and carrying away of another's personal property valued in excess of twenty-five dollars. Larceny in the second degree included unlawful appropriation of property of any value from a person. Courts upheld convictions of attempted larceny even if nothing was in the victim's pocket or the perpetrator gained control of no property. See *Commonwealth of Massachusetts v. McDonald*, 5 Cush. 365; *People v. Jones*, 46 Mich. 441; *State of Connecticut v. Wilson*, 30 Conn. 500; 1862 LEXIS 24; *Rogers v. Commonwealth of Pennsylvania*, 5 Serge. & Rawle 463; *People v. Bush*, 4 Hill 133. For examples and a good summary of the above statutes and cases, see *People of the State of New York v. Thomas Moran*, 123 N.Y. 254; 25 N.E. 412; 20 Am.St.Rep. 732; 1890 N.Y. LEXIS 1730; Fletcher, *Rethinking Criminal Law*, 4-5.
29. Unmarked clipping, 10 June 1883, DAS; Board of Police Justices of the City of New York, *Second Annual Report for the Year 1875* (New York, 1876), 9; NPG, 31 Dec. 1881.
30. Arthur Train, *The Prisoner at the Bar: Sidelights on the Administration of Criminal Justice* (New York, 1923), 8, 11-12, 24-25, 33-38.
31. William Francis Kuntz II, *Criminal Sentencing in Three Nineteenth-Century Cities* (New York, 1988), 358-59, 370; Monkkonen, *Murder in New York City*, esp. 167; Monkkonen, "Racial Factors in New York City Homicides," 113 (2 percent); Monkkonen, "The American State from the Bottom Up," 521-31.
32. The data and information below are based on the sample in DAP, 1859-74, described in chapter 2, note 20. In 1871, 1872, and 1874, 101 individuals were convicted of larceny, 54 of whom were sentenced to three or more years in prison. Court of General Sessions indictments in 1859 and 1864 frequently did not include the final punishment on convicted defendants. Only twenty-one indictments and convictions involving individuals who stole \$100 or more in valuables provided a final sentence.

PERCENTAGE BREAKDOWN OF PRISON SENTENCES

YEAR	TOTAL CASES	TOTAL SENTENCED	<1 YEAR	1-1.9	2-2.9	3+	SUSPEND.	H. OF REF.
1859	54	26	35	8	31	27	0	0
1864	118	40	35	8	28	3	0	0
1869	91	47	9	15	30	38	0	9
1871	144	84	12	7	14	52	11	4
1872	144	74	9	16	38	31	9	5
1874	316	245	14	12	42	20	1	11
1876	301	219	10	20	33	27	0	11
TOTAL	1,168							

33. *Truth*, 4 June 1883, DAS (shot); Matthew Hale Smith, *Sunshine and Shadow in New York* (Hartford, Conn., 1868), 569; *People v. John Smith*, 25 Nov. 1872, DAP. For other examples of long sentences, see *People v. John Jackson*, 17 Nov. 1876; *People v. Henry Lee*, 15 June 1876, all in DAP.
34. Entry for 20 Mar. 1874, 475-76, First District, PCDB (Appo); entry for "George Dixon,"

- 15 Apr. 1874, 396, vol. 11, SSAR; entry for 13 Apr. 1874, vol. 3, Sing Sing admissions, 1842-1874 (n.p.), Executive Register of Commitments to Prisons, NYSArc; *People v. John Williams*, 15 Sept. 1871 (5 years for a \$60 watch); *People v. Emma Wilson and Catherine Love*, 16 Oct. 1874 (3 years for a \$6 watch); *People v. Jane Crane*, 20 Oct. 1874 (3 years for \$2.30); *People v. Jane Loughlin*, May 1876, all in DAP; *Morning Journal* clipping, 20 Dec. 1886 (25 years), vol. 29, DAS. For other examples of lengthy Hackett sentences to teenagers, see entry for George Smith, age nineteen (2.5 years), 11 Sept. 1875, 56; entry for John McCauly, age eighteen (2 years), 17 Sept. 1875, 80, both in vol. 13, SSAR. Near the end of his career, Hackett allegedly became insane and issued even heavier sentences.
35. *National Cyclopedia of American Biography* (New York, 1909), 11:572; Francis L. Wellman, *Gentlemen of the Jury: Reminiscences of Thirty Years at the Bar* (New York, 1924), 250-55 (Gildy, rifle team).
36. *People v. Timothy Leary*, 30 June 1876, DAP; *Star* clipping, 4 June 1884 (class of criminals), vol. 8, DAS. For other examples of harsh sentences given by Gildersleeve, see *People v. John Delehanty*, 7 Dec. 1876, DAP; entry for John Downey (nineteen years old, two years for petty larceny), 8 Mar. 1876, 310, vol. 13, SSAR; *Sun*, 16 Jan. 1877 (five years for pickpocketing \$1), 19 Jan. 1877 (fifteen years for highway robbery), 23 Jan. 1877 (six months for gambling); 26 Jan. 1877 (fifteen and twenty years for assault and robbery).
37. Appo, 8-9. Appo confused the names of the judge and victim in this part of the autobiography. He mistakenly believed that he pickpocketed John A. Bannon and that he was tried before "Judge Cowen," the latter a reference to Rufus Billings Cowing, who judged Appo in a later trial in 1895. I replaced Cowing's name with Gildersleeve's. See entry for "George Wilson," 11 Jan. 1877, 173, vol. 14, SSAR; entry for George Wilson, 12 Dec. 1878 (deduction date), vol. 2, Reports of Deductions of Sentences by Prison Agents, Wardens and Superintendents (AO601), NYSArc.

6. DRAFTED

1. Appo, 9. Sing Sing admission records indicate that Appo could read and write *before* his second sentence to Sing Sing. See entry for 15 Apr. 1874 (George Dixon), 396, vol. 11; entry for 11 Jan. 1877 (George Wilson), 173, vol. 14, both in SSAR.
2. NYSA, *First AR of the Superintendent of State Prisons [for 1877]*, AD 10 (Albany, 1878), 30, 47, 61, 171; NYSA, *Second AR of the Superintendent of State Prisons [for 1878]*, AD 10 (Albany, 1879), 24, 31, 35, 43, 56, 67; appendix 2; entries for 20 July 1877, 13 Oct. 1877 (Appo draft), Diary of the Principal Keeper of Clinton Prison, NYSArc.
3. NYSA, *Supplementary Report of Majority of the Prison Committee*, AD 86 (Albany, 1876), 2-4; *Times*, 3 July 1874; Lewis E. Lawes, *Twenty Thousand Years in Sing Sing* (New York, 1932), 14 (Siberia); NYSPC, *Investigation of the State Prisons and Report Thereon*, 1876 (Albany, 1877) (hereafter *Investigation 1876*), 563; NYSA, *Resolutions Relative to the Removal of the State Prison at Clinton to Ward's Island*, AD 128 (Albany, 1877); NYSA, *Twenty-ninth AR of the Inspectors of State Prisons [for 1876]*, AD 14 (Albany, 1877), 266 (isolation); NYSA, *Second AR of the Superintendent of State Prisons*, 9-10; NYSA, *Third AR of the Superintendent of State Prisons [for 1879]*, AD 21 (Albany, 1880), 6-7; David W. Lewis, *From Newgate to Dannemora: The Rise of the*

Penitentiary in New York, 1796-1848 (Ithaca, N.Y., 1965), 260-62. No Clinton prison admission records covering the years Appo was there have survived.

4. *Times*, 3 July 1874; NYSPC, *Investigation 1876*, 577-78, 583, 598; NYSA, *Twenty-ninth AR of the Inspectors of State Prisons*, 8 (unprofitability).
5. NYSPC, *Investigation 1876*, 137, 150, 238 (hardest men).
6. NYSA, *Second AR of the Superintendent of State Prisons*, 8; NYSA, *First AR of the Superintendent of State Prisons*, 10-12.
7. NYSSP, *AR for 1888* (Albany, 1889), 34; NYSSP, *AR for 1887* (Albany, 1888), 14-15; NYSS, *Twenty-fifth AR of the Inspectors of State Prisons [for 1872]*, SD 30 (Albany, 1873), 167 (Parkhurst); NYSA, *First AR of the Superintendent of State Prisons*, 160.
8. *Tribune*, 26 June 1878; NYSPC, *Investigation 1876*, 22. Clinton's contract labor population during Appo's term was:

YEAR	TOTAL POP.	HATS	STATE WORK	SICK OR UNEMPLOYED
1878	649	243 (37%)	245 (38%)	96 (15%)
1879	472	290 (61%)	148 (31%)	34 (7%)
1880	521	341 (65%)	152 (29%)	28 (5%)

See NYSA, *Second AR of the Superintendent of State Prisons*, 70; NYSA, *Third AR of the Superintendent of State Prisons*, 76; NYSA, *Fourth AR of the Superintendent of State Prisons [for 1880]*, AD 13 (Albany, 1881).

9. NYSA, *First AR of the Superintendent of State Prisons*, 9 (meals in cells); *Times*, 3 July 1874; NYSS, *Twenty-fifth AR of the Inspectors of State Prisons*, 6 (544 cells).
10. NYSPC, *Investigation 1876*, 529 (bathing), 594 (shanties).
11. PANY, *Twenty-fourth Report*, 525 (contractors); *Sun* clipping, 20 Dec. 1886 (tobacco), vol. 29; *Herald* clipping, 9 Nov. 1894 (whiskey), vol. 134, both in DAS.
12. NYSPC, *Investigation 1876*, 595 (chickens), 596 (inmate guards), 607 (steak); *Tribune*, 25 Jan. 1896 (errands); Eddie Guerin, *I Was a Bandit* (New York, 1929), 26.
13. Appo spelled the keeper's name as "Hagerty." Civil service reports spelled his surname as "Haggerty." Appo believed that the incidents involving Haggerty took place in 1879. Most likely he meant 1878, since he was released on 8 January 1879. I have changed the date from 1879 to 1878. See Appo, 10-11, 52.
14. E. D. Ferguson was the Clinton physician from 1876 to 1 June 1878. Appo misspelled his name as "Furgeson." See NYSA, *Twenty-ninth AR of the Inspectors of State Prisons*, 358; NYSA, *First AR of the Superintendent of State Prisons*, 246; NYSA, *Second AR of the Superintendent of State Prisons*, 73.
15. Appo, 51-52. Appo was slightly confused about the year. He was in Clinton prison between 13 Oct. 1877 and 8 Jan. 1879. See entries for "George Wilson," 20 July 1877, 13 Oct. 1877, 8 Jan. 1879, Diary of the Principal Keeper of Clinton Prison, NYSArc. Clinton prison admission records do not cover Appo's years. Consequently it was not possible to corroborate the existence of Mike Hicks.
16. Entry for 17 Apr. 1878, 468-69 (escape); 15 Mar. 1878, 18 Mar. 1878, 14, 19 Aug. 1878; 28 Aug. 1877 (guards suspended); 24, 29 Apr. 1877, 1, 4, 6, 20, 22 May 1877 (escapes); 5 June 1877 (guard attack), all in Diary of the Principal Keeper of Clinton Prison, NYSArc; *Times*, 21 Oct. 1877 (guards assaulted).
17. Entries for 3 Sept. 1878, 20, 21 Nov. 1878, Diary of the Principal Keeper of Clinton

Prison, NYSArc. Published accounts offered no discussion of this event. See NYSA, *Second AR of the Superintendent of State Prisons*, 59-76.

18. *Times*, 3 Aug. 1891 (Haggerty's Christmas Tree), 12 Feb. 1892, 20 Feb. 1893; *Tribune*, 17 Feb. 1892 (reckless keepers).
19. Appo, 10-11; Frank Moss, *The American Metropolis*, III:127-28. These parts of the autobiography were written as if these events occurred in Sing Sing, but the details Appo provides indicate that he was in Clinton. Records reveal that it was a day earlier and that his sentence was reduced. See entry for George Wilson, 12 Dec. 1878 (deduction date), vol. 2, Reports of Deduction of Sentences by Prison Agents, Wardens and Superintendents (AO601), NYSArc; entry for George A. Wilson, 8 Jan. 1879, Diary of the Principal Keeper of Clinton Prison, both in NYSArc. I found no mention of Appo's charges in the *World* from 30 Dec. 1878 to 28 Apr. 1879; *Herald*, Jan. 1879; and *Sun*, Jan. 1879. Newspaper exposés of cruelty and brutality in New York prisons were common after 1870.
20. Appo, 10-12. Appo referred to the hat company as "Gardner & Co., 182 Greene St." I have changed the name in the text to Garden & Co., which was identified as a pack-age hat house at 458 Broome Street from 1870 to 1872, and then a hat manufacturer at either 80 or 82 Greene Street from 1875 to 1880. See *Trow's New York City Directory* (New York, 1870-80).

7. OPIUM DENS AND BOHEMIA

1. Appo, 12-13. "Graft" was a general, generic slang term used by criminals for all kinds of theft and illegal practices. See Josiah Flynt, *The World of Graft* (New York, 1901), 4. On "sure thing graft," see Frank Moss, *The American Metropolis* (New York, 1897), III:132. "Hand shakers" were confidence men known for outwardly friendly methods. They were sometimes called "bunco steerers."
2. Appo, 8-9.
3. *Ibid.* (crooks), 12-13 (different systems); Allen S. Williams, *The Demon of the Orient, and His Satellite Fiends of the Joints: Our Opium Smokers as They are in Tartar Hells and American Paradises* (New York, 1883), 72-75 (addict by 1875); Moss, *American Metropolis*, III:132.
4. Williams, *Demon*, 7, 88; Martin Booth, *Opium: A History* (New York, 1996), 63 (opium use greater than tobacco use). In 1881 China and the United States signed a treaty prohibiting "natives of either country" from selling opium in the other. Designed to prevent conflicts related to the Opium Wars from occurring, it unintentionally discriminated against Chinese den operators. See *Tribune*, 18 Apr. 1882, 23 July 1883; *Morning Journal* clipping, 26 Dec. 1886, vol. 29; *Recorder* clipping, 10 Nov. 1891, vol. 91, both in DAS; Charles E. Terry and Mildred Pellens, *The Opium Problem* (New York, 1928), 745. Numerous localities classified opium as a "poison," allowing only medical professionals to sell or distribute it. See *Herald* clipping, 20 Aug. 1882, DAS; William Rosser Cobbe, *Doctor Judas: A Portrayal of the Opium Habit* (Chicago, 1895), 198. By 1898 at least twenty "pharmacies" in Chinatown sold opium in twenty-five- to fifty-cent portions. See Louis J. Beck, *New York's Chinatown: An Historical Representation of Its People and Places* (New York, 1898), 144. On opium as a cure for alco-

- holism, see Williams, *Demon*, 89. The best studies of nineteenth-century opium use are David T. Courtwright, *Dark Paradise: Opiate Addiction in America before 1940* (Cambridge, Mass., 1982), 1-36, 54-56, 79-83; David F. Musto, *The American Disease: Origins of Narcotic Control* (New York, 1987 edition), 1-70; Jill Jonnes, *Hep-Cats, Nācs, and Pipe Dreams: A History of America's Romance with Illegal Drugs* (Baltimore, 1996); Joseph Spillane, "The Making of an Underground Market: Drug Selling in Chicago, 1900-1940," *Journal of Social History* 32 (1998), 28; Diana L. Ahmad, "Opium Smoking, Anti-Chinese Attitudes, and the American Medical Community, 1850-90," *American Nineteenth-Century History* 1 (2000), 53-68.
5. E. W. Syle, "A Chinese Mission in New-York," *Spirit of the Missions* (July 1854), 285; unidentified clipping, 12 May 1883, DAS; unmarked clipping, 12 May 1883, DAS; Horace B. Day, *The Opium Habit, with Suggestions as to the Remedy* (New York, 1868), 8; Cobbe, *Doctor Judas*, 126. On the widespread belief that most, if not all, Chinese men smoked opium, see George W. Walling, *Recollections of a New York Chief of Police* (New York, 1887), 419-20; Jacob Riis, *How the Other Half Lives* (New York, 1890), 94-95; Helen Campbell, Thomas W. Knox, and Thomas Byrnes, *Darkness and Daylight: or, Lights and Shadows of New York Life* (Hartford, Conn., 1891), 552; Mary Roberts Coolidge, *Chinese Immigration* (New York, 1909), 9. These critics conveniently forgot that opium smoking was introduced to China by Europeans. See Peter Ward Fay, *The Opium War, 1840-1842* (Chapel Hill, N.C., 1975); Jonathan D. Spence, *The Search for Modern China* (New York, 1990), 120-32, 143-64; Frederic Wakeman, Jr., *Strangers at the Gate: Social Disorder in South China, 1839-1861* (Berkeley, Calif., 1966); Jonnes, *Hep-Cats*, 43.
 6. James L. Ford, *Forty-Odd Years in the Literary Shop* (New York, 1921), 202-3 (origins of "joint" and "dope").
 7. Augustine E. Costello, *Our Police Protectors: History of the New York Police* (New York, 1885), 517-23; Thomas Byrnes, *Professional Criminals of America* (New York, 1886), 13-17; Virginia Berridge and Griffith Edwards, *Opium and the People: Opiate Use in Nineteenth-Century England* (New York, 1981), 202-4; Bingham Dai, *Opium Addiction in Chicago* (1937; reprint, Montclair, N.J., 1970) 17-19; Jonnes, *Hep-Cats*, 29-30 (dope).
 8. *Tribune*, 21 July 1876, 10 July 1877, 12 July 1882; Beck, *New York's Chinatown*, 253-54; Williams, *Demon*, 10-11; *Times*, 26 Dec. 1873 (miserable alley), 22 Mar. 1880 (400-500 Chinese); *Harper's Weekly*, 7 Mar. 1874, (Homer), 222; Alonzo Calkins, *Opium and the Opium-Appetite* (Philadelphia, 1871), 53; Walling, *Recollections*, 432 (6,000-7,000 Chinese); *Harper's Weekly*, 22 Nov. 1890.
 9. Williams, *Demon*, 12 (vicious, depraved, criminal); Beck, *New York's Chinatown*, 156 (imported vice); Walling, *Recollections*, 419-20.
 10. *Star* clippings, 26 Dec. 1888, 8 Feb. 1884 (4 Mott), vol. 7, DAS; Beck, *New York's Chinatown*, 113 (17 Mott), 118 (17 Mott); correspondence attached to Police Inspector Moses D. Cortwright to Peter Conlin, Chief of Police, 1 Oct. 1896, box 90-SWL-45, MP; Williams, *Demon*, 59-61 (poor town), 67 (Poppy); H. H. Kane, "American Opium-Smokers," *Harper's Weekly* 25 (8 Oct. 1881), 646; H. H. Kane, *Opium-Smoking in America and China* (New York, 1882), 2, 8; *Star* clipping, 8 Feb. 1884, vol. 7, DAS. On the location of Chinatown opium dens below or behind laundries, boarding-houses, groceries, and gambling dens, see Williams, *Demon*, 12-17, 75 (17 Mott

- Street); Campbell, *Darkness and Daylight*, 550. On the growth of Chinese laundries and their links to opium, see Williams, *Demon*, 59-61; unmarked clipping, 9 Nov. 1891, vol. 91; *Herald* clipping, 17 Mar. 1892, vol. 96; unmarked clipping, 30 Mar. 1896 (202 E. 104th Street), vol. 153; *Herald* clipping, 11 Dec. 1898, vol. 175, all in DAS; Clifton R. Wooldridge, *Hands Up! In the World of Crime; or Twelve Years a Detective* (Chicago, 1906), 218-19, 221-22; *People v. Ah Wing et al.*, 27 May 1887; *People v. Ah Gong and Ah Wing*, 24 June 1887, both in box 9963, location 106094, SCC.
11. *Sun*, 12 Feb. 1882; "Closure of the Opium 'Joints' in New York," *American Journal of Stimulants and Narcotics* 1 (1882), 26 (4 Mott St.); *Star* clippings, 26 Dec. 1888, 8 Feb. 1884 (4 Mott), vol. 7, DAS; *Evening Post*, 21 Aug. 1882, quoted in John Liggins, *Opium: England's Coercive Opium Policy and Its Disastrous Results in China and India; The Spread of Opium-Smoking in America* (New York, 1883), 6. The *Evening Post* reporter misspelled "Poppy" as "Pape." Allen Williams claimed that "Old Pop" on Mott Street was Quong War. See Williams, *Demon*, 60, 63, 67.
 12. *Leslie's*, 12 May 1883 (other half); Ford, *Forty-Odd Years*, 202-3; Albert Parry, *Garrets and Pretenders: A History of Bohemianism in America* (New York, 1933), ix (intellectual proletariat); Charles Warrington Earle, "Opium-Smoking in Chicago," *Chicago Medical Journal and Examiner* 52 (1886), 105. For brief descriptions of New York's "Bohemia," see NPG, 31 Dec. 1881; Ford, *The Literary Shop and Other Tales* (New York, 1894); Ford, *Bohemia Invaded* (New York, 1895). The den was located at 10 Pell Street. See Beck, *New York's Chinatown*, 154.
 13. Parry, *Garrets and Pretenders*, xiii, 1-5, 8-10, 14-21, 26-37, 55-61; Maxwell F. Marcuse, *This Was New York* (New York, 1969), 82-85; Ford, *Forty-Odd Years*, 61-62 (Clemenceau). On Fitz-James O'Brien's description of opium creativity, see Williams, *Demon*, 91-103. On Clapp, see *National Cyclopaedia of American Biography* (New York, 1907), IX:121; Henry Clapp, Jr., "Prison Sonnets" in Charles Spear, ed., *Voices from Prison: A Selection of Poetry Written Within the Cell* (Boston, 1848), 122-23. Pfaff's was located at 653 Broadway, the Free Love League at 555 Broadway. On "free love," see Helen Lefkowitz Horowitz, *Rereading Sex: Battles over Sexual Knowledge and Suppression in Nineteenth-Century America* (New York, 2002), 268-71, 288-96, 295.
 14. *Tribune*, 16 Oct. 1881 (sporting men); NPG, 13 Sept. 1879; Timothy J. Gilfoyle, *City of Eros: New York City, Prostitution, and the Commercialization of Sex, 1790-1920* (New York, 1992), 92-116.
 15. Fitz-Hugh Ludlow, *The Hasheesh Eater: Being Passages from the Life of a Pythagorean* (New York, 1857); Ludlow, "What Shall They Do To Be Saved? [Opium Eating and Opium Eaters]," *Harper's New Monthly Magazine* 35 (1867), 377-85. On Ludlow, see *National Cyclopaedia of American Biography* (Brooklyn, 1906), 13:463; Dumas Malone, ed., *Dictionary of American Biography* (New York, 1933), 11:491; William Dean Howells, *Literary Friends and Acquaintance: A Personal Retrospect of American Authorship* (New York, 1901), 70; "Once Bohemia," *Leslie's*, 4 Apr. 1874, 55; *Harper's Bazar* [sic] 3 (12 Nov. 1870), 723, 736 (obituary and cartoon); Parry, *Garrets and Pretenders*, 8-9. On Poe's opium use or addicted characters, see Booth, *Opium*, 49; Alethea Hayter, *Opium and the Romantic Imagination* (London, 1968), 132-50.
 16. Ford, *Forty-Odd Years*, 202-3; *Evening Post*, 21 Aug. 1882, quoted in Liggins, *Opium*, 6.

17. Beck, *New York's Chinatown*, 139, 150-51; Byrnes, *Professional Criminals*, 383, 387 (paradise); *Evening Post*, 21 Aug. 1882, quoted in Liggins, *Opium*, 6; Kane, "American Opium-Smokers," 683; Kane, *Opium-Smoking*, 43; *Tribune*, 16 Oct. 1881; *Commercial Advertiser* clipping, 28 Sept. 1891, vol. 90; *Herald* clipping, 17 Mar. 1892, vol. 17, both in DAS; Stephen Crane, "Opium's Varied Dreams" (1896), in Fredson Bowers, ed., *The Works of Stephen Crane: Tales, Sketches and Reports* (Charlottesville, Va., 1973), VIII:365-70; Courtwright, *Dark Paradise*, 68-84. For others describing opium smoking as a private act, see Costello, *Our Police Protectors*, 523; Byrnes, *Professional Criminals*, 385; Campbell, *Darkness and Daylight*, 550-58, 573.
18. See note 17.
19. *Leslie's*, 12 May 1883.
20. Beck, *New York's Chinatown*, 143, 154, 158, 164; Kane, *Opium-Smoking*, 8, 131-32; Cobbe, *Doctor Judas*, 125-30 (lusts); Dai, *Opium Addiction in Chicago*, 135-38; Ahmad, "Opium Smoking, Anti-Chinese Attitudes, and the American Medical Community, 1850-90," (2000), 53-68.
21. For complaints of prostitution on Mott, Pell, and Doyers Streets, see Businessmen and Property Owners to Mayor Abram Hewitt, 11 Sept. 1888, box 87-HAS-33; Testimony of Mary Ann Flynn, 1887, box 87-HAS-26, both in MP; People v. Ah Chung, 18 Aug. 1882, box 9892; People v. Ah Chung, 15 May 1883, box 9903; People v. Ah Lee, 13 Jan. 1885, box 9925; People v. Charles Lee, 19 Mar. 1890, box 10,008, all in SCC; unmarked clipping, 28 May 1888, vol. 49; unmarked clipping, 21 Oct. 1890, vol. 77; *Sun* clipping, 13 Apr. 1891, vol. 84; *Commercial Advertiser* clipping, 16 Sept. 1891, vol. 90; *Sun* clipping, 17 Sept. 1891, vol. 90, all in DAS.
22. Byrnes, *Professional Criminals*, 385; Ford, *Forty-Odd Years*, 202-3; Costello, *Our Police Protectors*, 524; Calkins, *Opium*, 53.
23. *Tribune*, 16 Oct. 1881, 30 Jan. 1882 (actors and actresses); Ford, *Forty-Odd Years*, 202-6; Williams, *Demon*, 20, 77 (aristocracy), 85-86 (Bessinger's at 148 E. 14th Street); Costello, *Our Police Protectors*, 524; Norr, *Stories of Chinatown*, 47 (actors). On the close relationships among the theatrical, criminal, and "sporting" worlds, see Ernest Booth, *Stealing Through Life* (New York, 1927), 107-13, 129-31; "Yellow Kid" Weil, *The Con Game and "Yellow Kid" Weil* (New York, 1948), 129, 154.
24. Wong Chin Foo, "Chinese in New York," 311 (indolent and rich; keep straight); *Evening Post*, 21 Aug. 1882 (respectable), quoted in Liggins, *Opium*, 6, 21; Wooldridge, *Hands Up!*, 211 ("beggar"), 216 ("sexes"), 218; *Leslie's*, 12 May 1883 (richly dressed ladies); Beck, *New York's Chinatown*, 254; *Tribune*, 16 Oct. 1881 (society women); unmarked clipping, 12 May 1883; *Sun* clipping, 23 Dec. 1884, vol. 10; unmarked clipping, 23 Oct. 1891 (best class of customers), vol. 91, all in DAS.
25. Unmarked clipping, 25 July 1891 (Union League), vol. 88; unmarked clippings, 8, 9 Dec. 1884 (richly dressed, police raid), vol. 9; *Tribune* clipping, 1 June 1883 (police raid); *Herald* and other unmarked clippings, 22 Dec. 1884 (police raid), vol. 10; *World* clipping, 14 Apr. 1899, vol. 180, all in DAS; Campbell, *Darkness and Daylight*, 551.
26. Beck, *New York's Chinatown*, 163; *World* clipping, 14 Apr. 1899, vol. 180; *Herald* clipping, 25 Dec. 1884, vol. 10; unmarked clipping, 4 Mar. 1890, vol. 17, all in DAS; "Closure of Opium Joints in New York," *American Journal of Stimulants and Narcotics* 1

- (1882), 26; Williams, *Demon*, 64; Terry and Pellens, *The Opium Problem*, 808. Copies of the Koch Law appear in Costello, *Our Police Protectors*, 517; Williams, *Demon*, 130.
27. On the Greenwich Village bohemia, see Christine Stansell, *American Moderns: Bohemian New York and the Creation of a New Century* (New York, 2000); Judith Schwarz, Kathy Peiss, and Christina Simmons, "We Were a Little Band of Willful Women: The Heterodox Club of Greenwich Village," in Peiss and Simmons, eds., *Passion and Power: Sexuality in History* (Philadelphia, 1989), 118-37.
28. Appo, 22. In an earlier version of Appo's encounter with Lee, Appo admitted that Lee bought an express wagon and horse for Appo's use, but he was unable to work because "detectives hounded him for every larceny they fancied he might have committed." See Williams, *Demon*, 71.
29. *Lexow Committee* II:2242 (mayor of Chinatown); Campbell, *Darkness and Daylight*, 551 (mayor); *Tribune*, 21 June 1885 (restaurant at 4 Mott); *Star* clipping, 8 Feb. 1884 (Tom Lee cigar store and gambling den at 4 Mott), vol. 7, DAS; *Herald*, 25 Apr. 1883; Williams, *Demon*, 12, 32, 71 (Appo related).
30. *Star* clipping, 9 June 1884, vol. 8, DAS (Celestial). On Lee's origins from Sing Ching, see *Times*, 24 Apr. 1883. On conflicting dates of his birth, see obituaries in *Times*, 11 Jan. 1918 (1842); *Tribune*, 11 Jan. 1918 (1841); *Herald*, 11 Jan. 1918 (1828-39; Baptist); *Sun*, 11 Jan. 1918. Biographical details appear in *Times*, 2 Apr. 1882 (Philadelphia), 17 Aug. 1904 (St. Louis); Arthur Bonner, *Alas! What Brought Thee Hither? The Chinese in New York, 1800-1950* (Madison, N.J., 1997), 42-46, 57, 61-62, 71, 85-86, 136-53. On his allegedly illegal naturalization in 1876, see *Tribune*, 28 Sept. 1904. On Lee's connections to Tammany Hall, see *Times*, 15, 16 Sept. 1881; *Tribune*, 16 Sept. 1881; *Herald*, 5 Mar. 1879; *Sun*, 11 Jan. 1918. On Lee's marriage, see *Morning Journal* clipping, 9 June 1885, vol. 12, DAS; *Harper's Weekly*, 27 Aug. 1910, p. 10. Also see Tyler Anbinder, *Five Points* (New York, 2003), 411-15.
31. Eve Armentrout-Ma, "Urban Chinese at the Sinitic Frontier: Social Organizations in United States' Chinatowns, 1849-1898," *Modern Asian Studies* 17 (1983), 120-21 (*hui-kuan*); Peter Kwong, *Chinatown, New York: Labor and Politics, 1930-1950* (New York, 1979), 39-41 (*kung saw, hui-kuan, fong*).
32. *Times*, 28 Apr. 1880; *World*, 28 Feb. 1880; *Times*, 11 Jan. 1918; *Tribune*, 18 Oct. 1885; *Sun*, 31 Jan. 1881; Beck, *New York's Chinatown*, 14-19, 135; Anbinder, *Five Points*, 412, 504. *On Leong* meant "Protective of Good People Society." See Van Norden, *Who's Who*, 91-93.
33. Van Norden, *Who's Who*, 83, 87; Beck, *New York's Chinatown*, 269 (traveling salesman, collector, and bookkeeper); *Trow's New York City Directory* (New York, 1891), 1491 (supplier); *Times*, 1 Aug. 1883 (Wongs).
34. In 1881, Lee reportedly opened a fan-tan shop at 34 Mott Street, although considerable evidence indicates he was involved in such activities earlier. See *Tribune*, 21 June 1885; *Star* clipping, 8 Feb. 1884, vol. 7, DAS; *Herald*, 25 Apr. 1883; Williams, *Demon*, 12, 32; *Trow's New York City Directory* (New York, 1884-96); *Harper's Weekly*, 27 Aug. 1910, p. 10.
35. *Times*, 13, 17, 19 May 1883 (Ah Toy quote); unmarked clipping, 21 Mar. 1887, vol. 33 (41 Bowery); *Star* clipping, 8 Feb. 1884, vol. 7; *Times* clipping, 5 Jan. 1885, vol. 10, all in DAS; People v. Ah Lee, 13 Jan. 1885, box 9925, SCC. In 1873, 13 Mott Street was described as one of three or four "boarding-houses kept by Chinamen and fitted up

- for the accommodation of the Chinese." See *Times*, 26 Dec. 1873. On raids of 13 Mott Street, see *Times*, 27 Mar. 1879; *World*, 27 Mar. 1879. On Ah Sing's 17 Mott Street den, see "Closure of Opium Joints in New York," 26; Kane, "American Opium-Smokers," 647; Kane, *Opium-Smoking*, vii; Norr, *Stories of Chinatown*, 47-48. On gambling at 17 Mott Street, see *People v. Tom Lee*, et al., 1 May 1883, box 9903, SCC; unmarked clipping, 21 Dec. 1886, vol. 29; *Mail and Express* clipping, 9 Dec. 1891, vol. 92, all in DAS. On prostitution at 17 Mott Street, see Beck, *New York's Chinatown*, 112-13, 118.
36. For detailed descriptions of gambling dens and weekly payments to Lee, see testimony in *People v. Tom Lee*, et al., 1 May 1883, box 9903, SCC. On opium dens, see *People v. Ah Chung*, 15 May 1883, both in box 103, folders 1098, 1101, CGS; *Times*, 25 Apr. 1883, 26 Apr. 1883, 3 May 1883; *Daily Graphic*, 28 Mar. 1879 (18 Mott). On protection money and bail, see unmarked clipping, 2 Apr. 1882; *Star*, 12 May 1883, 16 May 1883, all in DAS; *Times*, 17 May 1883. On Lee control of various Mott Street properties, see block 162, lot 3 (4 Mott St.); block 162, lot 10 (18 Mott St.); block 162, lot 9 (16 Mott St.), in Block and Lot Folders, NYCMA; 467, liber 2031, 20 May 1887; 162, liber 2178, 5 Nov. 1888; 170, 216, liber 2291; 276, liber [record number] 40, 22 Mar. 1897; 328, 336, liber 1732, 30 Apr. 1883; 380, liber 1757, 8 Dec. 1883; 306, liber 39, 13 Jan. 1897; 115, 120, liber 1729, 27 Apr. 1883; 380, liber 1757, 8 Dec. 1883; 357, liber 2133, 16 June 1888; 162, liber 2178, 5 Nov. 1888, all in Pre-1917 Conveyance Records, New York City Hall of Records.
37. *People v. Tom Lee, Tuck Hop, and Lee Sing*, 1 May 1883, box 9903, SCC (home at 4 Mott St.; deputy sheriff since 1879); *Times*, 7 Apr. 1883 (Lee purchase of 18 Mott Street), 24 Apr. 1883 (rebellion), 25 Apr. 1883 (Price), 3 May 1883, 17 May 1883 (Price); 13 May 1883 (bribery); *Morning Journal* clipping, 2 June 1883, DAS; *Star* and *Times* clippings, 26 Apr. 1883, vol. 4; *Star* clipping, 8 Feb. 1884 (4 Mott St.), vol. 7; *Star* clippings, 1 June 1884, 9 June 1884, all in vol. 8; *Journal* clipping (deputy sheriff), 11 Oct. 1884; *World* clipping (laundries), 20 Oct. 1884, both in vol. 9, all in DAS. On Lee owning or controlling sixteen dens from 2 to 19 Mott Street, see *Star* clippings, 1 June 1883; 9 June 1884, vol. 8, both in DAS; Chinese of New York and Brooklyn to Mayor Abram Hewitt, 15 July 1887, box 87-HAS-31, MP; *Mail and Express* clipping, 9 Dec. 1891, vol. 92, DAS.
38. *Star* clipping, 9 June 1884, vol. 8, DAS; *Times*, 12 Apr. 1883; *Times*, 24 Apr. 1883; *Leslie's*, 12 May 1883.
39. Beck, *New York's Chinatown*, 96, 110-13 (prostitution), 124-26, 133-35, 263-69 (Moy), 286 (Lee family—3,000); Van Norden, *Who's Who*, 91 (On Leong—400); Bonner, *Alas!*, 138-39; *Times*, 11 Jan. 1918; *Herald*, 11 Jan. 1918 (4 attempts); *Tribune*, 8 Apr. 1883 (evict), 11 Jan. 1918 (\$5,000 bounty); *Times*, 17 May 1883 (Ah Toy); *Mail and Express* clipping, 9 Dec. 1891 (Lee gang; 700), vol. 92, DAS; *World*, 5 July 1891 (Lee clan; 500).
40. *Harper's Weekly*, 27 Aug. 1910; unmarked clipping, 22 July 1894, vol. 129, DAS; Campbell, *Darkness and Daylight*, 551; Bonner, *Alas!*, 136, 138-44.
41. Appo is probably referring to the "Seven Corners" district along the west bank of the Mississippi River where Washington, Cedar, and Wine (later Fifteenth Avenue South) Streets converged.
42. On Elm Street and the surrounding area as a neighborhood populated with prostitutes and pickpockets, see Joseph A. Dacus and James W. Buel, *A Tour of St. Louis: or, The*

Inside Look of a Great City (St. Louis, 1878), 407, 450-56, 462-66. On street geography, see Richard J. Compton, *Pictorial St. Louis: The Great Metropolis of the Mississippi Valley, A Topographical Survey* (St. Louis, 1875), plates 1, 4, 24; David B. Gould, *Gould's St. Louis Directory for 1881* (St. Louis, 1881), 53; *Campbell's Revised Guide Map of St. Louis* (St. Louis, 1882), all available at Missouri Historical Society, St. Louis, Mo.

43. Appo, 22-24.

8. THE OLD HOMESTEAD

1. Appo, 13. Appo confused several memories here. The "dead line" was not established until 1880 by Chief Detective Thomas J. Byrnes.
2. *World*, 10 Feb. 1879; *World*, 14 Apr. 1879; Charles Sutton, *The New York Tombs: Its Secrets and Its Mysteries*, 628 (decaying bodies); NPG, 31 Jan. 1880 (ulcer); David Dudley Field, "Municipal Officers (1879)," in A. P. Sprague, ed., *Speeches, Arguments, and Miscellaneous Papers of David Dudley Field* (New York, 1884), II:178 (municipality of misery).
3. Lydia Maria Child, *Letters from New-York* (New York, 1842), 188; *Times*, 20 Sept. 1886; Louis Berg, *Revelations of a Prison Doctor* (New York, 1934), 31-32. Child's observations also appeared in "The Prison at Blackwell's Island," *Liberator*, 28 Oct. 1842. For details on various Blackwell's Island institutions, see J. F. Richmond, *New York and Its Institutions, 1609-1871* (New York, 1871), 524, 530-542, 542; John Duffy, *A History of Public Health in New York City, 1625-1866* (New York, 1968), 483-501; Robert A. M. Stern, Thomas Mellins, and David Fishman, *New York 1880: Architecture and Urbanism in the Gilded Age* (New York, 1999), 266-70.
4. Governors of the Almshouse, AR for 1850 (New York, 1851), 2; Commissioners of Public Charities and Correction, *Second AR for 1861* (New York, 1862), 8 (ornamental); Duffy, *Public Health*, 483; Presentment of the Grand Jury, February Term, 1894, pp. 4-5, box 89-GTF-2, MP; *Harper's Weekly*, 6 Feb. 1869; Index of Almshouse/Department of Welfare Collection, NYCMA; Richmond, *Institutions*, 524, 528 (largest), 540; Stern et al., *New York 1880*, 266-70.
5. Richmond, *Institutions*, 531, 542-43; Joel Ross, *What I Saw in New York* (Auburn, N.Y., 1852), 115; NYSS, *Proceedings Before the Special Committee of the New York State Senate* (Albany, 1876), 7-9, 27; NYSPC, *Thirteenth AR*, (Albany, 1908), 54; Sutton, *Tombs*, 613. In order to avoid sending them to state prison, judges sometimes sentenced juveniles and other convicts to long terms in the Blackwell's Island Penitentiary. See Warden John M. Fox to Joshua Phillips, 28 Jan. 1875, folder 18, box 1241, MP.
6. Governors of the Almshouse, AR for 1850, 8-9 (wicked), 127-28 (lazar house); Governors of the Almshouse, *Fourth AR for 1852* (New York, 1853), 115 (general receptacle); Presentment of the Grand Jury, February Term, 1894, 3-5 (large percentage), box 89-GTF-2, MP; Richmond, *Institutions*, 542; *Times*, 20 Sept. 1886; unmarked clipping, 1 Feb. 1900, vol. 188, DAS; NYSA, *Report of the Special Committee on Convict Labor in the Penal Institutions of the State*, AD 66 (Albany, 1899), 50. On inmates in both the workhouse and penitentiary working together, see Governors of the Almshouse, AR for 1850, 121-24; Charles

- 1881, box 83-CE-26; Report on Tom Gould's, 1885, box 85-EF-13; Capt. Alexander Williams to Inspector Henry V. Steers, 24 Nov. 1886, box 86-GWR-26; Murray to Board of Police, 8 Nov. 1886; Steers to Murray, 26 Nov. 1886, both in folder 98, box 1334, Grace Papers, all in MP; *World* clipping, 19 Dec. 1885, box 108, scrapbook 9, in Grace Papers; People v. Gould, 13 Oct. 1886, CGS.
36. People v. Thomas E. Gould, 8 Feb. 1887, box 256, folder 2476, CGS; *Herald, Star*, and *Sun* clippings, 17, 18 Feb. 1887; unmarked clipping, 6 Mar. 1887 (Canada), all in vol. 32, DAS; *Times*, 18, 19 Feb. 1887.
37. The restaurant was at 372 Sixth Avenue, on the southeast corner of West Twenty-third Street. See *Times*, 27 Jan. 1892 (picture); *Herald* clipping, 22 June 1891 (brisk business), vol. 86; *Herald* clipping, 27 Dec. 1891 (bouncers); *Recorder* clipping, 29 Dec. 1891 (rogues' gallery); *Recorder* clipping, 27 Dec. 1891, all in vol. 93, DAS. Most papers claimed that Gould and Wogan were cousins. See unmarked clipping, 16 Feb. 1888; *Star* clipping, 18 Feb. 1888, both in vol. 45; *Sun* clipping, 13 Aug. 1888, vol. 52; unmarked clipping, 21 Dec. 1889, vol. 68; *Herald, World*, and other clippings, 26 Dec. 1891; 13 Feb. 1890, vol. 70; *Morning Journal* and other clippings, 28 Oct. 1890 (Gould quote), vol. 77, all in DAS. Others said they were brothers-in-law. See *Herald* clipping, 26 Dec. 1891, vol. 93, DAS.
38. People v. Thomas Gould, 12 Feb. 1880, CGS (Freeman); *Sun* and other clippings, 28 Sept. 1891 (waiter), vol. 90; *Tribune, Times, Journal, Herald*, and other clippings, 20-22 Oct. 1890, vol. 77, all in DAS; *Times*, 28 Oct. 1890. On Wogan, see unmarked clippings, 26-30 Dec. 1891, vol. 93, DAS. Gould was indicted for keeping a house of ill fame, but the case was never prosecuted and was discharged in 1898. See People v. Thomas E. Gould, 12 Jan. 1892, CGS. Coverage of the trial can be found in unmarked clippings, 21-23 Dec. 1892, vol. 105, DAS.
39. Unmarked clipping, 26 Sept. 1890 (People's Municipal League), vol. 77; *Press* clipping, 22 Oct. 1891 (Liquor Dealers), vol. 91, both in DAS.
40. *Times, Tribune*, 20 Feb. 1900. Gould worked as the superintendent at Iron Pier on Coney Island, and died at his home at 712 Ninth Avenue. No records for Owen Geoghegan, William or Billy McGlory, Harry Hill, or Tom Gould appear in the Index to Wills, Administrations, Transfer Tax, or Decrees on Accounting, New York City, Room 405, Surrogate's Court Record Room, 31 Chambers Street, New York, N.Y.
41. *Lexow Committee*, V:4919-30; *Nation*, 4 Nov. 1875, p. 288, quoted in *Callow, Tweed Ring*, 193; *Tribune*, 4 Dec. 1866; *World*, 11 July 1891; *Herald* clipping, 11 July 1891, vol. 87; unmarked clipping, 18 Mar. 1892, vol. 96, DAS; *Times*, 11 July 1891. On McGlory, see *Times*, 13 Aug. 1884.
42. SPC, *Report* (New York, 1879), 17; City Club of New York, *The Police Department of the City of New York: A Statement of Facts* (New York, 1903), 386, copy in Police Box, WC. Police officer Patrick McGinley was Geoghegan's brother-in-law. See *Times*, 25, 26 Jan. 1885; *World*, 17 July 1885. On Corey's relationship with McGlory, see note 25 above. On police officers drinking in McGlory's, see Rillings Report.
43. *Sun* clipping, 5 Sept. 1886, vol. 25; *Herald* clipping, 6 Jan. 1887 (Gould's and others), vol. 30, DAS. On Allen's many arrests, see *Morning Advertiser* clipping, 10 Sept. 1895 (pigeonholed indictment), vol. 145; unmarked clipping, 29 Jan. 1898, vol. 166; *Journal* clipping, 23 Apr. 1898, vol. 169 (33 arrests), all in DAS.
44. *Sun* clipping, 5 Sept. 1886 (Gould; unlicensed places), vol. 25, DAS. On complaints about the double standard regarding upscale hotels, see *World* clipping, 10 Oct. 1885,

- vol. 13, DAS. On McGlory claiming to be a teetotaler, see *Sun* clipping, 18 June 1883; unmarked clippings, 14, 21 May 1883 (McAuley revival), all in DAS.
45. Eugene O'Neill, "The Haymarket," *New London Telegraph*, 21 Nov. 1912, quoted in Louis Sheaffer, *O'Neill: Playwright and Son* (Boston, 1968), 137. For the Tenderloin's influence on the literature of O'Neill, Crane, and Porter, see Crane, "Opium's Varied Dreams" (1896); "In the Tenderloin: A Duel Between an Alarm Clock and a Suicidal Purpose" (1896); "In the Tenderloin" (1896); all in Bowers, *Crane*, VIII:365-70, 384-96; Arthur and Barbara Gelb, *O'Neill* (New York, 1962), 124-26; O'Connor, *O. Henry*, 92-94, 143-45; R. W. Stallman, *Stephen Crane: A Biography* (New York, 1968), 102-5.
46. Appo, 24-25; Hapgood, *Autobiography*, 27 (celebrities of the saloon).
47. On Theodore "The" Allen described in these various ways, see *Herald, World, Times*, 11 July 1891; unmarked clippings, 11, 12 July 1891, vol. 87; unmarked clipping, 17 July 1891, vol. 88; *World* clipping, 16 Apr. 1898, vol. 169, all in DAS.

JACK COLLINS

1. Appo probably confused religious orders here. St. Vincent's Hospital was a Roman Catholic institution founded by the Sisters of Charity of Saint Vincent DePaul in 1849. Some Sisters of Mercy may have served as nurses in St. Vincent's Hospital. See Rev. J. F. Richmond, *New York and Its Institutions, 1609-1871* (New York, 1871), 344-46, 375-78; Hasia R. Diner, *Erin's Daughters in America: Irish Immigrant Women in the Nineteenth Century* (Baltimore, 1983), 134-35.
2. Appo, 21-23. I reversed the order of the final two sentences of this passage. Newspaper accounts confirm most of the details Appo described in this incident. See *Times, Tribune*, 4 Sept. 1880; *Times*, 6, 7, 8 Aug. 1880; *Tribune*, 7 Aug. 1880; *Brooklyn Eagle*, 7 Aug. 1880; PCDB, First District, vol. 17, 32, microfilm roll 21, negative 10167, 6 Aug. 1880.

10. TOMBS JUSTICE

1. John Josiah Munro, *The New York Tombs, Inside and Out!* (Brooklyn, 1909), 17 (criminal barracks); Alfred Trumble [Richard K. Fox], *The New York Tombs: Its History and Its Mysteries* (New York, 1881), 5 (most famous); Augustine E. Costello, *Our Police Protectors: History of the New York Police* (New York, 1885), 507; PANY, *Thirtieth AR for 1874*, SD 78 (Albany, 1875), 68. While he never discussed the Tombs in detail, Appo mentioned the Tombs three times. See Appo, 3, 25, 64. Appo's name or alias appears in the First District Police Court Docket Books six times. Appo was arrested and incarcerated during Byrnes's crackdown on pickpockets just prior to the funeral services of Ulysses S. Grant. See *World*, 6, 7 Aug. 1885. Prior to his sentence to Blackwell's Island, Appo was in the Tombs from 8 August to 4 October 1895. See unmarked clipping, 9 Aug. 1895, DAS; *Times*, 1 Oct. 1895.
2. Elizabeth Oakes Smith, *The Newsboy* (New York, 1854), 90-92 (death); Charles Dickens, *American Notes* (1842), 83-86; George Foster, *New York in Slices; By an Experienced Carver* (New York, 1849), 5, 19-22 (lazar house); Herman Melville, "Bartleby, The Scrivener. A Story of Wall Street," *Putnam's Monthly Magazine*, Nov. and Dec. 1853, 546-57, 609-15, reprinted in Howard P. Vincent, ed., *Bartleby the Scrivener*

- (Kent, Ohio, 1966); Herman Melville, *Pierre, or, The Ambiguities* (London, 1923), 502-5. Other accounts of the Tombs are identified in Timothy J. Gilfoyle, "'America's Greatest Criminal Barracks': The Tombs and the Experience of Criminal Justice in New York City, 1838-1897," *Journal of Urban History* 29 (2003), 545-46, note 2.
3. *New York Evening Post*, 1 Apr. 1837 (Egyptian); *New-York As It Is* (New York, 1839), 24 (Haviland); *New York Evening Post*, 1 Apr. 1837 (Egyptian); Charles Sutton, *The New York Tombs: Its Secrets and Its Mysteries* (New York, 1874), 48; Richard G. Carrott, *The Egyptian Revival: Its Sources, Monuments and Meaning, 1808-1858* (Berkeley, Calif., 1978), 146-92; Gilfoyle, "Criminal Barracks," 526, 546, note 4.
 4. A more detailed discussion of the inconsistent reportings on the numbers of cells in the Tombs appears in Gilfoyle, "Criminal Barracks," 526-28, 547. On the evolution of the inferior court judicial apparatus, see Michael Willrich, *City of Courts: Socializing Justice in Progressive Era Chicago* (New York, 2003), 3-58; Allen Steinberg, *The Transformation of Criminal Justice: Philadelphia, 1800-1880* (Chapel Hill, N.C., 1989); Michael Hindus, *Crime, Justice, and Authority in Massachusetts and South Carolina, 1767-1878* (Chapel Hill, N.C., 1980).
 5. Gilfoyle, "Criminal Barracks," 547, note 6.
 6. *Ibid.*, note 7.
 7. *Ibid.*, 547-48, notes 8 and 9.
 8. *Ibid.*, 548, note 10.
 9. *Increase of Crime*, 58-59; J. F. Richmond, *New York and Its Institutions, 1609-1871* (New York, 1871), 516-17; Gilfoyle, "Criminal Barracks," 548, note 12.
 10. Mary Roberts Smith, "The Social Aspect of New York Police Courts," *American Journal of Sociology*, 5 (1899), 152 (95 percent). On post-Civil War vagrancy statutes, summary justice, and arrest figures, see Amy Dru Stanley, "Beggars Can't Be Choosers: Compulsion and Contract in Postbellum America," *Journal of American History* 78 (1992), 1265-93; John H. Warren, Jr., *Thirty Years' Battle With Crime* (Poughkeepsie, NY, 1897), 174-87, 195-256; Gilfoyle, "Criminal Barracks," 530-31, table 1. In "Criminal Barracks," I neglected to include the word "adult" in concluding that the total number of men arrested every five years roughly equaled New York City's entire adult male population.
 11. Frank Moss, *The American Metropolis* (New York 1897), III:69, 71; unmarked clipping, 9 Feb. 1891, vol. 82; *World* clipping, 20 Dec. 1896, vol. 160, both in DAS; *Increase of Crime*, 52 (injustice); NYSS, *Twenty-fifth AR of the Inspectors of State Prisons [for 1872]*, SD 30 (Albany, 1873), 236. Appo's bail in some cases was \$1,000, an exorbitant sum. See *People v. George Appo*, 24 July 1896, New York District Attorney Records, cases #9126 and #9127, box B-2, location 12817, Supreme Court Cases, NYCMA.
 12. *Tribune*, 6 Aug. 1877; George Wilkes, *The Mysteries of the Tombs* (New York, 1844), 13-14; *Lexow Committee*, III:3310-12; *World* clippings, 26, 29 June 1886, vol. 22; Charles Gardner, "The Tombs Mint," *Morning Journal*, 12 Aug. 1894, vol. 130; *World* clipping, 20 Dec. 1896, vol. 160; unmarked clipping, 16 July 1899, vol. 182 (steerers), all in DAS; PANY, *Twenty-fourth AR for 1868*, SD 10 (Albany, 1869), 3; Gilfoyle, "Criminal Barracks," 549, notes 15-18.
 13. *Tribune*, 6 Aug. 1877 (gentleman); *Times*, 17 July 1880 (list of privileges); Matthew Hale Smith, *Sunshine and Shadow in New York* (Hartford, Conn., 1868), 166 (in style); Munro, *New York Tombs*, 20 (sexual favors); *Increase of Crime*, 105 (empty cells; extorting); James D. McCabe, Jr., *The Secrets of the Great City* (Philadelphia, 1868), *Secrets*, 99 (wealthier class).

14. *Times*, 22 Dec. 1872 (fancy), 17 July 1880 (privileges); *World* clippings, 24 Mar. 1886 (Jaehne), 3 Oct. 1896 (stars), vol. 159, both in DAS; *Sun*, 14 Oct. 1882 (stars); Sutton, *Tombs*, 94-96, 332-33 (Stokes), 491; *Tribune*, 6 Aug. 1877 (meals furnished); George W. Walling, *Recollections of a New York Chief of Police* (New York, 1887), 397; J. H. Green, *Twelve Days in the Tombs; or, A Sketch of the Last Eight Years of the Reformed Gambler's Life* (New York, 1850), 70-80.
15. On the considerable legal income from fees for sheriffs, tax collectors, excise officers, customs officials, and county clerks, see *Morning Advertiser* (?) clipping, 4 Apr. 1890, vol. 72, DAS; *Tribune*, 6 Aug. 1877; New York State Laws and Statutes, *Draft of the Political Code of the State of New York* (Albany, 1859), 312-33; Gilfoyle, "Criminal Barracks," 533, 549, note 19.
16. *Times*, 7 Jan. 1887; *Tribune*, 29 May 1887; *Leslie's*, 1 Feb. 1873; Costello, *Police Protectors*, 509; *Tribune* (?) clipping, 29 May 1887, vol. 35, DAS; *Tribune*, 15 Dec. 1879; Munro, *New York Tombs*, 21, 232; Gilfoyle, "Criminal Barracks," 550, note 22.
17. *Leslie's*, 29 Mar. 1873; *Increase of Crime*, 59; *Tribune*, 29 June 1895; *Morning Advertiser*, 21 Dec. 1895, vol. 149; 1 July 1895 clipping (kitchen), vol. 143, both in DAS; *Mazet Committee*, 31 May 1899, 1311-12, 1318; Gilfoyle, "Criminal Barracks," 550, note 23.
18. G. F. Britton to Abram Hewitt, 11 Jan. 1888, Charities and Correction folder, box 87-HAS-2, MP (whiskey); unmarked clipping, 22 May 1896 (keepers), vol. 154; unmarked clipping, 26 Jan. 1895 (liquor), vol. 137, DAS; Gilfoyle, "Criminal Barracks," 534, 550, notes 24 and 25.
19. *Tribune* and *World* clippings (Walsh), 21, 22 Jan. 1888, vol. 44, DAS; *Tribune*, 3 June 1899. On Appo, see Allen S. Williams, *The Demon of the Orient, and His Satellite Fiends of the Joints: Our Opium Smokers as They are in Tartar Hells and American Paradieses* (New York, 1883), 71-73.
20. Trumble, *New York Tombs*, 49. On pickpockets, see *Times*, 31 Jan. 1873. On escapes, see *Tribune*, 14 June 1893.
21. Sutton, *Tombs*, 83-84, 333; *Times*, 13, 14 Aug. 1879; *Tribune*, 29 May 1887; Trumble, *New York Tombs*, 9 (ten-day prisoners). For more on voluntary inmates, see Gilfoyle, "Criminal Barracks," 537, 551, notes 28-30.
22. Governors of the Almshouse, *Second AR for 1850* (New York, 1851), 47-49; Governors of the Almshouse, *Fourth AR for 1852* (New York, 1853), 44; PANY, *Twenty-fourth AR for 1868*, 2; PANY, *Thirtieth AR for 1874*, 69; *Increase of Crime*, 59; Gilfoyle, "Criminal Barracks," 551, note 31.
23. Hutchins Hapgood, ed., *The Autobiography of a Thief* (New York, 1903), 45-46 (bang a super), 48, 61; *Sun* clipping, 8 Sept. 1884 (de mob), vol. 9; *Morning Advertiser* clippings, 27 July 1895 (school of crime), vol. 144, all in DAS; *Harper's Weekly*, 29 Mar. 1873 (seminaries of crime); Charles Loring Brace, *The Dangerous Classes of New York and Twenty Years' Working Among Them* (New York, 1872), 399; Munro, *New York Tombs*, 12-13, 120-25 (schools of crime), 241; Governors, *Second AR for 1850*, 47-49; *Tribune*, 29 May 1887; PANY, *Thirtieth AR for 1874*, 57-58; PANY, *Thirty-first AR for 1875*, SD 54 (Albany, 1876), 24-25. On the "large number of short-term convicts" in the Tombs, see PANY, *Thirtieth AR for 1874*, 24-25. For other reports of teenage male incarceration, see *Times*, 9 Jan. 1882; *Herald*, 13 Jan. 1882, both in DAS; *World*, 13, 27 Jan. 1879; CAS, *Eighteenth AR*, 51-52; CAS, *Nineteenth AR*, 8.
24. Hapgood, *Autobiography*, 61; *Herald* clipping, 29 July 1887 (mark of distinction), vol. 38; *World* clipping, 19 Mar. 1888 (done his bit), vol. 46, DAS.

25. Levi L. Barbour, "Jails: A Paper Read at the Convention of the County Agents of the State Board of Corrections and Charities of Michigan," (1885), 4-5, in *Prisons Box*, WC (common sense, enlightenment); *Increase of Crime*, 62 (qualification); *Tribune*, 16 June 1895 (patronage).
26. *Times*, 20 Mar. 1881. For similar observations, see *World* clipping, 10 May 1885, vol. 12, both in DAS; *Times*, 4 Jan. 1861, 28 Nov. 1866; Smith, "New York Police Courts," 153; NPG, 22 Mar. 1879; Wilkes, *Mysteries of the Tombs*, 10-11.
27. Smith, "New York Police Courts," 150-51; Moss, *American Metropolis*, III:72-73; "Police Court Sketches," *Daily Graphic*, 2 May 1872. On the performative aspects of nineteenth-century trials, see Patricia Cline Cohen, *The Murder of Helen Jewett: The Life and Death of a Prostitute in Nineteenth-Century New York* (New York, 1998), 310-11; Katherine Fischer Taylor, *In the Theater of Criminal Justice: The Palais de Justice in Second Empire Paris* (Princeton, N.J., 1993).
28. Smith, "New York Police Courts," 150; Reginald Heber Smith, *Justice and the Poor* (New York, 1924), 10; A. G. Warner, "Politics and Crime," *American Journal of Sociology* 1 (1895), 290-91; "To Reform Courts of Inferior Jurisdiction," *Survey* 24 (30 April 1910), 177-78; Kate Holladay Claghorn, *The Immigrant's Day in Court* (New York, 1923), 220.
29. McCabe, *Secrets*, 101 (Dowling); unmarked clippings, 25 July 1887 (rush), vol. 38; 26 June 1899 (Brann), vol. 182; *World* clipping, 29 May 1887 (Duffy), vol. 35; unmarked clipping, 25 Aug. 1894, vol. 131, all in DAS; *World*, 29 May 1887; Arthur Train, *The Prisoner at the Bar: Sidelights on the Administration of Criminal Justice* (New York, 1923), 58-59; Smith, "New York Police Courts," 150-51; Sutton, *Tombs*, 328 (drunk reporter); *Times*, 12 May 1860, 20 Mar. 1881 (Gatling gun); *World*, 17 May 1875; Gilfoyle, "Criminal Barracks," 551-52, note 36.
30. Smith, "New York Police Courts," 149-51 (Hewitt, 79 percent); Smith, *Justice and the Poor*, 10 ("Poor Man's Court"); *Increase of Crime*, 38-47; *Times*, 23 Oct. 1909; Train, *Prisoner at the Bar*, 61, 57-59; Munro, *New York Tombs*, 206. For more on these points, see Gilfoyle, "Criminal Barracks," 552, notes 38 and 39.
31. *Times*, 25 Dec. 1886 (Power); *Increase of Crime*, 39. Judges of higher courts were constitutionally prohibited from reviewing their own decisions. Yet this frequently happened. See *Increase of Crime*, 45.
32. On bail as "grantable as of course" in nearly all misdemeanors, see Seymour D. Thompson, "Bail in Criminal Cases," *Criminal Law Magazine* 6 (Jan. 1885), 6-7; Sean McConville, "Local Justice: The Jail," in Norval Morris and David J. Rothman, eds., *The Oxford History of the Prison* (New York, 1997), 311-13.
33. *Increase of Crime*, 51; NPG, 26 July 1879; *Sun*, 30 Aug. 1885; PANY, *Twenty-fifth AR for 1869*, SD 21 (Albany, 1870); 41 (sham); Warner, "Politics and Crime," 291-93; *Tribune*, 29 June 1895. On the extensiveness of judicial discretion, see Thompson, "Bail in Criminal Cases," 10-37. On the networks of straw bondsmen, see Gilfoyle, "Criminal Barracks," 541-42, 552, notes 43-44.
34. Gilfoyle, "Criminal Barracks," 553, note 48.
35. NYSS, *Report of the Justices of the Special Sessions of New York City*, SD 26 (Albany, 1867), 2-3; *Herald* clipping, 6 Jan. 1887 (out on bail), vol. 30, DAS.
36. *Increase of Crime*, 43; NYSS, *Proceedings Before the Special Committee of the New York State Senate* (Albany, 1876), 1034; Gilfoyle, "Criminal Barracks," 553, note 51.

37. NPG, 19 July 1879; Wilkes, *Mysteries*, 13-14; Campbell, *Darkness*, 341-42; Foster, *New York in Slices*, 20; unmarked clipping, 10 Sept. 1887, vol. 39; *Herald* clipping, 16 Jan. 1887 (Walsh), vol. 30, all in DAS; Richard H. Rovere, *Howe & Hummel: Their True and Scandalous History* (New York, 1947), 10-11. For similar stories, see unmarked clipping, 25 Aug. 1894, vol. 131, DAS. On the origins and folklore regarding the term "shyster lawyer," see Gilfoyle, "Criminal Barracks," 550-51, note 26.
38. *Mail & Express* clipping, 9 Sept. 1884, vol. 9, DAS; see Gilfoyle, "Criminal Barracks," 551, note 27.
39. *Morning Journal*, 24 July 1884, vol. 8 (Mandelbaum); *World* clipping, 26 Dec. 1887, vol. 43, both in DAS.
40. Gilfoyle, "Criminal Barracks," 553, note 52.
41. *Subterranean*, 7 June 1845 (Walsh), in *People v. Michael Walsh*, 18 June 1845, DAP; Board of Police Justices of the City of New York, *Second AR for the Year 1875* (New York, 1876), 10-11 (perjury); Train, *Prisoner at the Bar*, 289 (25-75 percent); *Tribune* clipping, 5 June 1882 (jury fixing; bogus bonds), in DAS; O. F. Lewis, "The Administration of Justice in the United States," *Survey* 24 (16 Apr. 1910), 114-16 (perjury); *Herald* clipping, 16 Sept. 1891 (jury fixing), vol. 90, DAS.
42. *Times* (?) clipping, 13 May 1883; *Daily Register* clipping, 16 Jan. 1886; unmarked clipping, 24 Feb. 1886, both in vol. 17, all in DAS; Governors, *Second AR for 1850*, 4 (cruel and unjust); Moss, *American Metropolis*, III:68-69.
43. PANY, *Thirty-first AR for 1875*, 78-79; *Sun*, 30 Aug. 1885; *Sun* clipping, 2 Sept. 1885 (no index), vol. 13; *World* clipping, 20 Dec. 1896, vol. 160; unmarked clipping, 22 Jan. 1900, vol. 187, all in DAS; Gilfoyle, "Criminal Barracks," 553, note 53.
44. Smith, "New York Police Courts," 145 (dockets closed); *World*, 22 Oct. 1894 (unable to verify); *Herald* clipping, 8 Jan. 1887 (lumping cases), vol. 30, DAS; *Times*, 9, 12 Aug. 1909.
45. *Sun*, 30 Aug. 1885 (panic); *World*, 23 Oct. 1894; *World* clipping, 9 June 1895, vol. 142, DAS. For later examples of defense attorneys bribing court officers to change court records on behalf of their clients, see *Times*, 20 Mar. 1909. On Hochstim, Nelson, Blumenthal, and prominent officials linked to the bail bonding business, see Gilfoyle, "Criminal Barracks," 553-54, notes 46 and 58.
46. Garry Wills, *Certain Trumpets: The Call of Leaders* (New York, 1994), 226 (Augustine); Warner, "Politics and Crime," 290-91.

GOOD FELLOWS

1. One member of Barney Maguire's gang was Tommy Wilson. It is unclear if this was the same individual. On the membership of Maguire's gang, see William Norr, *Stories of Chinatown: Sketches from Life in the Chinese Colony* (New York, 1892), 47; *Lexow Committee*, II:1653 (Frank Maguire cousin); "Closure of the Opium 'Joints' in New York," *American Journal of Stimulants and Narcotics* 1 (1882), 26.
2. A grip was a small amount of luggage wrapped in a sack or covering and held together by a strap or grip.
3. Wilson was probably suffering from tuberculosis.
4. Appo probably took the Grand Trunk Railway from Toronto to Port Hope (sixty-three

- Twp., Transylvania Co., State of North Carolina, 1870, Ninth Federal Census Population Schedules, National Archives Microfilm, roll 1161; Stuart W. Bradley, ed., *North Carolina 1870 Census Index* (Bountiful, Utah, 1989), I:455. By 1893 conflicting reports claimed Cassel had children numbering from two to seven. *Albion*, 10-24 (3 children); *Poughkeepsie Daily Eagle*, 15 Feb. 1893 (no means, 2 children); *Poughkeepsie News-Telegraph*, 18 Feb. 1893 (7 children). Census records indicate that Hogshead's children were two and three years old in 1893. See lines 11-24, sheet 9, E.D. 22, vol. 16, Cleveland Twp., Greenville County, State of South Carolina, 1900, Twelfth Federal Census Population Schedules.
14. *Albion*, 9-24; *Poughkeepsie News-Press*, 13 Feb. 1893; *Poughkeepsie News-Telegraph*, 18 Feb. 1893; *Poughkeepsie Daily Eagle*, 25 Apr. 1893.
 15. *Albion*, 2-7, 35-42; *Poughkeepsie News-Press*, 21 Apr. 1893; *Poughkeepsie Daily Eagle*, 21 Apr. 1893, 26 Apr. 1893; *Poughkeepsie News-Telegraph*, 22 Apr. 1893; *Tribune*, 18 Apr. 1893. Appo was tried as "George Albion" on 24-25 Apr. 1893 in the Court of Oyer and Terminer in Poughkeepsie's "Old Court House" for violating Section 527 of the penal code.
 16. *Poughkeepsie Daily Eagle*, 26 Apr. 1893; *Albion*, 44-45. Appo erroneously believed that the members of the jury did not even leave their seats. See Appo, 50.
 17. *Poughkeepsie Daily Eagle*, *Poughkeepsie News-Press*, *Times*, 26 Apr. 1893.
 18. *Poughkeepsie Sunday Courier*, 19 Feb. 1893; *Times*, 20 Mar. 1893; *Poughkeepsie Daily Eagle*, *Poughkeepsie News-Press*, 13 Feb. 1893.
 19. *Poughkeepsie Daily Eagle*, 2 Mar. 1893, 25 Apr. 1893; *Poughkeepsie Courier*, 12 Mar. 1893. Charles Morschauer (1858-30 Dec. 1926) was recorder from 1890 to 1893. In 1885 Ransom Baker was defeated by Joseph Morschauer in the election for justice of the peace. On their relationship, see *Poughkeepsie New Yorker*, 3 Nov. 1947. Details on Michael Morgan (1856-26 Aug. 1921) are in R. V. LeRay, *Poughkeepsie City Directory* (Poughkeepsie, 1889-1897); *Poughkeepsie Eagle-News*, 26 Aug. 1921 (Hudson Valley), 27 Aug. 1921, 30 Aug. 1921 (K of C, Elks); *Poughkeepsie Sunday Courier*, 28 Aug. 1921.
 20. *Poughkeepsie Daily Eagle*, *Poughkeepsie News-Press*, 27, 28 Apr. 1893; *Poughkeepsie Courier*, 30 Apr. 1893.
 21. *Ibid.*
 22. *Ibid.*; *Times*, 27 Apr. 1893.
 23. *Poughkeepsie Daily Eagle*, 27 Apr. 1893.
 24. *Ibid.*, 14 Feb. 1893; *Poughkeepsie News-Telegraph*, 18 Feb. 1893 (opium pill); *Poughkeepsie Sunday Courier*, 19 Feb. 1893; *Herald*, 14 Feb. 1893; Beck, *New York's Chinatown*, 258 (common-law wife).
 25. *Poughkeepsie News-Press*, 21 Apr. 1893, 25 Apr. 1893; *Poughkeepsie Daily Eagle*, 18, 21 Apr. 1893; *Poughkeepsie News-Telegraph*, 22 Apr. 1893; *Poughkeepsie Courier*, 12 Mar. 1893 (attentive). The same quotes on Appo's suicide threat appear in *Poughkeepsie Daily Eagle*, 26 Apr. 1893; *Times*, 26 Apr. 1893.
 26. *Poughkeepsie Daily Eagle*, 27 Apr. 1893.
 27. *Herald*, 13 Feb. 1893; *Times*, 13 Feb. 1893 (111 East Sixty-first Street); Beck, *New York's Chinatown*, 258. Other references to Miller as Appo's wife appear in *Poughkeepsie Daily Eagle*, 13 Mar. 1893, 25 Apr. 1893; *Poughkeepsie News-Press*, 26 Apr. 1893. The only other example of a romantic, heterosexual relationship in Appo's life was with an opium-addicted actress named Ida with whom Appo smoked at 17 Mott Street in the

- early 1880s. See William Norr, *Stories of Chinatown: Sketches from Life in the Chinese Colony* (New York, 1892), 48-50.
28. Appo's statement on 6 Oct. 1896, 8-11, *People v. George Appo*, 24 July 1896, New York District Attorney Records, case #9126, box B-2, location 12817, SCC (two children); *Times*, 30 Sept. 1894; *Tribune*, 30 Sept. 1894; *Journal* clipping, 30 Sept. 1894, vol. 132, DAS. Appo's residential address appears in entry for George W. Appo, 9 Apr. 1895, PCDB, Second District, roll #70, neg. 10369, NYCMA: A later record indicates Appo moved to 221 West Eighteenth Street at the end of March 1895. See *People v. George Appo*, 19 Apr. 1895, New York Supreme Court, box 10100, location 106231 (unprocessed collection), DAP. This latter indictment indicated that Appo was *not* married. In 1893 Appo claimed to be living at 409 West Thirtieth Street with his wife "Lana Albion" and J. W. Delaro. See entry for 26 Apr. 1893, SSAR.
 29. *People v. Albion*, 71 Hun, 123; 24 NY 519 (*New York Supplement*, St. Paul, Minn., 1893), XXIV:519-21 (28 July 1893); *Albion*, 56-62; *Poughkeepsie Courier*, 30 July 1893.
 30. *Albion*, 3-4 (*Hess*), 7-12, 16-28, 31-35, 42.
 31. *Albion*, 42; *Poughkeepsie News-Telegraph*, 2 Dec. 1893 (better life); book #10, entry for 7 Oct. 1893, Minutes of Causes, N.Y. Court of Appeals (J2006), NYSArc. On Appo's release from Clinton, see Appo, 50; entry for "George Albo," #2242, April 1893 (5 Dec. 1893), Clinton Prison Chaplain's Office Statistical Register (BO105), NYSArc.
 32. *Times*, 20 Mar. 1893 (excited); *NPG*, 4 Mar. 1893; *Poughkeepsie News-Press*, 21 Apr. 1893 (whole town); *Poughkeepsie News-Telegraph*, 22 Apr. 1893 (whole town).

STEALING GUYS

1. This version of events after his release departs considerably from Appo's earlier contention that he unsuccessfully confronted McNally in Bridgeport. See Moss, *American Metropolis*, III:133-34. Also see Beck, *New York's Chinatown*, 259, which describes a similar confrontation between McNally and Appo.
2. Appo, 56-57.

17. THE LEXOW COMMITTEE

1. Appo, 56-57.
2. NYC, *Report of the Police Department for 1896* (New York, 1897), 13 (honeycombed). Accounts of the Lexow Committee appear in Charles Parkhurst, *Our Fight with Tammany* (New York, 1895), 8-25, 240-45; Lincoln Steffens, *The Autobiography of Lincoln Steffens* (New York, 1931), I:199, 250-54; Lloyd Morris, *Incredible New York: High Life and Low Life of the Last Hundred Years* (New York, 1951), 220; M. R. Werner, *It Happened in New York* (New York, 1957), 36-116 (commanding figure, 65); Maxwell F. Marcuse, *This Was New York!* (New York, 1969), 51, 53, 276-83; Isabelle K. Savell, *Politics in the Gilded Age in New York State and Rockland County: A Biography of Senator Clarence Lexow* (New City, N.Y., 1984), 9-56, 226-27; Jay Stuart-Berman, *Police Administration and Progressive Reform: Theodore Roosevelt as Police Commissioner of New York* (Westport, Conn., 1987); Marilyn S. Johnson, *Street Justice: A History of Police Violence in New York City* (Boston, 2003), 50-56.

3. See the following pages in *Lexow Committee* for testimony regarding green goods: George Appo, II:1622-58; Frank Clark, II:1799-1831; Charles Hanley, III:2483-2517; Rose Hanley, III:2520-24; Alonzo Sloane, III:2526-39; William Applegate, III:2539-45, 2563-67, 2569-71, 2573-2641, 2645-47; Joseph M. Reinschreiber, III:2545-63; Edward Schrader, III:2567-69; Frederick P. Forester, III:2571-73; Samuel J. Young, V:4678-79.
4. *Lexow Committee*, II:1622-24, 1645 (impunity), 1658 (impunity); *Tribune*, 15 June 1894.
5. *Lexow Committee*, II:1638-47.
6. *Tribune*, *Times*, 15 June 1894; Louis J. Beck, *New York's Chinatown: An Historical Representation of Its People and Places* (New York, 1898), 259. For similar reactions to Appo's testimony, see *Morning Advertiser* clipping, 15 June 1894; *Press* clipping, 15 June 1894, all in vol. 128, DAS.
7. On Hilton's green goods arrest, see unmarked clipping, 10 Feb. 1891, vol. 87, DAS; entry for 10 Feb. 1891, Second District, PCDB. Also see *World*, *Herald*, *Sun*, *Times*, and other clippings, 25 May 1892, vol. 98, DAS. On McNally's many arrests (including that by Thomas Byrnes), prosecution of his operatives, and the extensive newspaper coverage of his green goods activities before 1894, see chapter 15, notes 26, 27, 31, and 32.
8. *Lexow Committee*, II: 1631-40, 1642-44, 1660-61; *Times*, 15 June 1894 (incriminate), 9 Sept. 1894 (snap). More damaging testimony against O'Connor came from later witnesses. See *Lexow Committee*, II:2013-15. On Appo refusing to give names before the committee, see *Morning Advertiser* clipping, 15 June 1894, vol. 128, DAS.
9. *Lexow Committee*, II, 1649-50. Appo claimed that after he was shot in Poughkeepsie, Judge Charles Morschauser attempted to blackmail him. Morschauser denied the accusation. See *Lexow Committee*, II:1656; *Tribune*, 15 June 1894; *Times*, 16 June 1894.
10. *Lexow Committee*, III:2527-2641 (Applegate testimony); *Tribune*, 11, 12 Sept. 1894; George W. Appo, "The full History of my life" (handwritten), undated; and Appo deposition, 3 Oct. 1895, both in *People v. George Appo*, 19 Apr. 1895, New York Supreme Court, box 10100, location 106231 (unprocessed collection), DAP; *Herald* and other clippings, 11 Sept. 1894, vol. 131, DAS; William T. Stead, *Satan's Invisible World Displayed, or Despairing Democracy: A Study of Greater New York* (New York, 1897; London, 1898), 112-13. For Meakim's correspondence denying knowledge of the green goods business, see boxes 87-HAS-36 and 88-GHJ-41, MP.
11. *Press* clipping, 15 June 1894 (new form), vol. 128, DAS; *Lexow Committee*, II:1634-35, 1646, 1657.
12. Steffens, *Autobiography*, I:198.
13. Edward Crapsey, *The Nether Side of New York* (New York, 1872), 12; George W. Walling, *Recollections of a New York Chief of Police* (New York, 1887), 126-27, 380, 577; Berman, *Police Administration and Progressive Reform*, 62. On the history of policing in the United States, see David R. Johnson, *Policing the Urban Underworld: The Impact of Crime on the Development of the American Police, 1800-1887* (Philadelphia, 1979); Eric Monkkonen, *Police in Urban America, 1860-1920* (New York, 1981); Wilbur R. Miller, *Cops and Bobbies: Police Authority in New York and London, 1830-1870* (Chicago, 1977); Sidney Harring, *Policing a Class Society: The Experience of American Cities, 1865-1891* (New Brunswick, N.J., 1983). On police independence from the judiciary, see Allan Steinberg, *The Transformation of Criminal Justice: Philadelphia, 1800-1880* (Chapel Hill, N.C., 1989).

14. Hutchins Hapgood, ed., *The Autobiography of a Thief* (New York, 1903), 79-80, 86, 116; Josiah Flynt, *The World of Graft* (New York, 1901), 94, 96, 116 (percentage copper); unmarked clipping, 7 Jan. 1894 (criminals in uniform), vol. 123, DAS; *Lexow Committee*, V:5193 (parceled out); *Times*, 30 Dec. 1894 (sidewalk blackmail); *Tribune*, 10 July 1875.
15. *Increase of Crime*, 26 (precinct detectives); *Leslie's*, 19 Mar. 1859 (impossibility); Steffens, *Autobiography*, I:270-71, 288, 379 (crooked crooks); NYC, *Report of the Police Department for 1896*, 13 (blackmail); George McWatters, *Knots Untied, or Ways and By-Ways in the Hidden Life of American Detectives* (Hartford, Conn., 1873), 648-50; Lawrence Friedman, *Crime and Punishment in American History* (New York, 1993), 204-7 (reverse con man); unmarked clipping, 14 July 1875, William Wickham Papers, folder 157, box 1237, MP.
16. Parkhurst, *Our Fight*, 5; unmarked clipping, 16 June 1894 (\$7 million); *Morning Advertiser* clipping, 17 June 1894 (\$7 million); *Recorder* clipping, 2 June 1894, vol. 128 (blackmail), all in vol. 128, DAS; *Lexow*, IV:4496 (Moss); Steffens, *Autobiography*, I:376; City Club of New York, *The Police Department of the City of New York: A Statement of Facts* (New York, 1903), 356 (\$7 million), copy in Police Box, WC.
17. *Times* clipping, 4 Apr. 1890, vol. 72, DAS. On working-class criticisms of nineteenth-century police brutality, see Johnson, *Street Justice*, 30-32.
18. Crapsey, *Nether Side*, 57-58; *Times* clipping, 31 Dec. 1895, vol. 136, DAS.
19. Steffens, *Autobiography*, I:261.
20. *Times* clipping, 10 Dec. 1893, vol. 122; unmarked clipping, 25 July 1895, vol. 144, both in DAS (military body). Conflicting lists of precincts Byrnes captained appeared in *Times*, 30 Dec. 1894; *Herald* clipping, 28 May 1895, vol. 141, DAS. For biographical details, see *Leslie's*, 22 May 1880; *Times*, 14 Apr. 1892; *Tribune*, 13 Apr. 1892, 28 May 1895; unmarked clipping, 19 Mar. 1895, vol. 139; *Times* clipping, 10 Dec. 1893, vol. 122; *Morning Advertiser* clipping, 25 Aug. 1893, vol. 117; unmarked clipping, 19 Mar. 1895 (promotion to Detective Bureau), vol. 139; *Herald*, 19 July 1895, vol. 143, all in DAS. For Byrnes's denials of party affiliation, see *Times* clipping, 10 Dec. 1893, vol. 122, DAS. On conflicts with Tammany Hall, see *Tribune*, 8 Nov. 1892. Some reports claimed that Byrnes was born in New York City. See *Tribune*, 28 May 1895. His date of birth was 15 June 1842. On Byrnes as "the preventive police force of New York," see *Morning Journal* clipping, 27 Oct. 1889, vol. 66, DAS.
21. *Tribune* clipping, 10 Jan. 1892, vol. 93; unmarked clipping, 13 June 1890, vol. 74; unmarked clipping, 22 Dec. 1892 (Cleveland inauguration), vol. 105; *Herald* clipping, 19 Feb. 1893 (Wall Street), vol. 108; unmarked clipping, 17 June 1894 (popular with businessmen), vol. 128; unmarked clipping, 3 Oct. 1886; *Herald* clipping, 28 May 1895, vol. 141, all in DAS; *Times*, 31 Dec. 1894, 14 Apr. 1892; *Tribune*, 13 Apr. 1892, 28 May 1895 (17 Wall Street); Helen Campbell, Thomas W. Knox, and Thomas Byrnes, *Darkness and Daylight: or, Lights and Shadows of New York Life* (Hartford, Conn., 1891), 520-21; James F. Richardson, *The New York Police: Colonial Times to 1901* (New York, 1970), 210. Byrnes was often identified as the originator of the "dead line" and the "third degree" interrogation. See Ric Burns and James Sanders, *New York: An Illustrated History* (New York, 1999), 198; Johnson, *Street Justice*, 123-24. For a favorable view of Byrnes's interrogation methods, see *Sun* clipping, 15 May 1887, vol. 35, DAS. On the third degree, see Zechariah Chafee, Jr., Walter H. Pollak, and Carl S. Stern,

- The Third Degree* (New York, 1931), 83-101; Emanuel H. Lavine, *The Third Degree: A Detailed and Appalling Expose of Police Brutality* (Garden City, N.Y., 1930); Johnson, *Street Justice*, 3, 124-48. The specific boundaries of the "dead line" were Fulton Street on the north, Greenwich Street on the west, the Battery on the south, and the East River.
22. Unmarked clipping, 14 July 1875, folder 157, box 1237, MP; *Tribune*, 5 Jan. 1890, 28 May 1895 (Scotland Yard); unmarked clippings, 3 Oct. 1886, 27 Oct. 1886, both in vol. 26; *Herald* clipping, 4 Jan. 1888 (best in world), vol. 43; *Press* clipping, 17 Apr. 1889 (centennial; arrest well-known thieves), vol. 60; *Tribune* clipping, 10 Jan. 1892, vol. 93; *Times* clipping, 10 Dec. 1893, vol. 122; *Herald* clipping, 28 May 1895 (Scotland Yard), vol. 141; *Herald*, 19 July 1895, vol. 143; all in DAS; Campbell, *Darkness*, 520-21; Stefens, *Autobiography*, 1:201, 226-27; Flynt, *Graft*, 95 (criminals report); Richardson, *New York Police*, 210. On the acceptance of police corruption by criminals, see A. G. Warner, "Politics and Crime," *American Journal of Sociology* 1 (1895), 294. George W. Walling claimed that he was the first to arrest suspected pickpockets on holidays and during parades. See Walling, *Recollections*, 196, 219.
23. *Tribune*, 26 July 1884 (Mandelbaum); unmarked clipping, 13 June 1890 (expert thieves), vol. 74; unmarked clipping, 17 June 1894 (crime on East and West Sides), vol. 128, both in DAS. On the Byrnes report, see *Truth* and other clippings, 3 Aug. 1884, DAS.
24. Byrnes, *Professional Criminals*; Campbell, *Darkness*; *New York Dramatic Mirror*, 8 Dec. 1894 (story papers, melodramas). The five novels authored by Julian Hawthorne with the subtitle "From the Diary of Inspector Byrnes" include *An American Penman* (New York, 1887), *The Great Bank Robbery* (New York 1887), *A Tragic Mystery* (1887), *Another's Crime* (New York, 1888), and *Section 558* (New York, 1888). Praise of Byrnes appears in *World* clipping, 26 Dec. 1887 (wonderful man), vol. 43; unmarked clipping, 13 June 1890 (unexcelled detective genius), vol. 74; *Tribune* clipping, 10 Jan. 1892 (first policeman), vol. 93; *Times* clipping, 31 Dec. 1895 (most intelligent), vol. 136, all in DAS.
25. Walling, *Recollections*, 194, 216-19, 387 (London); Smith, *Sunshine*, 180-84 (summary arrests); NPG, 29 Nov. 1845; *Times*, 12 Sept. 1854 (summary arrests); *Herald*, 18 Oct. 1859; unmarked clipping, 1 Nov. 1896 (mass arrests), vol. 159, DAS. On police invoking the dead line to harass citizens, see *New York Mercury* clipping, 25 July 1895, vol. 144, DAS; against agents of the SPC, see *Press* clipping, 26 July 1895, vol. 144, DAS; Board of Police Justices for the City of New York, *Third Annual Report* (New York, 1877), 4 (1,074 suspicious persons); NYC Board of City Magistrates, *Twenty-Second Annual Report for 1895* (New York, 1896), 16-17; NYC Board of City Magistrates, *Twenty-Third Annual Report for 1896* (New York, 1897), 16. On the wide discretionary power of the police, see Miller, *Cops and Bobbies*, 20-21, 57; Amy Dru Stanley, "Beggars Can't Be Choosers: Compulsion and Contract in Postbellum America," *Journal of American History* 78 (1992), 1265-93.
26. *Times*, 14 May 1876.
27. Cornelius W. Willemse, *Behind the Green Lights* (New York, 1931), 20, 31, 35, 37; unmarked clipping, 14 Aug. 1895 (London police), vol. 144, DAS; Appo, 30-31; Allen S. Williams, *The Demon of the Orient* (New York, 1883), 71-72 (36 hours). Appo gave two different versions of these events. In 1883 he reported that he tried to escape dur-

- ing this arrest. He later claimed that he went with the detectives and was brought before the police court the next day, never mentioning that he was without food for thirty-six hours.
28. *Press* clipping, 17 Apr. 1889, vol. 60; *World* clipping, 30 Mar. 1890 (Professional Criminal), vol. 72, both in DAS. On police officials supporting similar legislation in the early twentieth century, see Frank Marshall White, "New York's Ten Thousand Thieves," *Harper's Weekly* 50 (29 Dec. 1906), 1892-93.
29. *World* clipping, 30 Mar. 1890 (no single case), vol. 72; *Sun* clipping, 16 Feb. 1890, vol. 71, both in DAS; *Sun*, 12 Feb. 1888.
30. *World* clipping, 15 June 1894 (booty), vol. 126, DAS. On police corruption in the 1870s, see Mayor William Wickham to Police Commissioners, 7 Oct. 1875, copy in folder 261, box 1264; Fifteenth Ward Citizens Protective Association and Taxpayers League to William H. Wickham, 17 Jan. 1876, folder 225, box 1261, both in MP; *Increase of Crime*, 7 (demoralized). On the Roosevelt investigation, see the transcript of the Report of the Investigation of the Police Department of New York City in unmarked clipping, 16 May 1884, DAS; NYSA, *Report of the Special Committee Appointed to Investigate the Local Government of the City and County of New York*, AD 153 and 172 (Albany, 1884). On the Fassett Committee, see *World* clipping, 12 Apr. 1890; *Journal* and *Press* clippings, 13 Apr. 1890, all in vol. 72, DAS.
31. *Times*, 31 Dec. 1894 (unable to control captains); *Tribune*, 24 Feb. 1894 (raids); *World* and other clippings, 13 Jan. 1893 (charges), vol. 106; unmarked clipping, 20 Apr. 1892 (transfers), vol. 97; *Recorder* clipping, 8 Dec. 1892, vol. 104; *Morning Advertiser* clipping, 25 Aug. 1893, vol. 117; numerous clippings for 21 Sept. 1894, vol. 132; *Herald*, *Recorder*, and other clippings, 13 Mar. 1895, vol. 138; *Sunday Advertiser*, 26 May 1895, vol. 141, all in DAS.
32. *Lexow Committee*, V:5030-38, 5709-58 (Byrnes testimony); *Times*, 30 Dec. 1894; unmarked clipping, 19 Mar. 1895, vol. 139; *Mercury*, *Times*, *Herald* clippings, 28 May 1895, all in vol. 141, DAS. On Byrnes's toleration of green goods, see *Lexow Committee*, III:2632, 3119-23. On Byrnes permitting William McLaughlin's assault on Augustin Costello, see *Lexow Committee*, IV:4518-31, V:4654-78, 5154-56, 5701-5. On Byrnes's real estate activity, see *Tribune*, 14 Jan. 1893; on his wealth and resignation, see *Times*, 30, 31 Dec. 1894.
33. Most indictments were either dismissed, acquitted, or overturned on appeal. Capt. William Devery was acquitted and later named Chief of Police. Only Capt. John T. Stephenson was convicted and punished for crimes exposed by the Lexow Committee. See unmarked clipping, 25 June 1898, vol. 176; *World* clipping, 13 Dec. 1894 (Stephenson conviction), vol. 135, DAS. On the limited impact of the Lexow Committee, see Richardson, *New York Police*, 240-45, 262-63; Johnson, *Street Justice*, 54-56.
34. On the growing centralization of the police department after 1901, see Richardson, *New York Police*; Johnson, *Street Justice*, 57-113; Berman, *Police Administration*.
35. *Sun*, *Times*, 29, 30 Sept. 1894. Pettit's saloon was at 87 West Street. Since Richard O'Connor was police captain in the Fourth Precinct along the East River for a year, it is possible that O'Connor joined forces with Riordan. On O'Connor, see *World* clipping, 29 Oct. 1891, vol. 91, DAS. On Michael Riordan, see "List of Registered Voters" in "Officers and Subordinates in the Departments of the City and County Government," *City Record* (1 Nov. 1893), supplement (registered at 160 Greenwich Street).

- On Samuel "Sam" Pettit, see *Sun* clipping, 15 Sept. 1884, vol. 9, DAS; *Trow's New York City Directory* (New York, 1884-96); "List of Registered Voters" in "Officers and Subordinates in the Departments of the City and County Government," *City Record* (1 Nov. 1890), Assembly District 1, Election District 11.
36. *Sun*, *Tribune*, *Times*, 29 Sept. 1894. The hotel was located at West and Barclay Streets.
 37. New York newspapers had printed stories several weeks earlier that Appo was going to appear before the Lexow Committee and betray his associates in the green goods business. See *Times*, 9 Sept. 1894.
 38. Appo, 57-61. Appo misspelled Riordan's name as "Readon" and "Reardon" in several places in this passage.
 39. Unmarked clipping, 3 Aug. 1894 (opium dens), vol. 130, DAS; *Tribune*, 29 Sept. 1894 (cooperating with Goff), 12 Sept. 1894; *Sun*, 29 Sept. 1894; *Times*, 2 Oct. 1894 (cooperating), 9 Sept. 1894.
 40. Entry for 29 Sept. 1894, PCDB, First District, roll 62, neg. 10408, NYCMA; *Sun*, 29 Sept. 1894; *Times*, 29 Sept. 1894 (alcoholic mania), 3 Oct. 1894 (Coleman); *Times*, *Tribune*, 30 Sept. 1894; unmarked clipping, 29 Sept. 1894; *World* clipping, 30 Sept. 1894 (O'Connor), both in vol. 132, DAS.
 41. *Tribune*, 29 Sept. 1894; unmarked clipping, 27 Sept. 1894 (Post Office), vol. 132, DAS; *Times*, 2 Oct. 1894 (Post Office). Prior to this assault, Appo was beaten with another process server at Second Avenue and First Street. See *Times*, 2 Oct. 1894; *Sun*, 29 Sept. 1894.
 42. *Sun*, 30 Sept. 1894; *Tribune*, 30 Sept. 1894; *Brooklyn Eagle*, 29 Sept. 1894; *World*, *Journal*, *Recorder*, and unmarked clippings, 30 Sept. 1894, vol. 132, DAS; *Times*, 3 Oct. 1894 (Coleman); *Lexow Committee*, II:2836-61 (Coleman).
 43. *World*, 9 Nov. 1894; *Sun*, 9 Oct. 1894. The Brower House was at 22 West Twenty-eighth Street. See *Goulding's New York City Directory* (New York, 1876), 162. On Lyons, see chapter 15, note 43. For other reports of police captains and others issuing orders to attack witnesses before and after they came before the committee, see *Times*, 1 Oct. 1894, 8 Aug. 1895; *Sun*, 9 Oct. 1894; *World*, 11 Oct. 1894; *Lexow Committee*, II:1980-84, III:2740-43; unmarked clipping, 3 Aug. 1894, vol. 130; *Morning Journal* clipping, 9 Oct. 1894, vol. 133; unmarked clippings, 3 May 1895, vol. 140, all in DAS; *Tribune*, 12 Sept. 1894.

18. IN THE TENDERLOIN

1. Appo, 72-74. Appo was confused about the precise chronology of these events. In his autobiography he erroneously placed his encounter with Price after his release from Matteawan in 1899. He also believed that *In the Tenderloin* opened at the London Theater on the Bowery. The earliest production was in fact at the Grand Opera House in New Haven, Connecticut, on 29 Nov. 1894. In early December 1894, the production moved to the Star Theater in Brooklyn, and then opened in New York on 17 Dec. 1894 at Henry C. Miner's People's Theater, 201 Bowery. See *Illustrated American*, 5 Jan. 1895; *Herald*, 30 Nov. 1894; *Dramatic Mirror*, 15 Dec. 1894 (Star Theater); *In the Tenderloin* playbill, People's Theater, 17 Dec. 1894, BR; George C. D. Odell, *Annals of the*

- New York Stage* (New York, 1949), XIV:63. I changed the name of the theater in this passage.
2. *Sun*, 29 Sept. 1894.
 3. No published or copyrighted version of *In the Tenderloin* exists. This description was compiled from *In the Tenderloin* playbill, People's Theater, 17 Dec. 1894; *World*, 21 Oct. 1894, in clipping file, both in BR; *Herald*, 30 Nov. 1894; *Cincinnati Tribune*, 20 Jan. 1895; *Cincinnati Times-Star*, 19 Jan. 1895; *Indianapolis News*, 29 Jan. 1895; Timothy J. Gilfoyle, "Staging the Criminal: *In the Tenderloin*, Freak Drama, and the Criminal Celebrity," *Prospects: An Annual of American Cultural Studies* 30 (2005), notes 6 and 18.
 4. Peter Brooks, *The Melodramatic Imagination: Balzac, Henry James, Melodrama, and the Mode of Excess* (New York, 1976 and 1985), 13-16, 30-31; Robert W. Snyder, *The Voice of the City: Vaudeville and Popular Culture in New York* (New York, 1989), 1-7; David Grimsted, *Melodrama Unveiled: American Theater and Culture, 1800-1850* (Chicago, 1968), 175-248; Gilfoyle, "Staging the Criminal," esp. note 7.
 5. *Indianapolis News*, 29 Jan. 1895 (destroyer); *Life*, 27 Dec. 1894.
 6. *World*, 21 Oct. 1894, in clipping file, BR.
 7. On criminals and gangsters as "celebrities," see Lawrence M. Friedman, *Crime and Punishment in American History* (New York, 1993), 446-47; David E. Ruth, *Inventing the Public Enemy: The Gangster in American Culture, 1918-1934* (Chicago, 1996); David R. Papke, *Framing the Criminal: Crime, Cultural Work, and the Loss of Critical Perspective, 1830-1900* (Hamden, Conn., 1987); Gilfoyle, "Staging the Criminal," note 10.
 8. *Times*, 9 Oct. 1938; Michael MacDonald Mooney, *Evelyn Nesbit and Stanford White: Love and Death in the Gilded Age* (New York, 1976), 60. The word "vaudeville" preceded Lederer's birth. See Gunther Barth, *City People: The Rise of Modern City Culture in Nineteenth-Century America* (New York, 1980), 196-200; Snyder, *Voice of the City*, 11-25.
 9. *Herald* clipping, 25 Oct. 1889, vol. 66, DAS; *World*, 13 Nov. 1894.
 10. For biographical information on Lederer and coverage of his bigamy case, see Gilfoyle, "Staging the Criminal," notes 12-14.
 11. *The American Fistiana: Showing the Progress of Pugilism in the United States from 1816 to 1860* (New York, 1860), 26-27, 72-74 (quote); Elliott J. Gorn, *The Manly Art: Bare-Knuckle Prize Fighting in America* (Ithaca, N.Y., 1986), 105-7, 168, 274.
 12. *World* clipping, 29 May 1891, vol. 86; unmarked clipping, 9 Jan. 1892, vol. 93, both in DAS. On Price's legal career, see Gilfoyle, "Staging the Criminal." Price defended Appo in his assault case involving James Collins. See Appo, 21-23.
 13. *Tribune*, 26 June 1886, 8 July 1886; *Lexow Committee*, IV:4168-70; *World*, 3 Nov. 1894.
 14. Ed Price, *The Science of Self Defence: A Treatise on Sparring and Wrestling* (New York, 1867), copy in the Newberry Library; *American Fistiana*, 26-27, 72-74 (linguist); Odell, *Annals*, XIII:509, XV:240-41; *World*, 21 Oct. 1894 (Sullivan), in clipping file, BR. On Price's dramatic production, see Gilfoyle, "Staging the Criminal."
 15. *World*, 21 Oct. 1894, in clipping file, BR.
 16. *Herald*, 30 Nov. 1894.
 17. Unmarked clipping, 17 Dec. 1894, clipping file, BR (quotes); *In the Tenderloin* playbill, People's Theater, 17 Dec. 1894; *Dramatic Mirror*, 15 Dec. 1894 (Star); *Spirit of the*

- Times*, 15, 22 Dec. 1894 (People's); Capt. Anthony Allaire to Supt. William Murray (leading actors), 27 Apr. 1887, folder 246, box 1366, Hewitt Papers, MP.
18. *Dramatic Mirror*, 22 Dec. 1894 (useless); *Spirit of the Times*, 22 Dec. 1894 (disgrace); *Life*, 27 Dec. 1894; *Illustrated American*, 5 Jan. 1895 (shameless, poor actors). On the critical reaction to *In the Tenderloin* and nineteenth-century cultural conflict, see Gilfoyle, "Staging the Criminal."
 19. *Illustrated American*, 5 Jan. 1895 (money-bags); *Life*, 27 Dec. 1894 (more profit); *Dramatic Mirror*, 15 Dec. 1894, 22 Dec. 1894 (sensational melodrama); *Cincinnati Enquirer*, 23 Jan. 1895 (sensational); *Indianapolis News*, 29 Jan. 1895.
 20. *World*, 11 Nov. 1894; *Journal* and other clippings, 29, 30 Jan. 1899 (Moore), vol. 177, DAS; T. J. Stiles, *Jesse James: Last Rebel of the Civil War* (New York, 2002), 395.
 21. For dates and theaters with productions in the 1880s, see Odell, *Annals*, 14:64, 163, 194, 300, 303-4, 473, 583, 621, 644, 760, 765; 15:114-15, 158, 177, 247, 398, 657-58, 725, 737, 821-22.
 22. *Cincinnati Tribune*, 21 Jan. 1895; *Cincinnati Enquirer*, 21 Jan. 1895; 23, 24 Jan. 1895; *Syracuse Standard*, quoted in *Youngstown Daily Vindicator*, 16 Jan. 1895; Gilfoyle, "Staging the Criminal."
 23. *Cincinnati Tribune*, 20 Jan. 1895.
 24. *World*, 30 Dec. 1894. For national coverage, see Gilfoyle, "Staging the Criminal," note 46.
 25. Appo, 74-76. Appo indicated that he wrote this portion of his autobiography on 17 July 1915. An earlier examination of *In the Tenderloin* erroneously claimed that Appo disappeared before the production was closed, generating theories that he was murdered or was on an "opium spree." See M. R. Werner, *It Happened in New York* (New York, 1957), 76.

19. A MARKED MAN

1. Newspaper accounts claimed that Appo worked as a subpoena server and informant for the Lexow Committee after his testimony. See *Times*, 30 Sept. 1894, 2 Oct. 1894; *Sun*, 29 Sept. 1894.
2. Coverage of Theodore Babcock's career appears in *Herald*, 8 Nov. 1892; George C. D. Odell, *Annals of the New York Stage* (New York, 1949), XV:305, 603, 604, 637, 796; *Dramatic Mirror*, 5 Mar. 1894.
3. Appo, 60-62. Appo erroneously thought that his bond was \$1,500. Other reports indicate that it was \$500. Appo also believed that he received a one-year sentence, when in fact he was sent to the Blackwell's Island Penitentiary for six months. See *Tribune*, 11 Apr. 1895; Blackwell's Island Register, Oct. 1895, vol. 20, Executive Register of Commitments to Prisons, NYSA; unmarked clipping, 5 Oct. 1895, DAS. I have changed the original text in these two instances.
4. *Tribune*, *World*, 10 Apr. 1895; *Sun*, *Morning Advertiser* clippings, 10 Apr. 1895, vol. 140, DAS; entry for George W. Appo, 9 Apr. 1895, PCDB, Second District, roll #70, neg. 10369, NYCMA; George W. Appo, "The full History of my life" (handwritten), undated; and Appo deposition, 3 Oct. 1895, both in People v. George Appo, 19 Apr. 1895 (two men to kill me), New York Supreme Court, box 10100, location 106231

- (unprocessed collection), DAP (hereafter Appo, "The full History of my life," and Appo deposition, respectively).
5. *Lexow Committee*, II:1926-50 (Hill); V:4919-31, 4966-82 (Creeden); V:5311-85 (Schmittberger); V:4950-60, 4982-5024, 5047-65 (saloonkeeper John Reppenhagen); Lincoln Steffens, *The Autobiography of Lincoln Steffens* (New York, 1931), 1:254, 266-84 (Schmittberger). I am indebted to Daniel Czitrom for distinguishing among the various Murphys on the New York police force.
 6. Unmarked clipping, 12 May 1899, vol. 180, DAS.
 7. Unmarked clippings, 3 May 1895 (Matilda Hermann), vol. 140, DAS; M. R. Werner, *It Happened in New York* (New York, 1957), 114 (Priem, Schmittberger), 101 (Herman).
 8. Appo, 95; *Recorder* clipping, 5 Oct. 1895, vol. 146, DAS; Louis J. Beck, *New York's Chinatown: An Historical Representation of Its People and Places* (New York, 1898), 200. At least five assaults on Appo can be corroborated in court and newspaper accounts: 26 Sept. 1894 (outside Post Office), 28 Sept. 1894 (by Ryan and Riordan), 8 Nov. 1894 (by Ned Lyons), 19 Dec. 1894 (in Brooklyn and 117th Street and Eighth Avenue), and 10 Apr. 1895 (after bail release). See Appo, "The full History of my life," and Appo deposition; unmarked clipping, 20 Dec. 1894, vol. 136, DAS.
 9. *Newark [Ohio] Daily Advocate*, 15 June 1896 (from *Buffalo Express*). Appo's height and weight appear in 396, entry for George Dixon, vol. 11; 173, entry for George Wilson, vol. 14; 269, entry for George Appo, container 6, vol. 20; 140, entry for George Albow, container 10, vol. 28, all in SSAR.
 10. *Lexow Committee*, II:1631, 1633, 1641-47, 1654. On Ryan telling Appo that McNally blackballed him, see Appo, "The full History of my life," and Appo deposition.
 11. *Recorder* clipping, 5 Oct. 1895 (\$500,000), vol. 146, DAS; Frank Moss, *The American Metropolis* (New York, 1897), III:133-34; *Tribune*, 15 June 1894 (felt betrayed); *Lexow Committee*, III:2610-11 (Roach's).
 12. *Sun*, 29 Sept. 1894; Beck, *New York's Chinatown*, 259 (put-up job). Most evidence refutes this, including Appo's autobiography, in which he maintains that he never betrayed McNally, even in his Lexow testimony.
 13. *Tribune*, 16 June 1899; Appo testimony, 6 Oct. 1896, p. 16 (shame of women), in People v. George Appo, 24 July 1896, New York District Attorney Records, Cases #9126 and #9127, box B-2, location 12817, SCC.
 14. *Tribune*, 11 Apr. 1895; *Times*, 8 Oct. 1894. *Press* clipping, 13 Apr. 1895, vol. 140, DAS. On Michael J. Rein, see "Officers and Subordinates in the Departments of the City and County Government," *City Record* (31 Jan. 1887), 230; "Officers and Subordinates" (31 Jan. 1896), 290; (31 Jan. 1901), supplement; *Lexow Committee*, III:2906-7. Newspapers referred to Rein as "Ryan" and "Reiman."
 15. Unmarked clipping, 3 Aug. 1895, vol. 144 ("female Parkhurst"); *Sunday Advertiser* clipping, 28 Apr. 1895, vol. 140, both in DAS; *Times*, 8 Oct. 1894; NPG, 25 Aug. 1894.
 16. *Tribune*, 11 Apr. 1895 (release); *Sunday Advertiser* clipping, 28 Apr. 1895 (Parkhurst), vol. 140, Appo, "The full History of my life," and Appo deposition (fear for life); *Times*, *Tribune*, *World*, 17 Apr. 1895 (bond forfeiture); *Newark Daily Advocate*, 15 June 1896.
 17. *Brooklyn Eagle*, 30 Sept. 1895. Other accounts claimed Appo was arrested in Buffalo on 7 August 1895, and arrived in New York a day later. See Appo, "The full History of my life"; *Times*, 8 Aug. 1895. Another claimed that he assaulted a waiter in a Montreal saloon. See *Times*, 22 May 1895.

18. *Times*, 8 May 1920; *Tribune*, 12 Mar. 1879; unmarked clipping, 14 Feb. 1895, vol. 138; unmarked clippings, 31 Mar. 1895, vol. 139, all in DAS; *World*, 26 Oct. 1894 (pigeon-holed indictments); Moss, *American Metropolis*, III:124-25.
19. *Times*, 1 Oct. 1895; *Tribune*, *Times*, 4 Oct. 1895; *Morning Advertiser*, *Herald*, and other clippings, 4 Oct. 1895; *Recorder* clipping, 5 Oct. 1895 (Appo quote), all in vol. 146, DAS.
20. *Tribune*, 11 Apr. 1895; Blackwell's Island Register, Oct. 1895, vol. 20, Executive Register of Commitments to Prisons, NYSA.
21. Appo, 63-64. Appo identified the arresting police officer as Michael Rein from his earlier confrontation. Court and newspaper records indicate that Stephen Loughman was the officer, whose name was spelled "Lockman," "Lochman," "Loughran," and "Laughlin." I use "Loughman," which was the spelling in PCDB, First District, 11 July 1896, 172, microfilm roll 68, negative 10414; *People v. George Appo*, 24 July 1896, DAP, cases #9126 and #9127, box 10131, location 106262, SCC; *George Appo* testimony, 6 Oct. 1896, 8-11, in *People v. George Appo*, 24 July 1896, case #9126, box B-2, SCC. Although these documents concern the same case, the manuscript indictments contain different notations on each.
22. *Times*, 11 July 1896 (I've been drinking), 12 July 1896; *Tribune*, 11 July 1896; *Sun*, *Herald*, and other unmarked clippings, 11, 12 July 1896, vol. 157, DAS. Appo was first charged with carrying a dangerous weapon and later with first-degree assault.
23. *Ibid.* Atwood later admitted that he was from out of town and staying at a Bowery hotel. See Statement of John W. Atwood, 1, in *People v. George Appo*, 24 July 1896, case #9126, box B-2, SCC.
24. *Sun* clipping, 11 Oct. 1896 (Goff disgusted), vol. 159, DAS; *Tribune*, 9, 12 Aug. 1895. Goff assigned Purdy to Appo's case.
25. PCDB, First District, 11 July 1896, p. 172, microfilm roll 68, negative 10414, NYCMA; *Advertiser* clipping, 28 July 1896, vol. 157, DAS. O'Reilly was a lawyer and judge (1884-91). See *Trow's New York City Directory* (New York, 1884-95).
26. *Times*, 24 Dec. 1887; Augustine E. Costello, *Our Police Protectors* (New York, 1885), 506; *Times*, 13 Aug. 1919; *Tribune*, 8 Mar. 1886 (Cowing). On Purdy's defense of more than a dozen counterfeiters, see vols. 17, 27-29; indexes of vols. 30-38, under "Purdy," all in Drummond Papers. On Purdy's role in the prosecution of Danny Driscoll, see unmarked clippings, 27, 28 Sept. 1886, vol. 25, DAS.
27. *Herald* clipping, 9 Jan. 1892 (McGlory), vol. 93; unmarked clipping, 21 Oct. 1890 (defending green goods men), vol. 77; *Telegram* clipping, 11 Mar. 1891, in vol. 82; unmarked clipping, 6 Apr. 1891, vol. 84; *Commercial Advertiser* clipping, 24 Apr. 1893, in vol. 111; *Evening World* clipping, 12 Oct. 1893, vol. 119 (Ellison); unmarked clipping, 1 Nov. 1895, vol. 147; *World* clipping, 1 Jan. 1897 (boodle), vol. 161, all in DAS; *Tribune*, 26 Nov. 1893 (Ellison); *U.S. v. Samuel Marks*, Bill of Exceptions filed in U.S. Circuit Court, Southern District of New York, 17 Dec. 1889, #1447, RG 21. On Ward and Rosenthal, see *Herald*, *Sun*, and other clippings, 19-21 Oct. 1890, vol. 77, DAS. On the knockout-drop case, see unmarked clippings, 27 Oct. 1893, vol. 120; *World* clipping, 1 Jan. 1897, vol. 161, all in DAS; *Tribune*, 27 Oct. 1893. On Purdy as a "shyster lawyer," see *Tribune*, 1, 9 Jan. 1897.
28. *Morning Advertiser*, 27 Apr. 1894 (CVL supporter), vol. 127, DAS; *People v. George Appo*, 19 Apr. 1895, box 10100, location 106231, SCC.

29. Herbert S. Brown, "The Insane," *Charities Review*, 9 (Nov. 1899), 371; "Dr. J. B. Thomson on the Congenital Imbecility of Criminals," *American Journal of Insanity* 18 (Oct. 1861), 191 (moral degradation); Martin W. Barr, "Some Studies of Heredity," *Journal of Nervous and Mental Disease* 24 (1897), 155-62.
30. *Times*, 17 June 1896; *George Appo* testimony, 6 Oct. 1896 (typewritten), 7-8, in *People v. George Appo*, 24 July 1896, New York District Attorney Records, case #9126, box B-2, SCC. The handwritten version is in *People v. George Appo*, 24 July 1896, case #9126, box 10131, SCC. These statements included many details later described in his autobiography.
31. *Ibid.* Appo gave the bartender's name as "Eddie Irving." This indictment and *People v. George Appo*, 24 July 1896, cases #9126 and #9127, box 10131, SCC, listed Appo's address as 48 East Fourth Street. Appo claimed that he was "on business for Louis Beck."
32. *Tribune*, *Times*, 27 Apr. 1882; Allen S. Williams, *The Demon of the Orient* (New York, 1883), 71-74; Beck, *New York's Chinatown*, 255; unmarked clipping, "The Rogues' Gallery," 23 Apr. 1883 (attempted suicide), DAS. Appo's consumption of opium or laudanum may simply have been a fit related to his opiate addiction. The *Tribune*, however, reported that Appo said "he wanted to die."
33. *Sun*, 30 Sept. 1894 (four suicide attempts); *Poughkeepsie News-Press*, 21 Apr. 1893, 25 Apr. 1893; *Poughkeepsie Daily Eagle*, 18, 21 Apr. 1893; *Poughkeepsie News-Telegraph*, 22 Apr. 1893; *Poughkeepsie Courier*, 12 Mar. 1893; Beck, *New York's Chinatown*, 258. The same quotes on Appo's suicide threat appear in *Poughkeepsie Daily Eagle*, 26 Apr. 1893; *Times*, 26 Apr. 1893.
34. *Sun*, *Tribune*, *Times*, 29 Sept. 1894 (raving like a madman); *Recorder* clipping, 5 Oct. 1895, vol. 146, DAS.
35. Arthur Dennett (SPC Superintendent) to Cowing, 2 Oct. 1895, in *People v. George Appo*, 19 Apr. 1895.
36. *Sun* and unmarked clipping, 11 Oct. 1896, both in vol. 159, DAS; *Brooklyn Eagle*, 11 Oct. 1896.
37. Appo testimony, 6 Oct. 1896, 16, *People v. George Appo*, 24 July 1896, case #9126, SCC.
38. Unmarked clipping, 15 July 1890, vol. 75, DAS; *Times*, 12 Aug. 1893. On Meredith, see chapter 12, note 22. On Vosburg, see *Press* and other clippings, 8, 9, 12, 16 Nov. 1895, vol. 147; *Sun*, *Tribune*, *Recorder*, and other clippings, 11, 12 Dec. 1895, vol. 149, all in DAS. For examples of convicts feigning insanity to be transferred out of prison, see *Times*, 14 Feb. 1893.
39. NYSCC, *Special Report on Psychiatric and Expert Testimony in Criminal Cases* (Albany, 1930), 6-7; NYSCC, *Report—1929* (Albany, 1929), 179; NYSCC, *Special Report on Psychiatric and Expert Testimony in Criminal Cases* (Albany, 1929), 5. Legislation requiring certification of psychiatric witness was not proposed until the 1920s. On the process of determining insanity at Bellevue and elsewhere during the nineteenth century, see Matthew D. Field, "Detention Hospitals for the Insane," *Journal of Nervous and Mental Disease* 20 (1893), 599-60; C. Eugene Riggs, "The Care and Handling of the Insane," *Journal of Nervous and Mental Disease* 20 (1893), 627-28.
40. Statement of Dr. Joseph Terribery, 9 Oct. 1896, 26-28, 32-33, in *People v. George Appo*, 24 July 1896, case #9126, SCC.

41. Appo testimony, 6 Oct. 1896, 10-20, 22 (quote), *People v. George Appo*, 24 July 1896, case #9126, SCC.
42. *Recorder* clipping, 5 Oct. 1895, vol. 146, DAS.
43. *Times* clipping, 19 Oct. 1895, vol. 146; *Tribune* and *Herald* clippings, 27 Dec. 1900 (rail-roaded), vol. 196, all in DAS. On the unsystematic procedures in state examinations for insanity, see "A New Lunacy Law," *Journal of Nervous and Mental Disease* 23 (1896), 334-35. City examiners charged fees of \$20 to \$30 per case. On the failure of Bellevue physicians to maintain clinical histories of patients before 1915, see NYC Board of Estimate and Apportionment [Henry C. Wright], *Report of the Committee on Inquiry into the Departments of Health, Charities, and Bellevue and Allied Hospitals* (New York, 1913), 35-36. On corruption in Bellevue, see *Herald* clipping, 27 Dec. 1900; *World* clipping, 29 Dec. 1900; unmarked clipping, 1 Jan. 1901; *Press* clipping, 9 Jan. 1901; unmarked clippings, 10 and 12 Jan. 1901, all in vol. 196; unmarked clipping, 16 Feb. 1901, vol. 197, all in DAS.
44. "The Commitment of Patients and the New Insanity Law," *Journal of Nervous and Mental Disease* 24 (1897), 107-9; New York County District Attorney, Record of Cases, July 1896, vol. 2, 19, microfilm roll 1, cases #9126 and #9127, NYCMA; NYC, *Report of the Police Department for 1896* (New York, 1897), 66 (only two to Matteawan); *Times*, 24 Dec. 1896 (McMahon); NYSA, *Thirty-Seventh Annual Report of the Medical Superintendent of the State Asylum for Insane Criminals, for Year Ending Sept. 30, 1896*, AD 67 (Albany, 1897), 280-81.
45. W. C. Johnston to Albert Stangler, 20 Jan. 1971, in QA Case File; Beck, *New York's Chinatown*, 200 (wreck).

20. BURIED ALIVE

1. Appo, 66-67.
2. *World, Times*, 22 Oct. 1876 (Kate Burke); *Sun*, 22 Oct. 1876 (Cherry Street, children scattered; Lizzie Williams); entry for Quimbo Appo, 217, 5 Apr. 1869, for Deductions of Sentences, Executive Journals of Governors' Actions and Decisions, 1859-1916 (AO607); Entry for Quimbo Appo, 29 Mar. 1869, vol. 1, 1863-75, Executive Reports of Deduction of Sentences by Prison Agents, (AO601), both in NYSArc. Quimbo Appo never received a pardon; his sentences were commuted. See entry for 8 May 1860, 349, vol. for 1860, Executive Journals of Governors' Actions and Decisions (AO607); 25, vol. 2; vols. 17 (index), 18 (index), all in Executive Clemency and Pardon Application Ledgers and Correspondence (AO629); vols. 7-8 (indexes from 1853 to 1918), Department of State, Executive Clemency and Pardon Records, Executive Pardons (BO042); entry for 8 May 1860, vol. 3, Sing Sing admissions, 1842-74 (n.p.), Executive Register of Commitments to Prisons, all in NYSArc. I am indebted to James Folts for locating these and other relevant sources related to Quimbo Appo. Evidence of Quimbo Appo residing in Five Points appears in *Herald*, 5 Jan. 1872 (14 Baxter); *People v. Quimbo Appo*, 13 Dec. 1871, DAP; *Trow's New York City Directory* (New York, 1872); p. 6, Ward 6, Election District 3, Federal Manuscript Census Population Schedules, City of New York, Second Enumeration, 1870, reel 1017 (hereafter Second Enumeration, 1870).
3. Appo, 2-3; *Trow's New York City Directory* (New York, 1872); *Times*, 26 Dec. 1856.
4. *Herald*, 10 Aug. 1871 (hopeless); *Quimbo Appo* (plaintiff in error) v. *People of N.Y.*, 30 Mar. 1872 (writ of appeal), New York Supreme Court, VR&P #523, CCNYA (hereafter *Quimbo Appo* writ of appeal); *People v. Appo*, 13 Dec. 1871, DAP (9 Aug.); *Times*, 30 Sept. 1871, 13, 14, 15, 16, 19 Dec. 1871; *Tribune*, 30 Sept. 1871; *Herald*, 5 Jan. 1872 (Linkonski), 6 Jan. 1872, 22 Oct. 1876 (stone); *World*, 21 Oct. 1876, 21 Dec. 1876. Details of the assault later appeared in *World, Times*, 22 Oct. 1876.
5. *Herald*, 6 Jan. 1872 (bloody man); *Brooklyn Eagle*, 6 Jan. 1872. The writs of error were filed on 9 Jan. and 30 Mar. 1872. See *People v. Appo*, 13 Dec. 1871, DAP; *Herald*, 6 Jan. 1872; *Quimbo Appo* entry, 6 Jan. 1872, p. 308, vol. 10, SSAR; entry for 5 Jan. 1872, vol. 3, Sing Sing admissions, 1842-74 (n.p.), Executive Register of Commitments to Prisons (AO603); vol. 2, Reports on Deduction of Sentences by Prison Agents, Wardens and Superintendents (AO601), all in NYSArc; *Quimbo Appo* writ of appeal; *World, Times*, 22 Oct. 1876; NYSA, *Twenty-eighth AR of the Inspectors of State Prisons [for 1875]*; AD 11 (Albany, 1876), 111, 148 (conviction as "assault to harm").
6. Unpaginated typed report, QA Case File (dates in Auburn); vol. 1, Reports on Deduction of Sentences by Prison Agents, Wardens and Superintendents (AO601), NYSArc (17 days, commutation); *World, Times, Sun*, 22 Oct. 1876.
7. Different accounts identified the victim as Mrs. Yah Maung, Eliza Nahering, and Elizabeth Nomoen. See entry for "Crimpo Appo," 20 Sept. 1875, p. 144, First District, vol. 5, roll 9, negative 10155, PCDB; *World*, 23 Sept. 1875, 22 Oct. 1876; *Times*, 22 Oct. 1876. On the Bernstein incident, see 31 Jan. 1876, 150, 1st Dist., vol. 6, roll 10, neg. 10156, PCDB; *Tribune*, 23 Oct. 1876; *Sun*, 22 Oct. 1876 (released 1 Jan. 1876).
8. *World*, 21 Oct. 1876, 21 Dec. 1876; *Times*, 21 Oct. 1876; p. 135, 21 Oct. 1876, 1st District, vol. 8, roll 12, neg. 10158, PCDB.
9. *World*, 21, 22 Oct. 1876; *Times*, 22 Oct. 1876.
10. *Times*, 21 Oct. 1876 (notorious), 22 Oct. 1876; *Tribune*, 23 Oct. 1876; *Brooklyn Eagle*, 28 Oct. 1876; Louis J. Beck, *New York's Chinatown: An Historical Representation of Its People and Places* (New York, 1898), 9.
11. *World*, 21 Oct. 1876, 21 Dec. 1876 (Englishwoman, 1857); *Sun*, 22 Oct. 1876 (St. Pat's Day); *Tribune*, 23 Oct. 1876 (St. Pat's Day), 30 Sept. 1871 (killed wife), 7 Aug. 1880 (killed wife); *World*, 22 Oct. 1876 (killed wife); *Herald*, 22 Oct. 1876 (killed wife); Williams, *Demon of the Orient*, 74 (mistress); Beck, *New York's Chinatown*, 9-10 (1875 date). On Quimbo Appo committing multiple murders or murders while in Sing Sing, see *World*, 7 Aug. 1880; *Tribune*, 21, 23 Oct. 1876, 22 Dec. 1876; *Sun*, 22 Oct. 1876; Beck, *New York's Chinatown*, 9-10; *World*, 21 Oct. 1876, 21 Dec. 1876. For accounts claiming that Quimbo was pardoned by Gov. John Hoffman in 1863, even though Edwin Morgan was governor from 1859 to 1863, see *Times*, 21 Oct. 1876 (Hoffman), 22 Oct. 1876; *World*, 21, 22 Oct. 1876, 21 Dec. 1876; *Sun*, 22 Oct. 1876; *Tribune*, 23 Oct. 1876; Beck, *New York's Chinatown*, 9-10; Tchen, "Quimbo Appo's Fear of Fenians," 148.
12. Entry for 21 Dec. 1876, vol. 6, Sing Sing Admissions, 1875-82 (n.p.), Executive Register of Commitments of Prisons (AO603); QA Case File (second-degree manslaughter); entry for Quimbo Appo, 161, 22 Dec. 1876, vol. 14, SSAR, all in NYSArc; entry for 21 Oct. 1876, 135, vol. 8, 1st District, PCDB; *People v. Quimbo Appo*, 15 Nov. 1876,